

Martin C. Calhoun

Partner

T 202.898.5867



Martin Calhoun has over thirty years of experience defending clients in complex lawsuits—including serial, multidistrict, and class action litigation—in courts throughout the country during all phases of pre-trial proceedings, in jury trials, and on appeal. He appreciates the dual aspects of lawyering, enjoying the intellectual challenge of assembling persuasive arguments (often including science-based defenses) coupled with the interpersonal relationships he develops when working closely with clients to achieve successful outcomes. Martin views the practice of law much like a complex puzzle—lots of pieces and many variables that require him to be an insightful thinker and analytical strategist to prepare compelling written and oral arguments on behalf of his clients.

Martin's complex litigation practice focuses on products liability defense work, with an emphasis on defending high-stakes lawsuits involving injuries allegedly caused by FDA-approved pharmaceutical products and EPA-approved herbicide products. Through hard work, painstaking preparation, and skilled advocacy, Martin has successfully resolved cases involving plaintiffs alleging neurological injury, jaw necrosis, serious adverse skin reactions, cancer, wrongful death, and other injuries. A few of his notable cases and results include:

- Winning affirmance of summary judgment rulings based on federal preemption principles and *Daubert* exclusions of plaintiffs' expert witnesses in oral arguments before the U.S. Court of Appeals for the Sixth Circuit;
- Obtaining summary judgment for a pharmaceutical company based on the learned intermediary doctrine and deposition testimony elicited from the physician who prescribed the medication to the plaintiff;
- Preparing successful statute-of-limitations defense (by taking depositions and analyzing documents) that led to a pre-trial dismissal without the need for expensive expert witness disclosures and depositions;
- Defending two large railroad companies sued in connection with a train accident, which resulted

in more than 100 wrongful death and injury lawsuits filed in federal and state courts, including creating high-tech trial exhibits that combined photographs, computer-generated graphics, and accident-reconstruction video footage;

- Securing favorable jury verdict for a major D.C. hospital in a medical malpractice lawsuit;
- Successfully representing an attorney sued in federal court on breach of fiduciary duty, fraud, and civil RICO theories;
- Achieving exclusion of plaintiffs' property valuation expert in a multi-plaintiff federal lawsuit alleging PCB contamination by eliciting key deposition testimony from the expert.

With an analytical mind, sharp instincts, extensive experience, and good judgment, Martin has defended clients at trial; participated in multiple hearings; taken numerous depositions of expert witnesses, treating physicians, and fact witnesses; drafted *Daubert* motions and worked on every aspect of trial preparation. He also has coordinated defense strategies in complex products liability litigation by managing attorneys throughout the country. A court presiding over consolidated products liability proceedings involving numerous defendants appointed Martin as defendants' liaison counsel. In serial litigation, he has litigated confidentiality issues at the trial level and on appeal.

Before entering private practice, Martin served as law clerk to the Honorable Charles Richey of the U.S. District Court for the District of Columbia, and was Executive Editor of the *Georgetown Law Journal*.

Services

Class Action Defense
Complex Litigation
Pharmaceutical & Medical Device
Risk Mitigation & Management
Toxic Torts & Products Liability

Education

Georgetown Law (J.D., 1989, *magna cum laude*, *Order of the Coif*)
Yale University (B.A., 1986, *magna cum laude*)

Admissions

District of Columbia
Maryland
United States Supreme Court
United States Courts of Appeals for the Fourth, Sixth, Eleventh, and District of Columbia Circuits
United States District Courts for the District of Columbia, the Northern District of Florida, and the District of Maryland

Accolades

AV Preeminent Lawyer by ALM Media and Martindale-Hubbell™, 2020 – 2023

Memberships

Defense Research Institute (DRI), Member