



MARKLAND HANLEY

The Technical Litigation Firm for the 21st Century

DIVERSE INSIGHTS.
EXTREME KNOWLEDGE.
EFFICIENT ACTIONS.

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the FIRM

Markland Hanley is a Texas based law firm with a national practice. Our diverse personnel provide the highest quality and most cost effective representation available in specific types of litigation, including litigation in which engineering, medical, pharmaceutical, biogenetic, biotechnological, nanotechnological, and other scientific and technological issues are of particular significance, such as products liability, toxic tort and intellectual property litigation.

our FOCUS

We are committed to employing a legal team of the best and brightest. We live in a multicultural and multi-ethnic world and our **DIVERSE INSIGHTS** offer our clients the best strategies to prevail in court. Because we focus our practice on limited specific legal niche areas, our **EXTREME KNOWLEDGE** of the law and technical issues in these niche areas leads to time efficiencies and to reduced costs. Our goal is to find all of the inefficiencies that make litigation so costly and to eliminate them. We seek to eliminate all unnecessary time spent in litigation such that we take only the most cost **EFFICIENT ACTIONS**. Markland Hanley is a truly unique twenty-first century law firm—focused on true diversity, advanced technology litigation, and time efficient and cost effective representation.

our ATTORNEYS

The founding partners of Markland Hanley have over 50 years combined legal experience representing clients in complex technical litigation. Dale Markland and Tara Hanley are seasoned professionals who were previously with one of the highest quality major law firms in the country and have a broad range of experience handling complex legal and technical matters for a wide variety of clients.

Main Contact

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MARKLAND HANLEY

THE TECHNICAL LITIGATION FIRM FOR THE 21ST CENTURY



Diverse Insights

Extreme Knowledge

Efficient Actions

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SELECTED ACCOLADES

- Dale Markland has been recognized by his peers as one of the “Best Lawyers in America” in the field of Product Liability

- Markland Hanley was awarded, by client, Navistar, Inc., its 2008 Law Department Diversity Recognition Award, given annually to one law firm of less than 250 attorneys that has best fostered the ideal of a diverse law firm

- Markland Hanley and its founding partners are AV rated by Martindale-Hubbell.

- Markland Hanley and its founding partners are listed in The Bar Register of Preeminent Lawyers in the field of products liability.

- Dale Markland’s defense verdict in a product liability case was selected by National Law Journal as one of the top defense wins in the country in a recent year.

- Dale Markland was in the initial small group of outside counsel nationwide to be selected to be a “Sustaining Member” of the Products Liability Council, Inc., and is the former head of the Products Liability Practice Group of one of the nation’s largest law firms.

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PRACTICE AREAS

AT MARKLAND HANLEY, we focus on specific legal and technical niche areas. As a result, our knowledge in these areas is extremely deep and well organized. By focusing on specific areas, we are able to maximize our efficiencies provide the highest quality representation, and offer substantial cost benefits to our clients. Our primary areas of practice are:

PRODUCT LIABILITY LITIGATION

PHARMACEUTICAL PRODUCTS LITIGATION

NANOTECHNOLOGY RELATED LITIGATION

BIOTECHNOLOGY RELATED LITIGATION

BIOGENETICALLY ENGINEERED PRODUCTS LITIGATION

COMPUTER, COMPUTER CHIP AND OTHER HIGH TECHNOLOGY LITIGATION

TOXIC TORTS

ENVIRONMENTAL INJURY LITIGATION

GENERAL PERSONAL INJURY LITIGATION

INTELLECTUAL PROPERTY LITIGATION

DISCRIMINATION LITIGATION

AND

COMPLEX COMMERCIAL LITIGATION

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We regularly represent clients in litigation in which complex scientific and technical issues arise, including products liability actions and toxic tort actions. We seek to represent clients in the most advanced technology industries such as those manufacturing and supplying pharmaceuticals, biotechnologically and biogenetically engineered products, computers and computer chips, and products utilizing robotics, artificial intelligence technology, and nanotechnology. We also have significant experience in other types of litigation involving injuries to reputation, including Internet reputational injuries, and other personal injuries and in complex commercial litigation, including business torts and breach of contract. Our attorneys have represented clients whose litigation customarily involves highly specialized engineering, medical, bio-scientific, toxicological and epidemiological causation issues and other scientific and technical issues, including clients in the pharmaceutical, heavy truck, automobile, automotive components, computer chips, cosmetics and hair preparations, industrial gas, medical device, chemical, petrochemical and pesticides industries. We also have significant experience in representing hazardous waste generators.

Clients That Markland Hanley Partners have Represented in Technical Litigation During Their Careers

Automotive Products and Users

Navistar, Inc. (formerly known as International Truck and Engine Corporation;
formerly known as International Harvester Company)

General Motors Corporation

Chrysler Corporation

Mitsubishi Motor Sales of America, Inc.

Hyundai Motors America

Saab-Scania of America, Inc.

Audi Motor Corporation

Gulf States Toyota, Inc.

Freightliner Corp.

Bridgestone/Firestone, Inc.

Detroit Diesel Corp.

Paccar, Inc.

Exide Battery Corp.

Synder Tank Corp.
Harley Davidson, Inc.
Crane Carrier Company
Bekins Van Lines
Oshkosh Trucks
Curtis Industries, Inc.
Bankhead Enterprises, Inc.

