



JAMES E. HOOPER, JR.

Partner

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"[An] incredible technical mind and ability to jump into an area he's not familiar with."

—Client comment to Chambers USA

EDUCATION

University of Michigan Law School,
J.D., 1992, *magna cum laude*,
Michigan Law Review, Associate
Editor and Executive Note Editor

United States Military Academy,
West Point, B.S., 1984, Physics

GOVERNMENT SERVICE

Law Clerk to The Honorable J.L.
Edmondson, United States Court of
Appeals for the Eleventh Circuit

United States Army
Captain

OTHER EXPERIENCE

King & Spalding (Atlanta)

ADMISSIONS

Colorado
Georgia (Inactive)

James Hooper defends manufacturers in high-stakes and high-profile mass tort litigation involving complex scientific issues. He handles cases ranging from federal multidistrict litigation involving prescription medications to wrongful death lawsuits, and numerous product liability and commercial disputes in between. Jim is nationally ranked in Chambers USA for product liability and mass torts defense.

HIGHLIGHTS

- Defeated a motion for preliminary injunction in a stray voltage case in New York where the plaintiffs were asking the court to order a multimillion-dollar rebuild of an electrical distribution line and issue unprecedented rules about the delivery of electrical power.
- Serving as lead national trial counsel to a major U.S. distributor of vaping products in federal multidistrict litigation in California. WTO is liaison counsel to all of the distributor defendants in the litigation.
- Developed, presented, and defended multiple defense expert witnesses in the fields of occupational medicine, industrial hygiene, and state-of-the-art scientific knowledge.
- Coordinated asbestos-defense strategies integrating historical and newly developed scientific research in toxicology, epidemiology, analytical chemistry, and particulate analysis and characterization.
- Helped win summary judgment in a federal MDL in Philadelphia to dismiss Zolof birth defects litigation.
- Helped win summary judgment for Pfizer in Zolof birth defect case in Philadelphia.
- Won for Pfizer in the first appellate preemption decision involving an antidepressant medication.

INDUSTRIES

- Asbestos
- Consumer Products & Services
- Medical Devices & Pharmaceuticals

PRACTICE AREAS

- Appellate
- Commercial Litigation
- Product Liability
- Catastrophic Injury Defense
- Environmental Litigation
- Mass Torts

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BIOGRAPHY

James Hooper defends manufacturers in high-stakes and high-profile mass tort litigation involving complex scientific issues. He handles cases ranging from federal multidistrict litigation involving prescription medications to wrongful death lawsuits, and numerous product liability and commercial disputes in between. Jim is nationally ranked in Chambers USA for product liability and mass torts defense.

Jim joined WTO at its inception and became its first elected partner in 1998. Jim is a West Point and Michigan Law School graduate who has spent the past 20 years helping American businesses defend complex, scientifically and technically challenging lawsuits in more than 20 states. He has tried, served as national counsel, and litigated numerous types of lawsuits, ranging from products liability to civil RICO and federal land use. His work most often centers on high-profile, large-exposure, and expert-intensive cases involving challenges to the design, risk and safety profiles, and marketing of pharmaceuticals, medical devices, building materials, and similar products. Jim's cases have resulted in significant and helpful judicial decisions in the areas of expert scientific evidence, product safety warnings, and medical causation.

Jim was elected by his peers to serve as a member of the Pfizer Legal Alliance (PLA) Roundtable, a strategic planning and oversight group for 19 nationally renowned law firms that provide legal services to the world's largest pharmaceutical company. He is listed in *Chambers USA*, *The Legal 500 US*, *International Who's Who of Life Sciences Lawyers*, and *Colorado Super Lawyers*. Jim's clients described him to *Chambers USA* as "very talented in the courtroom, thoughtful and creative."

Jim leads WTO's associate evaluation and training committee, helping to develop the firm's next generation of national caliber trial lawyers.

