

Martin C. Calhoun

Partner

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Martin C. Calhoun has extensive experience defending clients in complex lawsuits — including serial, multi-district, and class action litigation — in courts throughout the country during all phases of pre-trial proceedings, in jury trials, and on appeal. He has successfully resolved cases involving plaintiffs alleging wrongful death, neurological injury, jaw necrosis, serious adverse skin reactions, and other injuries. Mr. Calhoun achieved exclusion of plaintiffs' property valuation expert in a multi-plaintiff federal lawsuit alleging PCB contamination after eliciting key deposition testimony from the expert. In oral arguments before the United States Court of Appeals for the Sixth Circuit, Mr. Calhoun has won affirmance of summary judgment rulings based on federal preemption principles and *Daubert* exclusions of plaintiffs' expert witnesses. He obtained summary judgment for a pharmaceutical company based on the learned intermediary doctrine and deposition testimony he elicited from the physician who prescribed the medication to the plaintiff. By analyzing documents and taking depositions, Mr. Calhoun prepared a successful statute-of-limitations defense that led to a pre-trial dismissal without the need for expensive expert witness disclosures and depositions. He helped defend two major railroad companies sued in connection with the largest train accident in this country's history, which resulted in over 100 wrongful death and injury lawsuits filed in federal and state court, and he created high-tech trial exhibits that combined photographs, computer-generated graphics, and accident-reconstruction video footage.

Mr. Calhoun has defended clients at trial, participated in multiple hearings, taken expert depositions, drafted *Daubert* motions, and worked on every aspect of trial preparation. In serial litigation, Mr. Calhoun has encountered several complex confidentiality issues, which he has litigated at the trial level and on appeal in both federal and state court.

His other pre-trial and trial experience includes the successful defense (favorable jury verdict) of a major D.C. hospital in a negligence action and the successful representation of an attorney sued in federal court on breach of fiduciary duty, fraud, and civil RICO theories.

Mr. Calhoun served as law clerk to the Honorable Charles Richey of the U.S. District Court for the District of Columbia. He was Executive Editor of the *Georgetown Law Journal*. He is a member of the Defense Research Institute.

Mr. Calhoun is recognized as a 2019 AV Preeminent® Lawyer by

Litigation

Class Action Defense
Complex Litigation
Pharmaceutical Products
Toxic Torts & Products Liability

Education

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

Admissions

District of Columbia and
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

Publications

Recent Supreme Court's Personal Jurisdiction Ruling Limits Plaintiffs' Forum-Shopping Options

Removal and Lack of Personal Jurisdiction: A Potent One-Two Punch in Multi-Plaintiff Lawsuits

Strategies for Resisting Plaintiffs' Efforts to Avoid the Supreme Court's *Daimler* Ruling

Unsettling the Settled: Is There A Re-emerging Debate Regarding the Role of Choice-Of-Law In Class Certification Proceedings?

Scientific Evidence in Court: *Daubert* or *Frye*, 15 Years Later

"When Conspirators Defy Protective Orders: Lessons From *In Re Zyprexa* Injunction."

Daubert Motions: Setting the Procedural Stage for Success