Pharmaceutical, Medical Device and Medical Services

American Home Products/Wyeth Pharmaceuticals
Ciba Geigy
Lenier Health Products
Syncor International Corporation
Parkland Hospital—Dallas County Hospital District

Electronics, Computer Chips and Internet Services

Emerson Electric Co.
Hitachi Semiconductor of America
National Semiconductor Corporation
Motorola
Westinghouse Electric Company
Frigidaire
Sharp Electronics
Wise Electric Cooperative
Digital Insight, Inc.

Chemicals, Petrochemicals, Gases and Related Services

The BOC Group/Linde North America, Inc.
Akzo Noble Chemical Company
Occidental Chemical Company
U.S. Silca Company
North American Refractories Company
Helena Chemical Company
Cedar Chemical Company
Monsanto Company
Haliburton
Eastman Kodak Company
Poly-one Corp.
The BF Goodrich Company
Hoyer USA, Inc./Hoyer—ODFJELL
Rho-Chem (Southdown, Inc.)
Acadia Elastomers Corp.
The Lubrizol Corp.
White Deer Production Company
Blackbrush Oil and Gas, Inc.
Truly Nolen of America, Inc.

Hair Preparations and Cosmetics

L'Oreal U.S.A.
Redkin Laboratories, Inc.
Clairol

Heavy Equipment

FMC Corp.
Upright, Inc.
Bucyrus-Erie Company
Harnischfeger Corp. (PPM Cranes, Inc.)
The Koehring Company
Amca International Corp.
Clark Equipment Company
Terex
Eaton
Long Tractor Company
U.S. Rentals
Crown Controls/Crown Equipment Corp.
John Deere
Jackson Lumber Harvester Company, Inc.
Scag Power Equipment, Inc.
Tiaton Tool, Inc.
Continental Conveyor Equipment
Allied Industries

Retailers

Sears Roebuck & Company
The Kroger Company

Miscellaneous

Owens Illinois, Inc.
Raytheon Engineers and Constructors
Sherwood Valve/Harsco Corporation
Viacom/CBS
Dart Container Corp.
Poly America, Inc.
Hills Pet Nutrition, Inc.
Dryvit Systems, Inc.
Globe Business Furniture
De la Rosa Law Firm

MARKLAND HANLEY

THE TECHNICAL LITIGATION FIRM FOR THE 21ST CENTURY

SELECTED TESTIMONIALS

From In-House Counsel:

*"Two outstanding products liability litigators that we have used are Dale Markland and Tara Hanley. When it comes to complex technical causation issues, they can't be beat. **They delivered outstanding results for us...at reasonable rates...they are very good at what they do.**"*

- Tae Rhee

former Senior Vice President and General Counsel of Leiner Health Products; present President Supplements Liquidating Trust (d/b/a Leiner Health Products).

*"I am the former General Attorney of Navistar International, and a former Associate General Counsel of Sears Roebuck and Company. I can think of no finer gentlemen to represent our corporations. **Mr. Markland's judgment, assertiveness and tremendous will to win had been unsurpassed in all of his litigation endeavors.** He is a credit to the legal profession, the Texas Bar, his family, and himself."*

- Kevin E. Condron

Sr. Managing Director, LeCG.

*"We have found Dale to be an intelligent, aggressive and worthy advocate. Dale is respected by the court and his peers and always demonstrates the utmost integrity and professionalism in each matter he handles. He is always well prepared, organized and **willing to go the extra mile for his clients.**"*

- Steven K. Covey

Sr. Vice President, General Counsel and Chief Ethics Officer Navistar, Inc.

*"Dale Markland's capabilities...in case preparation were superior...he was extremely proficient in taking very thorough effective depositions, most notably experts' depositions. He especially excelled, however, with his trial skills; **his trial expertise was exemplary and resulted in defense verdicts in high exposure cases.**"*

- James A. Jacobson

former Director, Product Litigation for Freightliner LLC.

“Dear Dale: Thank you for achieving an instrumental settlement from International in the (case name deleted) case. Without your guidance in establishing a best of class team, and your hard work in developing our defense, I am sure we would not have been able to obtain such a favorable result.”

-Aida Tanaka

Director, Dealer Operations, Navistar, Inc.; formerly General Attorney at Navistar, Inc.

“Thank you for the great news regarding the non-suit with prejudice in the (name of case deleted) case. This is obviously a great result...it is not often that we get a non-suit, particularly in a paraplegic case in Orange County...we appreciate your hard work.

-Alan Yarcusko

Counsel, Bridgestone/Firestone, Inc.

“Tara, Dale and you provided excellent service on this matter and we are very pleased with the outcome.”

-Kevin Kennedy

Corporate Counsel, Dart Container Corporation.

From In-House Engineers:

“Dear Dale: I am taking this opportunity to personally thank you for your brilliant defense of the (case name deleted) case. Your energy level, attention to detail, penetrating manner of questioning witnesses, and eloquent manner of expression are great assets. I guess I think you are pretty good.”

-Ernie Stinsa

Vice President, Reliability/Field Service and Director of New Product Programs, Navistar International Transportation Corp. (now known as Navistar, Inc.).

