

Eric C. Strain

Partner

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With 25 years of experience, Eric helps global aviation companies navigate complex U.S. litigation.

OVERVIEW

Eric maintains a national practice representing aviation companies located in North America, Europe, and Asia through all stages of complex civil litigation in the U.S., including mediation, trial, and appeal. His substantial courtroom experience includes federal and state court jury trials, arguments before U.S. courts of appeals and briefings submitted to the U.S. Supreme Court.

Eric serves as lead U.S. national product liability defense counsel for one of the world's largest aircraft manufacturers located in Europe and its North American affiliates.

Eric executes complex legal and technical strategies to accomplish clients' specific goals, whether it be a prompt resolution or a full and aggressive defense. He also provides clear advice to foreign clients about often unfamiliar U.S. litigation, regulatory, and discovery processes.

REPRESENTATIVE MATTERS

- Obtained a complete jury trial defense verdict in New York state court (Manhattan) on product liability claims for French and U.S. aviation clients in wrongful death action where the plaintiffs sought more than \$100 million.
- Defended against numerous wrongful death, serious personal injury, and property damage claims arising from aircraft accidents in a variety of industries, including commercial, tourist, air ambulance, news-gathering, and private operation flights.
- Obtained a complete California federal court jury trial defense verdict on product liability claims in a wrongful death action against a U.S. aviation client.
- Obtained a complete Texas state court jury trial defense verdict on product liability claims in a wrongful death and serious personal injury action against French and U.S. clients.
- Obtained a personal jurisdiction dismissal of a U.S. aviation client from a wrongful death lawsuit in Oklahoma, which was upheld on appeal to the Oklahoma Supreme Court.
- Obtained a North Carolina Court of Appeals decision reversing the trial court's denial of a German aviation manufacturer's motion to dismiss for lack of personal jurisdiction. The plaintiffs' petition for review was denied by the North Carolina Supreme Court.

- Obtained a personal jurisdiction dismissal of European clients from a Massachusetts federal court lawsuit.
- Obtained a Florida court of appeals decision reversing the trial court's denial of a Slovenian aircraft component part manufacturer's motion to dismiss for lack of personal jurisdiction.
- Obtained a complete summary judgment dismissal of product liability claims brought in Texas state court against German and U.S. aviation clients less than one week before the wrongful death trial.
- Obtained a personal jurisdiction dismissal from California federal court of product liability claims brought against a European airframe manufacturer arising out of an airline disaster in Cuba, which was upheld by the U.S. Ninth Circuit of Appeals, and the petition for review was denied by the U.S. Supreme Court.
- Obtained personal jurisdiction and forum non conveniens dismissals of \$100 million commercial claims brought in Texas federal court against a French aviation client following the grounding of the fleet.
- Obtained a dismissal of clients from wrongful death action on the eve of trial after an aggressive defense caused the plaintiff to voluntarily drop the suit with no settlement money paid.
- Obtained a summary judgment dismissal of \$90 million fraud and negligent misrepresentation claims against U.S. and French clients.
- Obtained a summary judgment dismissal with awarded costs on a multimillion-dollar commercial claim against an aviation client in Texas state court.
- Obtained a summary judgment dismissal of a \$25 million contribution claim brought in federal court after a multiple-stage coordinated legal defense strategy involving complex personal jurisdiction, transfer, and choice of law issues, which was upheld on appeal to the U.S. Fifth Circuit Court of Appeals.
- Obtained a summary judgment dismissal of federal court tort and breach of warranty claims against clients based on an economic loss rule defense.
- Obtained a summary judgment dismissal of a manufacturing defect claim brought against a U.S. client in California federal court after the court struck the plaintiff's technical expert on a Daubert challenge.
- Obtained the dismissal of a Swedish aviation cold storage transportation company from a commercial dispute brought in California state court with no settlement money paid.
- Counseled a leading European airframe manufacturer during National Transportation Safety Board public hearings following an airline disaster in Laos.
- Counseled European and Asian air carriers on Warsaw/Montreal Convention claims.
- Counseled a Hong Kong-based air carrier on U.S. federal aviation regulation and Montreal Convention issues.

AWARDS

- *The Best Lawyers in America®*, Product Liability Litigation – Defendants (2022-2026)

TOP AREAS OF FOCUS

- Insurance Aviation

ALL AREAS OF FOCUS

- Insurance Aviation
- Litigation + Trial
- Product Liability

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of San Francisco School of Law, J.D., *cum laude*, *Law Review*, moot court executive board
- University of California, Davis, B.A., *summa cum laude*, Phi Beta Kappa

BAR ADMISSIONS

- New York
- California
- Washington

COURT ADMISSIONS

- Supreme Court of the United States

CLERKSHIPS

- Hon. James L. Warren, San Francisco Superior Court

LANGUAGES

- French