Hollingsworth LLP
Litigation Matters.®

Stephen A. Klein

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Widely regarded for his creative solutions and winning strategies, Steve Klein is not afraid to take an unorthodox approach to a case where it serves his clients' interests. With a vision for the big picture and ability to keep things in perspective, Steve litigates complex cases in a diversity of areas, including construction and government contract disputes, toxic tort and pharmaceutical products defense, policyholder-side insurance coverage litigation, and environmental litigation.

For more than three decades, Steve has represented major construction and engineering firms and government contractors in complex construction litigation, contract disputes, bid protests, requests for equitable adjustment, and claims. He recently obtained a victory for a major construction and engineering client following a 4-week trial in Arkansas state court, in a dispute involving the design and construction of a billion-dollar ammonia plant. Steve expects to conduct a lengthy jury trial in Phase 2 of this bifurcated matter, involving hundreds of millions of dollars of cross claims between the project owner and his client. From representing a major debris removal and emergency management and logistics contractor in claims and bid protests against the U.S. Army Corps of Engineers, arising out of a $1 billion contract for post-Hurricane Katrina cleanup, to winning an eight-figure award for his client in a trial before the Armed Services Board of Contract Appeals, to representing a bridge contractor in a 4-week jury trial against the State of Alabama, Steve enjoys developing winning strategies by cutting through the noise to identify and zero in on the most persuasive issues. Often described as balanced and steady, Steve brings a creative and critical analysis to all of his representations.

In the pharmaceutical and toxic tort areas, Steve has worked on major post-*Daubert* federal and state court cases and has extensive experience in presenting and defending against complex scientific proofs. He has served as the firm's lead and national counsel for a major pharmaceutical defendant in mass litigation in a federal MDL and consolidated state court proceedings across the country. In that litigation, Steve engineered a *Daubert* victory for his client on general causation grounds, affirmed by the Eleventh Circuit, that set the stage for defeating the plaintiffs' claims litigation-wide. He has defended industrial companies and manufacturers against cancer and other personal injury claims arising from alleged exposure to process chemicals and industrial wastes,

and he regularly advises pharmaceutical and industrial clients on regulatory matters in multiple areas, including labeling, regulatory reporting, pharmacovigilance, product recalls (including with regard to insurance coverage), and the preparation and submission of regulatory filings such as supplemental New Drug Applications and the like.

Steve has successfully pursued insurance coverage on behalf of diverse corporate policyholders for mass-product liability exposures (involving claims by individuals, putative classes, and the United States and Canadian governments), environmental liability, and asbestos liability. In a particularly complex and multifaceted matter, Steve represented a major asbestos defendant with multiple independent lines of asbestos liability and consequently, multiple lines of potential insurance recoveries, including assisting the client in managing its insurance assets through a multi-year bankruptcy. He has also helped clients facing Superfund liability procure insurance recoveries by navigating around pollution exclusion and other impediments in their CGL policies and pursuing claims under specialty Pollution Liability and Cost Cap remediation policies. Steve has authored a number of articles and treatises to assist policyholders in maximizing their insurance recoveries.

Steve's practice also includes defending clients against CERCLA, RCRA, natural resource damage, and state environmental and public nuisance claims arising from industrial operations and waste disposal. He has defended a major chemical and refinery client in a 15-year litigation in state and federal court involving claims by state environmental agencies and contribution claims by co-PRPs, and he has defended a major industrial client facing a billion-dollar NRD liability from decades of PCB discharges into a major waterway.

At the end of the day, what Steve appreciates most about practicing law, outside of working collegially with a smart team and mentoring younger lawyers, is vindicating his clients' positions through the fine arts of logic and persuasion. When not practicing law, he enjoys long hikes with his family and Portuguese water dog, travel, and foreign cuisine.

Services

Aerospace Defense
Business Interruption & Commercial Disputes
Class Action Defense
Complex Litigation
Defense & Government Contracting
Engineering & Construction
Federal Claims
Government Investigations, White Collar & Civil Defense
Insurance Coverage
Pharmaceutical & Medical Device
Products Liability & Toxic Torts
Risk Mitigation & Management

Education

University of Michigan School of Law (J.D., 1990, *cum laude*)
University of Pennsylvania (B.A., 1987, *magna cum laude*)

Admissions

District of Columbia
New York
United States Court of Appeals for the Eleventh Circuit
United States District Court for the District of Columbia
United States Court of Federal Claims

Accolades

- *Chambers USA*
  - "Stephen Klein [is] extremely dedicated to his client's needs. His client service, level of sophistication, and commercial vision [are] very strong. He is steady and judges like him. He is excellent with clients. All this is backed up by his strong legal mind." — Client
  - Bill Cople and Steve Klein, are stunningly smart. They are true litigation experts. In addition, they are strategic and help the client manage risk effectively." — Client
  - "Steve is very knowledgeable and responsive. He really steers us well to get to a good endpoint." — Client
  - "Stephen Klein is fantastic." — Client
  - "Stephen Klein is legally quite solid. He is very knowledgeable about the law but continues to research and determine the best courses of action from a legal standpoint. Multiple claims and cross-claims can be very challenging. He is skilled at navigating this". — Third Party
- *Super Lawyers*, Government Contracts, 2023-2026
- 2023 Annual M&A Advisor Awards Winner "Professional Services Deal of the Year", Deal Team Member

Memberships

- Defense Research Institute, Member since 2015
- *Michigan Law Review*, 1989-1990