“I spent much of my career as an Executive Engineer for a major heavy truck manufacturer. In this capacity, I worked with over 50 law firms, relative to defense of products liability issues throughout the United States of America. I found Dale Markland to be one of the most effective trial lawyers with whom I worked. His capabilities in the preparation for, and successful defense of product cases, are exceptional.”

-Thomas D. Hutton,

Retired Executive Engineer, Freightliner Corp. (now known as Daimler Trucks North America).

*"I am a retired engineer from Navistar Corp...I spent 35 years as an engineer in various job descriptions in the agricultural equipment division of International Harvester (and its successors). **Dale is a dynamic work-a-holic with communication skills that gave my company the best representation one could hope for.**"*

-Henry A. Dallas

Retired Products Integrity Engineer, Navistar Corp. (now known as Navistar, Inc.).

*"We worked closely with Mr. Markland on litigation related to a heavy truck crash. We found him very effective and comprehensive in his preparation and knowledge of vehicle and vehicle sub-systems. We found him to be relentless in his pursuit of the truth, focused on both testing and event reconstruction in order to completely understand the cause and effects related to our litigation defense. We were very pleased to have Dale Markland on our side of the table. The results of Dale's **strategic leadership in one particular case brought outstanding results. The plaintiff sued for \$168,000,000 and was awarded zero.**"*

-Jeff Williams

Senior Account Manager, Indiana Mills and Manufacturing, Inc. (A major seat belt manufacturing company)

From Plaintiff's Attorneys:

*"I have known Dale Markland for many years. We have had cases on opposite sides of the docket over the years. **Mr. Markland is an outstanding trial lawyer. He is well known amongst the trial bar as 'one of the best.'** Dale is always extremely well prepared, has a thorough knowledge and command of the technical and factual issues involved in the case and provides his clients with excellent representation. His results at trial demonstrate the tireless preparation and attention to detail that has always been his approach. His actions also reflect that he cares a great deal for his clients. While he is an extremely hard worker and strident advocate, he is ethical and honest in his dealings with his adversaries. **He is truly a trial lawyer to be respected and admired. I hold him in the highest regard.**"*

- Larry P. Boyd, opposing counsel, Houston, Texas

*"Dale Markland and I worked opposite each other on a product liability case in which I represented the plaintiff and Dale represented the primary defendant. Dale's client had tremendous financial exposure. For several years we battled it out and as a result, I learned firsthand what an outstanding lawyer Dale is. **In the twenty years I have practiced, Dale Markland is, quite simply, one of the best lawyers I have come across.** His recall of the facts was unlike anything I have ever seen. **To anyone considering legal counsel in high stakes or complex litigation, I highly recommend Dale Markland.**"*

- Don Tittle, opposing counsel, Dallas, Texas.

"Dale Markland is one of the most effective people I have ever met. I have been around my share of very sharp people – Marines, doctors, lawyers, politicians, ambassadors, successful businessmen and professional athletes – and Dale is one of the very best at what he does. I have learned a great deal from watching him work over the past few years and I am a better lawyer for it. Dale is a consummate professional and a worthy adversary. I feel fortunate to count Dale among my friends and trust that it will always be so."

- Terrence E. McCartney, opposing counsel, New York City, New York.

"I have had the opportunity to work against Dale Markland and Tara Hanley on major products liability litigation. In every instance, Dale and Tara have demonstrated superior expertise in knowing how to defend their client's interest on the specific facts of those cases. Their knowledge of the proper experts for a given case and how to use specialists on a given set of facts is impressive. As respected adversaries, we consider Dale and Tara as some of the most effective and zealous advocates for their clients."

- Glen M. Wilkerson, opposing counsel, Austin, Texas.

"Dale, you are the ultimate professional. You are excellent at what you do and a fierce adversary, but always a gentleman and thoughtful in your dealings with opposing counsel. I work very hard but I am not able to work any harder than you. I have found that in recent years I much prefer to have hard working, prepared, confident, and competent adversaries like you. Unfortunately, there are not enough of my opponents (or plaintiff lawyers) like you to give rise to a lot of optimism in me for the future of lawyers of our civil justice system. You did an outstanding job on [case name deleted] — everything I hoped you would not do!" Dale is a great teacher-whether in the courtroom, deposition, or training experts and other lawyers. A fine example of this is the outstanding lawyer his partner, Tara Hanley, has become under his mentoring. Tara's first deposition was one of my clients and she has continued to practice with Dale since that time, becoming a very fine trial lawyer in her own right. Both Dale Markland and Tara Hanley are experienced litigators, capable of handling complex litigation at the highest level. They have the ability to think "outside the box" and seek solutions to presenting evidence and resolving cases. Their wealth of experience gives them an insight and confidence often missing in many of today's so called "litigation" attorney. Yet, they remain people of the highest integrity whose handshake is a trustworthy bond in litigation matters. I consider them a formidable legal team.

- Ken Lewis, opposing counsel, plaintiff's attorney, Beaumont, Texas.

"Dale, I wanted you to know that it was real pleasure working with such a competent lawyer without an ego problem. Your deposition of [expert's name deleted] was probably the most effective I've ever had to sit through. Keep in mind the job offer."

- John Gehlhausen, opposing counsel, plaintiff's attorney, Lamar, Colorado.