CASES

- Defeated a motion for preliminary injunction in a stray voltage case in New York where the plaintiffs were asking the court to order a multimillion-dollar rebuild of an electrical distribution line and issue unprecedented rules about the delivery of electrical power.
- Serving as lead national trial counsel to a major U.S. distributor of vaping products in federal multidistrict litigation in California. WTO is liaison counsel to all of the distributor defendants in the litigation.
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- Coordinated asbestos-defense strategies integrating historical and newly developed scientific research in toxicology, epidemiology, analytical chemistry, and particulate analysis and characterization.
- Successfully excluded all of plaintiffs' general causation experts to help Pfizer secure summary judgment in federal Zolofit birth defect MDL.
- Contributed to summary judgment win for Pfizer in a Zolofit birth defect case in Philadelphia.
- Won an appeal for Pfizer in a groundbreaking preemption case before the Third Circuit.
- Obtained voluntary dismissal of claims against Solvay Pharmaceuticals in litigation stemming from the 1999 Columbine High School shooting.
- Won exclusion of a star expert for the plaintiffs in antidepressant suicide litigation and won summary judgment for Pfizer in federal court in Kansas in a case alleging that the company's antidepressant led to the suicide of a minor.
- Obtained summary judgment for Pfizer in a case alleging wrongful death, failure to warn, and other claims involving the company's popular antidepressant, and won on appeal in the Ninth Circuit.
- Won exclusion of a plaintiff's causation experts and summary judgment for Pfizer in federal court in Kansas in a case alleging that the company's antidepressant led to the suicide of an adult male patient.
- Won a New Hampshire "no airbag" trial for Ford before getting all no-airbag cases held preempted in *Geier* in the U.S. Supreme Court.

TEACHING POSITIONS

- University of Denver Sturm College of Law
Adjunct Professor

BAR & COURT ADMISSIONS

- Colorado
Georgia (Inactive)
U.S. Supreme Court
U.S. District Court, D. Colorado
U.S. District Court, N.D. Georgia

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LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

- Chambers USA
 - Product Liability - National, 2011-2023
- The Best Lawyers in America
 - Mass Tort Litigation/Class Actions - Defendants Lawyer of the Year, 2022, 2024
 - Personal Injury Litigation - Defendants Lawyer of the Year, 2023
 - Product Liability Litigation, 2014-2024
 - Personal Injury Litigation, 2021-2024
 - Mass Tort Litigation/Class Actions, 2021-2023
- The Legal 500 United States
 - Litigation: Product Liability and Mass Tort Defense, 2009-2012, 2015
- Colorado Super Lawyers
 - Super Lawyers, Personal Injury Defense: Products, 2012-2024
 - Super Lawyers, Business Litigation, 2010-2011
- Benchmark Litigation
 - Local Litigation Star, 2020-2024
 - Product Litigation - Colorado, 2016
 - Commercial Litigation - Colorado, 2014-2015, 2017-2018
 - Future Star - Colorado, 2011-2013
- The International Who's Who of Life Sciences Lawyers, 2008-2017, 2019
- The International Who's Who of Product Liability Defense Lawyers, 2016-2017, 2019
- Euromoney's Expert Guides - Litigation and Product Liability
- Martindale-Hubbell AV® Peer Review Rated
- Lawyers for Civil Justice
 - Member
- Defense Research Institute
 - Drug and Medical Device Section
- International Association of Defense Counsel
- Denver Bar Association
- Colorado Bar Association
- American Bar Association
 - Litigation Section

ARTICLES & PRESENTATIONS

Presentations

- Presenter, "Techniques for Effective Cross-Examination of Expert Witness," DRI 2024 Product Liability Conference, (February 7, 2024).
- Presenter, "Punitive Damages," 27th Annual Conference of Colorado Defense Lawyers Association, (August 20, 2004).

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- Presenter, "Court-Appointed Experts," The Network of Trial Law Firms, (March 14, 2002).
- Presenter, "The Future of Preemption," Defense Research Institute, (May 3, 2001).
- Presenter, "Daubert and Differential Diagnosis," The Network of Trial Law Firms, (January 4, 2001).
- "Bright Lines, Dark Deeds: Counting Convictions Under the Armed Career Criminal Act," 89 Mich. L. Rev. 1951, (1991).

PERSONAL INTERESTS

- Mountain sports