

Q&A with Robinson & Cole's Jeff White

Law360, New York (May 07, 2013, 12:27 PM ET) — [Jeffrey J. White](#) is a partner in [Robinson & Cole LLP's Hartford](#), Conn., office. He chairs the firm's appellate practice group and has participated in over 40 appeals in courts around the country. He handles corporate compliance and litigation matters for both domestic and international manufacturers and distributors. His clients range from publicly traded Fortune 500 clients to privately held businesses that involve a range of industries, including aerospace and defense, pharmaceuticals and life sciences, nutritional and dietary supplements, and retail and consumer products. He also created the firm's [Manufacturing Law Blog](#).

Q: What is the most challenging case you have worked on and what made it challenging?

A; I spent six years representing a worldwide helicopter manufacturer in litigation that arose out of a heli-logging accident in British Columbia that resulted in the deaths of the two pilots. The first phase of the litigation was in Connecticut and involved a wrongful death case involving multiple defendants. In the second phase of the litigation, which was filed in Oregon, I represented the manufacturer in a contribution/indemnification action brought against the owner/operator of the helicopter.

This case was challenging on many different levels. From a factual perspective, I needed to oversee an investigation that spanned North America as we attempted to develop our case through third-party witnesses. From a legal perspective, I had to tackle issues arising out of the law of many different jurisdictions, including workers' compensation law in British Columbia. To this day, this case remains the most satisfying of my career for several different reasons, including the successful outcome reached for my client.

Q: What aspects of your practice area are in need of reform and why?

A: There has been an explosion of consumer fraud class actions filed against manufacturers, distributors and retailers around the country. I have had significant experience defending those types of class actions. Unlike a classic products liability lawsuit where someone claims an injury as a result of using a certain product, in these consumer fraud class actions, the situation is often quite different. A number of these plaintiffs have never even used the product but are allowed to proceed simply because they made a purchase. Unfortunately, it appears that many of the class actions are used as a lever to force an early settlement due to the legitimate fear of manufacturers that the expenses for defending such actions will be cost-prohibitive. Although there has been more attention paid to class action reform over the past decade, more needs to be done in this area so as to encourage new investments in American manufacturing.

Q: What is an important issue or case relevant to your practice area and why?

A: As to be expected, there continues to be a great deal of activity surrounding contracts between manufacturers and distributors and others up and down the supply chain. In particular, a number of companies are taking a hard look at the indemnification clauses in their contracts in the event that a lawsuit is filed or some other dispute arises. There are many occasions where both parties to a contract will have their own competing terms and conditions, and it is unclear which party's

terms will govern. It is important for manufacturers and distributors to continually review their agreements so that they can be proactive in spotting potential problems in order to ensure that they are managing risk while maintaining a good working relationship with their business partners.

Q: Outside your own firm, name an attorney in your field who has impressed you and explain why.

A: Benjamin Buckley, who is the global compliance and integrity officer and senior counsel at The [Barnes Group Inc.](#) (a global manufacturer). I have known Ben since law school and I have followed his career with much interest. He is able to handle complex legal issues within the confines of a fast-moving business environment.

Q: What is a mistake you made early in your career and what did you learn from it?

A: When I first started in private practice, I tended to rely too much on my clerkship experience. In other words, I tended to over-analyze issues so that I could arrive at a neutral result. While that skill can be a strength, it can also undermine a lawyer's advocacy skills over time. I was lucky to be surrounded by a number of skilled trial lawyers who taught me how to use my ability to look at both sides of an issue in a way that benefited my clients.

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