From Outside Experts:

*"As a fire consultant and fire investigator, I have worked with Dale Markland on numerous fire related cases. Mr. Markland is one of the most knowledgeable and efficient attorneys I have ever worked with. His enthusiasm and attention to every detail, no matter how minor, are infectious to everyone involved. His enthusiasm is consistent from the very outset right to trial if necessary. I say "if necessary" because in most of my involved cases the opposition's contentions were destroyed by his superior grasp of every expert's input. **Mr. Markland is an outstanding attorney and a joy to work with and I recommend him without reservation.**"*

-Patrick McGuinness

Fire Consultant-former Arson Unit Commander of the Los Angeles City Fire Department

*"Mr. Markland prepared me for my very first product liability deposition back in 1984 and set the standard on how that process ought to be accomplished. **Today, I still measure other attorneys against his thoroughness of expert preparation...**the trials that I have participated in with Mr. Markland were outstanding for his effectiveness in eliciting testimony not only during presentation of his own experts, but also during cross-examination of opposing counsel's experts/witnesses. I have greatly enjoyed Mr. Markland's proficiency and professionalism. He will always have my ear should he wish or need a consultation from the area of my expertise."*

-Harry L. Smith, Ph.D, M.D.,

Principle and Founding Partner of Biodynamic Research Corporation.

*"Mr. Markland is an outstanding attorney, who goes to great lengths to understand the physical details that are pertinent to the issues in the case. I have seen him use his hands to plow through the ashes of a burned truck/tractor, and successfully find a seat belt buckle. He is a stickler for detail and I have seen him use details in trials to destroy the opposition's contentions. In my many years of serving as a consultant, **I have worked with some of the very best attorneys. None, in my opinion, were better than Dale Markland.**"*

-Julian O. Doughty, Ph.D., P.E.,

President Doughty & Powers Engineering—accident reconstruction specialists.

*"As an expert witness with 35 years experience in products cases...I particularly like his (Dale's) willingness to get his "hands dirty" in order to understand first hand the practical technical issues—in empirical experimentation in the field, I have found his perception, judgment and strategy first rate. **I would rate him among the best counsel at witness preparation;** he is thorough with his own witnesses and tenacious in dealing with his opposition. **I have worked with over a hundred attorneys over the years, and honestly, Dale is among the best.**"*

-Jerry Leyden

President Akron Rubber Development Laboratory, Inc.

*“Dale worked very well with his experts and was extremely quick in grasping the engineering details involved. He had an excellent ability to integrate and prioritize the technical details into a clear and effective defense. **His ability coupled with his obvious understanding of the law resulted in (his client) being dropped from the case.** It is my opinion that Mr. Markland would be an excellent choice for any company seeking excellent representation in products liability litigation.”*

-Leonard C. Buckman P.E.
Buckman Consulting Services, Inc.

From Local Counsel:

*“I serve as local counsel in Oklahoma for most of the heavy truck and automobile manufacturers and numerous other product manufacturers. I frequently have the opportunity to work with national and regional counsel for these companies in defending litigation for them in our state. Frequently, I have the privilege to serve as co-counsel with Dale Markland. Dale is a superb litigator and excellent trial lawyer. He thoroughly prepares his cases, aggressively pursues discovery and has the unique talent for understanding the nuances of even the most technologically complex products. As a result, Dale’s ability to cross-examine plaintiff’s experts at deposition and trial is outstanding. **No better recommendation could be given for Dale Markland than from one of our Oklahoma federal district court judges.** While defending a dangerous case for Freightliner Corporation, Dale’s skills as a trial lawyer impressed the court so much that the judge recommend to Oklahoma City attorneys that they visit his courtroom to watch Dale as he continued to try the case. Any manufacturer or defendant would be well served to have Dale Markland as its defense counsel. Such retention would guarantee any company its best opportunity to prevail and insure zealous aggressive and professional representation of their interests.”*

-Rodney Cook
founding partner, Jennings, Cook and Teague, Oklahoma City, Oklahoma.

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2009 Rates

Our firm's 2009 standard rates and volume discount rates are as follows:

	Standard Rates	\$500,000-\$1,000,000 Revenue Clients	Clients Generating Consistently over \$1,000,000 Revenue Annually
Markland	\$425	\$400	\$385
Hanley	\$325	\$300	\$285
1-3 year attorney	\$200	\$195	\$190
Paralegal	\$95	\$90	\$85

Greater reductions could be negotiated in circumstances where the client makes a commitment to greater annual revenues or makes certain commitments regarding volume of cases provided to the firm.

We will not raise the rates of first through third year associates for their first three years of practice.

We can show you in a formal presentation how our present rate structure can save a client 30% or more relative to the fees we were billed at at the highest quality major law firm with which we previously practiced.

We are also willing to discuss innovative billing approaches, including a yearly set fee for specific time commitments relative to specific firm personnel, set prices for specific actions e.g., for preparation of written discovery, for the deposition of a plaintiff, for the deposition of an adverse expert, for the preparation of certain motions, including *Daubert*-type motions, motions for summary judgment or motions in limine, etc.

The senior attorney, Dale Markland, is particularly interested in and adept at taking technical experts' depositions, and would be interested in discussing engagement for this limited purpose when certain experts or types of experts are involved.

When engaged on the plaintiff's side in litigation (e.g. intellectual property litigation), we would discuss accepting contingency fees.

