

HOLLY M. POLGLASE

SHAREHOLDER

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KEY SERVICES

Litigation

- Appellate
- Breach of Warranty
- Class Actions
- Commercial
- Contracts
- Negligence/Personal Injury
- Pharmaceuticals & Medical Devices
- Premises Liability
- Product Liability
- Toxic Torts

BAR ADMISSIONS

State Bar Admissions
MA, ME, NH, CT, RI

United States District Court
MA, NH, CT, VT, ME, RI

United States Court of Appeals
First Circuit, Second Circuit

United States Supreme Court

EDUCATION

Suffolk University Law

OVERVIEW

Holly is lead counsel in the defense and trial of complex product liability, pharmaceutical, medical device, toxic tort, asbestos, general liability and commercial law matters. She advises major national and multinational companies, representing product manufacturers, sellers and other businesses following catastrophic losses.

Known for her deep experience and ability to resolve all kinds of liability allegations, Holly represents designers, distributors, retailers and the companies that service products. Her clients hire her to handle complex cases involving cars and trucks, tires, car seats, bicycles, farm and heavy equipment, industrial, food and manufacturing processing equipment, material handling equipment, hand and power tools, lawn and garden products, safety equipment, ladders, step stools, HVAC systems, tools, appliances and other consumer products. She also represents clients in connection with drug and medical device cases. Holly's experiences give her a broad background in fire case and origin, accident reconstruction, biomechanics, epidemiology, industrial hygiene, chemicals, electrical systems, mechanical systems, manufacturing processes, materials science and medicine as well as the experts who work in these fields. Her diverse practice also includes copyright litigation and other business and general liability disputes.

Holly's unmistakable skill and visibility in her field leads to frequent invitations to speak on issues related to her civil litigation practice. She is also a prolific author, writing for numerous publications on a range of topics. Holly is very active in state and special interest bars, having acted as the past Chair of the American Bar Association's Tort Trial and Insurance Practice Section and a past President of the Massachusetts Defense Lawyers Association of the Federal

School, J.D., *cum laude*,
1988

Assumption College, B.A.,
cum laude, 1985

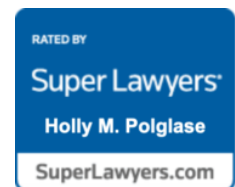
Bar Association, Massachusetts Chapter.

EXPERIENCE

- **NuVasive, Inc. v. Day**, 954 F.3d 439 (1st Cir. 2020)
Attained preliminary injunction on behalf of medical device manufacturer against former employee involving the enforcement of a non-solicitation clause in contract; affirmed by the United States Court of Appeals for the First Circuit.
- **DiMascio v. Razor USA, LLC** – Obtained voluntary dismissal of case seeking damages for alleged design defect in riding toy.
- **Lydford v. Nissan North America, Inc.** – Defense verdict in unwanted acceleration case tried in New Hampshire Superior Court where plaintiff was seeking significant damages for traumatic brain injury.
- **Farahani v. Evenflo Company** – Obtained summary judgment for child restraint manufacturer in product liability case.
- **Fanara v. General Motors Corporation** – Directed verdict for automobile manufacturer in Barnstable, Massachusetts for claim of defective airbag.
- **Hollander v. Toshiba America Information Systems, Inc.** – Obtained Dismissal during trial in \$2,000,000 breach of warranty claim.
- **Doe v. American Medical Systems, Inc.** – Second Circuit affirmed dismissal of claims against medical device manufacturer.
- **Hebert v. General Motors Corporation** – Attained favorable settlement for automobile manufacturer during trial for claims that automotive friction products were the cause of plaintiff's mesothelioma.
- **Keyes v. Case Corporation** – Summary Judgment obtained for manufacturer of loader/backhoe on the ground that expert testimony was insufficient to prove causation.
- **Lucius v. Makita U.S.A., Inc.** – Defense verdict for power tool manufacturer in case where plaintiff faulted circular saw because it did not contain an electric brake.
- **Kapustin v. Dixie-Narco, Inc.** – Defense verdict for manufacturer of vending machine which plaintiff claimed was unstable and toppled over on his leg.
- **Madigan v. General Motors Corporation** – Massachusetts Appeals Court affirmed summary judgment for automotive manufacturer in crashworthiness case.
- **Medeiros v. Chrysler Corporation** – Procured summary judgment for automobile manufacturer in asbestos case.
- **Scholz Design, Inc. v. Sard Custom Homes, LLC et al.** – Second Circuit reversed dismissal of copyright claim.
- Counsels large automobile industry corporations in connection with product liability matters including asbestos, allegations of product failure and design defects matters.
- Representation of major corporation in connection with copyright claims
- Representation of manufacturer in connection with allegations of product failures related to misuse.
- Representation of technology company in connection with the dismissal of a \$2 million breach of warranty claim.

AWARDS & HONORS

- Listed in Best Lawyers®
 - Mass Tort Litigation/Class Actions, Defendants
 - Personal Injury Litigation, Defendants
 - Product Liability Litigation, Defendants
 - Lawyer of the Year, 2018
- Massachusetts Defense Lawyers Association, Defense Lawyer of the Year, 2014
- AV® Preeminent™ Rated by Martindale-Hubbell
- Super Lawyers, 2006-2018
- Massachusetts Lawyers Weekly, Top Women in Law Honoree



INVOLVEMENT

American Bar Association

- Tort and Trial Insurance Practice Section (TIPS) Chair, 2017-2018
- Tort and Trial Insurance Practice Section Council, Chair, 2009-present
 - CLE Board, Chair 2006-2008
 - Task Force on Leadership Diversity Initiative, Member, 2010-2011
 - Standing Committee on Strategic Alliances, Chair, 2009-2010
 - Products, General Liability and Consumer Law Committee, Chair, 2000-2001
 - Products, General Liability and Consumer Law Committee, Vice Chair, 1990s-present
 - Finance Special Standing Committee, Past Member
 - Women and Minority Involvement Committee, Past Member
 - TIPS Fellow
- Litigation Section, Member
- Bulgarian Consumer Protection Project, ABA Central and East European Law Initiative, 1992
- ABA Standing Committee on Continuing Legal Education, 2007-2009
- ABA House of Delegates, Member, 2012-2015

Defense Research Institute

- Product Liability Committee, Hand and Power Tool Sub-Litigation Group, Co-Chair, 1998-2007

Federal Bar Association

- Massachusetts Chapter, President, 2004-2005
- Executive Committee, Past Member

Federation of Defense and Corporate Counsel

- Member

International Association of Defense Counsel

- Member

Massachusetts Bar Association

- Civil Litigation Section, Chair, 2014-2015
- Litigation Section, Council, 2010-2014
- Massachusetts Joint Bar Committee on Judicial Nominations, 2007-2009
- Massachusetts Bar Foundation, Life Fellow

Massachusetts Defense Lawyers Association

- President, 2010-2011
- Board of Directors, Past Member

Product Liability Advisory Council

- Sustaining Member