Hollingsworth LLP
Litigation Matters.®

Kirby T. Griffis

Retired Partner



Kirby Griffis worked with clients to identify, articulate and prioritize their goals and develops a strategy to accomplish them, which often led to successful litigation outcomes when trial is the best way forward. As a consummate professional and collaborative team player, Kirby remained focused on what is most effective when trying cases for corporate clients in high-stakes pharmaceutical, medical device, and products liability litigation, and in serial litigation cases of national importance.

Named by *The National Law Journal* as a "Winning Litigator", one of only twenty lawyers nationwide to be recognized as such in the 2015 special report, Kirby's trial victory forced a favorable settlement on the last day before closing arguments in a 26-year-old personal-injury case in the Civil District Court for Orleans Parish, Louisiana, an American Tort Reform Association-certified hellhole jurisdiction. Kirby was engaged by agricultural giant Monsanto to work up and try the first case to go to trial in the serial litigation over Roundup herbicide.

Other notable litigation Kirby has defended includes:

- Winning a defense verdict in a pharmaceutical personal-injury case in federal court in Tampa, Florida, with the jury out for less than forty-five minutes after a three-week trial.
- Trying a bellwether hernia mesh case in Texas that resulted in a defense victory after the jury was out for less than an hour, putting an end to the entire litigation.
- Winning other pharma cases, in which plaintiffs were seeking millions in settlement, both at trial and by summary judgment victories as trial approached.
- Successfully defending the firm's victories in multiple appellate forums, and arguing before the Seventh Circuit Court of Appeals.
- By engineering *Daubert* victories and other summary dispositions, Kirby set up and briefed the first *Daubert* summary judgment in the Parlodel litigation of 1998-2004 and had extensive involvement with the "Parlodel trilogy"of appellate-level *Daubert*

- Two of his significant summary judgment victories are based on proximate causation in a pair of cases in which plaintiffs were seeking approximately one million dollars each in settlement on the eve of judgment for the defense.

Quick on his feet and adaptive under pressure, Kirby's depth of experience was a byproduct of the leadership roles he played in a number of mass-tort litigation cases. Leading litigation teams both large and small, he coordinated the defense of serial litigation consisting of individual cases, class actions, and consolidated state and federal court proceedings. Kirby was defense liaison counsel for the Composix Kugel MDL in the U.S. District Court for the District of Rhode Island, and helped clients effectively respond to massive multi-jurisdictional discovery demands involving international document collections and factual investigations.

Kirby has spoken and written extensively on issues relevant to the defense of products liability and toxic tort litigation, including electronic discovery, scientific evidence, third-party litigation financing, and punitive damages. In law school, he was an Editor of the *Virginia Law Review*. Following law school, he served as a clerk to the Honorable Glen M. Williams of the U.S. District Court for the Western District of Virginia.

Education

University of Virginia School of Law (J.D., 1995)

Emory University (B.A., 1990, *summa cum laude*)

Admissions

District of Columbia

United States Courts of Appeals for the Fourth, Seventh, Eighth, and Tenth Circuits

United States District Courts for the Eastern and Western Districts of Arkansas, Northern District of Florida, Central District of Illinois, District of Maryland, Eastern District of Michigan, and Eastern and Western Districts of Virginia