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SETTLES DAYCARE NEGLIGENCE CASE FOR

\$ 1,200,000.00

AMID CONTINUED GROWTH AND ACCOLADES



Partners, Dale Markland and Tara Hanley, with new Associates, Adrienne Russell and Michael Wang, and Summer Clerk and future associate, Aaron Martinez

IN THE NEWS...

Markland Hanley is pleased to announce that Dale Markland, a partner in the firm, has been selected by his peers for inclusion in the 2010 edition of *The Best Lawyers in America* in the specialty of Product Liability Litigation.

Markland Hanley was also recently honored by its client, Navistar, Inc., with the company's *Law Department Diversity Recognition Award*. The award, given annually to only one firm with under 250 attorneys, recognizes law firms that have made a strong and successful commitment to promoting diversity in the workplace.

The firm is equally pleased to announce that it recently settled a daycare facility malpractice lawsuit for **\$ 1,200,000.00**. Markland Hanley filed the suit on behalf of a mother and her toddler after the young child sustained a broken arm while under the care of the defendant daycare facility. The case was settled on the eve of trial.

Additionally, the firm is growing. Two outstanding young associates, **Adrienne Russell** and **Michael Wang**, recently joined the firm. **Ms. Russell** graduated *with honors* from the University of Texas School of Law in 2007, where she was the recipient of a President's Endowed Scholarship in Law. She recently completed a two year judicial clerkship in the United States District Court for the Western District of Texas. **Mr. Wang** graduated *with honors* from the University of Texas School of Law in 2009. He was the recipient of the Robert S. Strauss Endowed Scholarship in Law and served as Associate Editor of the Texas Review of Litigation.

And, finally, a third future young associate, **Aaron Martinez**, has accepted the firm's offer to join the firm in 2010. **Mr. Martinez** received a Bachelor of Arts in Government *with High Honors* from the University of Texas at Austin in December of 2006. Before returning to complete his studies, he served his country as a member of the United States Army, 285th Engineering Company, on the ground in Iraq. He expects to receive his *Juris Doctor* from the Southern Methodist University, Dedman School of Law in May of 2010 and to begin the practice of law as soon as he passes the Bar examination.



Dale MARKLAND

Partner

BIOGRAPHY

Dale has tried more than 200 cases to a verdict in state and federal courts. Dale has a national practice and has defended cases pending throughout the United States. In certain recurring types of litigation, Dale has served clients as national consulting counsel and regional counsel. His practice focuses on litigation in which engineering, medical, scientific and other technical issues are of particular significance, including the defense of product liability actions, and the defense of toxic and environmental tort actions. This practice includes the defense of mass torts and catastrophic injury cases. Prior to founding Markland Hanley, Dale was a long time partner in the law firm of Vinson & Elkins LLP. He is a former head of that firm's product's liability practice group. Dale has been selected by his peers as one of "The Best Lawyers in America" in the field of products liability, and is listed in the Bar Register of Preeminent Lawyers in the Field of Products Liability. He has been rated AV by Martindale-Hubbell Legal Directory every year since 1980. Dale was in the initial group of outside counsel invited by the Products Liability Advisory Council to become a sustaining member of that organization. Dale has represented clients in the pharmaceutical, semiconductor, electronics, heavy truck, automobile, automotive components, cosmetics, hair preparations, anesthetics, industrial gas, medical device, chemical, petrochemical, and pesticide industries. He has also represented alleged hazardous waste generators.

Dale has a particular interest in representing clients that are in the most advanced technology industries such as the pharmaceutical industry, the biotechnologically and biogenetically engineered products industries, the computer and computer chips industries, the electronic industry, the artificial intelligence industry, "smart car" and other "smart" products industries, industries involving products relying on robotics and industries utilizing nano technology.

Dale has unparalleled experience in defending heavy truck manufacturers in catastrophic injury cases, including post crash fuel fed fire cases, crashworthiness cases, cases involving occupant protection systems of all varieties and braking system cases, including those involving anti-lock braking systems.

REPRESENTATIVE EXPERIENCE*

Representative Products Liability Trial Experience

- Tried to a defense verdict in the United States District Court in Oklahoma City, Oklahoma, a products liability case filed against a heavy truck manufacturer in which the quadriplegic plaintiff alleged a defective design of the seat belt system and of the truck's cab and sought \$160 million in damages; the defense verdict was named by the *National Law Journal* as one of the outstanding "Defense Verdicts of the Year"
- Tried to a defense verdict in the United States District Court in Marshall, Texas, a products liability case filed against the manufacturer of a rotary cutter which passed over a 5 year old boy, killing him
- Tried to a defense verdict in the United States District Court in Marshall, Texas, a products liability case filed against the manufacturer of a heavy front end loader where the loader arms descended onto the plaintiff and rendered him quadriplegic
- Tried to a defense verdict in the United States District Court in Dallas, Texas, a products liability case filed against the manufacturer of a cornheader where the plaintiff was rendered a triple amputee
- Tried to a defense verdict in Tucson, Arizona, a products liability case involving claims of interior crashworthiness of a heavy truck filed against the manufacturer of the truck by a plaintiff rendered quadriplegic in an accident involving a change in the occupant speed at impact of only 5 miles per hour

- Tried to a defense verdict in Fort Worth, Texas, a products liability case filed against a crane manufacturer; in the accident the jib of the crane failed, one man was killed and several were injured; Dale Markland argued that although the jib admittedly contained weld defects, these defects were not the cause of the death and injuries
- Tried to a defense verdict in Dallas, Texas a products liability case filed against a crane manufacturer which involved a decapitation
- Tried to a defense verdict in United States District Court in Tyler, Texas a products liability case filed by plaintiff with severe respiratory disease; it was alleged that the defendant's silica-containing product caused the respiratory disease
- Tried to a defense verdict in the United States District Court in Dallas, Texas a products liability case filed against an automobile manufacturer in which the plaintiff was permanently and totally disabled when, during rapid braking of the vehicle, the plaintiff suffered severe back, hip and leg injuries
- Tried to a defense verdict in the United States District Court in Fort Worth, Texas products liability case involving alleged defects in a scissors lift platform
- Tried to a defense verdict in Fort Worth, Texas a serious back injury products liability case
- Tried to a defense verdict in the United States District Court in Dallas Texas a serious back injury products liability case
- Tried a products liability case in the United States District Court in Marshall, Texas, for a heavy truck manufacturer which involved the deaths of multiple teenagers, and obtained an instructed verdict for the client at the close of plaintiff's case
- Tried a products liability death case against a heavy equipment manufacturer in Beaumont, Texas, and obtained instructed verdict for the client at the close of plaintiff's case
- Tried in Chicago, Illinois, a products liability case involving a utility tractor rollover and the death of the tractor operator; although the jury found the tractor defective due to lack of a rollover protection structure, and assessed very significant damages in the case, the comparative fault assigned by the jury to the operator of the tractor was so great that the client paid virtually nothing in damages in the case
- Tried a products liability case involving death by burning in Beaumont, Texas for a heavy truck manufacturer; the case was settled before final arguments began when the plaintiff's attorney accepted the defendant's initial minimal settlement offer which was still on the table
- Tried a products liability case in Henderson County, Texas; the jury came back with a verdict of \$225,000 for a widow with 4 small children after the judge gave the jurors 13 different ways to find the defendant liable and where the jury found the defendant liable in one of the thirteen ways; the lowest settlement demand ever received by the defendant was \$2,000,000; the case was settled for under \$225,000 after the verdict
- Tried a products liability toxic tort case pending in U.S. District Court in Tyler, Texas in which the plaintiff had contracted the fungal disease of coccidioidmycosis and was near death for over a year suffering from the disease; although the jurors found for the plaintiff, they assessed damages at something in the range of only \$70,000

Representative Products Liability Non-Trial Experience

- Obtained summary judgment for heavy truck manufacturer in a case pending in Dallas County, Texas involving loss of the truck's front wheel which collided with plaintiff's pickup truck
- Obtained for heavy truck manufacturer in noteworthy products liability death case involving the anti-lock braking system on the truck pending in the United States District Court, Northern District of Georgia, a dismissal by plaintiffs of all claims against the client; the United States Supreme Court had previously rendered an opinion relative to the case on preemption issues
- Obtained for defendant tire manufacturer the court-imposed sanction of dismissal of plaintiffs' case from United States District Court of Southern District of Indiana in products liability case involving recalled tire and alleged neurological injuries to plaintiff

- Obtained summary judgment for school bus chassis manufacturer in a products liability case pending in Hood County, Texas involving a school bus which ran over and severely injured a school child
- Obtained voluntary dismissal for product manufacturer in a products liability case pending in Tulsa County, Oklahoma involving a tree trimming manlift mounted on a truck chassis in which the manlift collapsed and injured the occupant
- Obtained non-suit of claims arising in products liability case pending in Maverick County, Texas in which brake components flew off a heavy tractor/trailer rig, struck a vehicle, hit the driver and allegedly caused significant brain injury
- Obtained a voluntary dismissal of plaintiff's claims against a school bus chassis manufacturer in a case pending in Randall County, Texas involving severe internal injuries to a school child whose body impacted the seat back in front of the position he was sitting in on the bus
- Obtained voluntary dismissal of paraplegic plaintiff's claims against tire manufacturer in case involving recalled tire pending in Orange County, Texas
- Obtained voluntary dismissal of claims of plaintiff whose case was pending in Orange County, Texas and who allegedly suffered serious neck and neurological injuries in rollover accident involving a recalled tire
- Obtained voluntary dismissal of burned plaintiff's claims against vehicle manufacturer in post crash fuel fed fire case pending in Davidson County, Tennessee
- Obtained summary judgment for vehicle manufacturer in post crash fuel fed fire products liability death case pending in Tarrant County, Texas
- Obtained non-suit from plaintiff's counsel in post crash fuel fed fire death case pending in Galveston County, Texas
- Obtained summary judgment in products liability crashworthiness case involving partial paraplegic pending in Harris County, Texas
- Obtained voluntary dismissal of products liability death case pending in Tarrant County, Texas involving death of young man driving a passenger vehicle which nearly ran into a heavy truck
- Obtained dismissal of products liability case filed in United States District Court, Western District of Texas, Waco Division involving alleged farm tractor fuel geysering leading to serious burns to plaintiff
- Obtained voluntary non-suit in products liability case filed in Bowie County, Texas
- Obtained voluntary dismissal of products liability case pending in the United States District Court for the Eastern District of Texas, Tyler Division
- Obtained summary judgment in products liability case pending in County Court at Law of Dallas County
- Obtained summary judgment in post crash fuel fed fire case pending in Harris County, Texas
- Obtained summary judgment for manufacturer and transporter of industrial products in products liability case pending in Dallas county, Texas suit involving worker who was crushed to death when manufacturer's product fell from a flatbed trailer during unloading
- Obtained dismissal of products liability case filed in the United States District Court for the Eastern District of Texas, Marshall Division
- Obtained summary judgment in Gregg County, Texas in a products liability case in which it was alleged that renal cell cancer arose from exposure to diesel fuel
- Obtained voluntary dismissals in series of cases filed by a prominent plaintiff's law firm in Orange County, Texas and Hidalgo County, Texas in which injuries from diesel fuel exposure were alleged
- Obtained summary judgment for a heavy truck manufacturer in crashworthiness case pending in El Paso, Texas
- Disposed of products liability claim against pharmaceutical manufacturer in which it was alleged that a seven year old boy died due to ingestion of a pharmaceutical product through the client's providing a \$200,000 memorial contribution in memory of the deceased child

- Disposed of potential products liability lawsuit in which injured party alleged that she had contracted hantavirus through ingestion of a pharmaceutical manufacturer's product, by suggesting that the injured party go through a testing process conducted by a world's leading authority on hantavirus, which testing process led to the conclusion that the injured party was, in fact, not suffering from hantavirus. No lawsuit was filed
- Settled a products liability tractor rollover death case filed by prominent east Texas attorney in McLennan County, Texas District Court for \$75,000
- Settled a products liability case pending in United States District Court for the Northern District of Texas in which a vehicle which was subject to a national steering recall campaign (and which vehicle had been in the hands of a dealer twice during the recall without the dealer correcting the steering problem) for approximately \$4,000
- Settled post-crash fuel fed fire case pending in El Paso County, Texas with survivors of deceased driver for \$15,000
- Settled a products liability case pending in Collin County, Texas in which a front end loader descended on a young boy smothering him in a pile of sand for \$25,000
- Settled products liability death case pending in the United States District Court for the Western District of Texas, Pecos Division involving a farm tractor rollover for \$100,000
- Settled post crash fuel fed fire and crashworthiness products liability death case filed in Jefferson County, Alabama by prominent southeastern United States plaintiffs' law firm for \$205,000
- Settled post crash fuel fed fire products liability death case in a case pending in the United States District Court for the Northern District of Texas at beginning of trial for \$200,000
- Settled post-crash fuel fed fire case pending in El Paso County, Texas for \$200,000
- Settled a products liability toxic tort case involving inhalation of carbon monoxide with alleged brain and neurological injuries filed in the U.S. District Court, Marshall, Texas, for \$300,000. The plaintiff had been declared totally and permanently disabled by the United States Social Security Administration and by the Texas Worker's Compensation Commission
- Settled crashworthiness products liability death case pending in Johnson County, Texas for \$295,000. Plaintiff's counsel had approximately \$150,000 in costs in the case and there were three plaintiff's counsel and four plaintiffs to split the settlement money between
- Settled post crash fuel fed fire products liability death case pending in United States District Court, Southern District of Iowa for \$21,500 before a single deposition had been taken and with minimal expense to client
- Settled post crash fuel fed fire products liability case involving severe burns pending in Yellowstone County, Montana for \$45,000 with very little expense to the client in case
- In a products liability death case involving crashworthiness issues filed in Hidalgo County, Texas by a prominent south Texas plaintiff's counsel—after significant undermining all of the plaintiff's four liability experts' opinions through cross-examination at depositions, following the striking of portions of the plaintiff's experts' testimony, following the determination by the plaintiff's counsel to withdraw one of their major experts as a testifying expert, and following the preparation of extremely strong *Daubert* type motions to strike virtually all of the remaining experts' key opinions, plaintiff's counsel moved from a pre-expert deposition demand of \$20,000,000 for settlement to a settlement for a low confidential amount
- Settled post crash fuel fed fire case involving death by burning pending in Dallas, Texas filed against heavy truck manufacturer for \$5,000
- Obtained release of all claims from survivors of and estate of deceased truck driver in crashworthiness case filed against major truck manufacturer in Dallas, Texas for the settlement amount of \$13,000, after very minimal expenditure of client's funds in the defense of the case
- Settled products liability death case involving allegations about absence of a tractor rollover protection system in a case filed in Monroe County, Arkansas for \$60,000
- In crashworthiness products liability death case pending in the United States District Court for the Eastern District of Virginia, settled for \$90,000 after very little expense to the client

- Settled a products liability case filed against manufacturer of container used to hold hot wonton soup which spilled leading to 5 year old boy's severe burn injury to his genital area for \$8,000
- Settled death case involving a farm tractor rollover filed in Duval County, Texas by a prominent south Texas plaintiff's lawyer for \$350,000
- Represented clients in automotive products liability cases involving restraints, post-collision fuel fed fires, unexpected acceleration, crashworthiness, anti-lock braking systems, and the design of many automotive components

Representative Mass Tort And Toxic Tort Experience

- See variety of toxic tort products liability cases mentioned in the above sections entitled "Representative Products Liability Trial Experience" and "Representative Products Liability Non-Trial Experience."
- Served as lead trial counsel in what is believed to be the first silica exposure-related product liability case tried in the country; the case was tried to a successful defense verdict in US. District Court for the Eastern District of Texas
- Tried a premises owner's liability case where a business invitee alleged he contracted coccidioidomycosis, an endemic fungal disease, while on the owner's land
- Represented major pharmaceutical manufacturer in mass diet drug litigation
- Represented major tire manufacturer in high profile litigation involving tires which were recalled in national recall program
- Represented clients in cases involving alleged exposures to acrylates; ammonia; asbestos; benzene; carbon monoxide; chromium, chlorine gas, clays; dibro-chloropropane (DPCP); the pesticide Dursban (chlorpyrifos); diesel exhaust; endemic fungus; ethyl monochloracetate; formaldehyde; hydrochloric acid; industrial glass; iron, lead; manganese; nickel; nylon; Piperazine; polycyclic aromatic hydrocarbons, polyurethane; polyvinyl chloride; refractory materials, silica; sulfuric acid; talc; toluene diisocyanate; vinyl chloride monomer; and alleged exposures to a wide variety of hazardous wastes
- Defended class action suits
- Defended mass tort cases involving alleged exposures to hazardous wastes emitted from hazardous waste disposal facility
- Researched hazardous waste generators' liability and authored a major work on that subject
- Defended cases involving multiple chemical sensitivities
- Defended claims regarding the cancer-producing nature of products and claims of fear of increased risk of contraction of cancer
- Defended major case involving toxicity of burning materials
- Defended cases involving indoor home air quality
- Defended cases involving injection of medical substances into the body
- Defended cases involving injuries arising from the application of hair preparations, including dyes and permanent solutions
- Experience in toxic torts includes experience in cases dealing with workplace exposures, accidental releases, building exposures, hazardous waste disposal site cases and intentional pollution cases
- Named as a potentially responsible party in an EPA investigation of a site where asbestos abatement materials were left unattended; Dale's asbestos-containing kitchen floor tile, which was removed during home renovation, was found among the forsaken asbestos materials at the site
- Developed extensive knowledge of disease processes and injuries, including cancers, neurologic injuries, heart valve disease, primary pulmonary hypertension, systemic lupus erythematosus, adult respiratory distress syndrome, idiopathic pulmonary bifrosis, scleroderma, rheumatoid lung, mixed connective tissues disorders, autoimmune disease, silicosis, asbestosis, sarcoidosis, coccidiomycosis, histoplasmosis, and other widespread systemic diseases

Other Significant Experience

- Defended clients in cases involving quadriplegia, paraplegia, brain damage, severe burns, amputations and fatalities
- Tried cases in such pro-plaintiffs jurisdictions as Marshall, Henderson, Brownsville, and Beaumont, Texas; Cook County, Illinois; Riverside, California and West Palm Beach Florida

ACTIVITIES AND RECOGNITION

- Selected by peers as one of “The Best Lawyers in America” in the field of products liability
- Listed in the Bar Register of Preeminent Lawyers in the Field of Products Liability
- AV rated by *Martindale-Hubbell Legal Directory* every year since 1980
- Sustaining Member of The Products Liability Advisory Council, Inc. since the first year that sustaining members were invited into that organization
- Selected for recognition in Who’s Who in American Law
- Author: Several articles in the field of product liability
- Attended: Biotech Primer—Bioimmersion three day course relating to biotechnical issues, including DNA, genomics, genetic engineering, and cloning; Nanotex USA 08 Dallas conference during International Nanotechnology Week entitled “Accelerating Nanotechnology Commercialization Conference and Expo”; Annual A.C.I. Drug and Medical Device Litigation Course, for years 2005, 2006, 2007 and 2008; Year 2000 SAE Heavy Vehicle Rollover Toptec Seminar and Heavy Vehicle Rollover Demonstration; Joint Workshop on Liability Issues in Advanced Vehicle Control and Automated Highways Systems; The International Conference on Crystalline Silica Health Effects held in Baltimore in 1994; The International Pneumoconiosis Conference held in Pittsburgh in 1988

EDUCATION AND PROFESSIONAL BACKGROUND

The University of Texas, B.A. with high honors and special honors in government, 1971 (Phi Beta Kappa; Pi Sigma Alpha; Phi Eta Sigma)

The University of Texas School of Law, J.D. with honors, 1974 (Order of the Coif; named “Outstanding Graduate of 1974” by The University of Texas chapter of Phi Delta Phi)

Admitted to practice: Texas, 1973; all Texas courts; U.S. District Courts for the Northern, Southern, Eastern and Western Districts of Texas

Assistant District Attorney, Dallas, Texas 1974-1977

*Markland Hanley is a new law firm. Much of the listed experience was gained by Markland Hanley trial lawyers prior to the creation of Markland Hanley. Prior experience or results do not guarantee similar outcomes in present or future representation.



Tara HANLEY

Partner

BIOGRAPHY

Tara's practice focuses on complex litigation in which engineering, medical, scientific and other technical issues are of particular significance, including the defense of product liability actions, the defense of government agency actions against product manufacturers and suppliers, the defense of toxic and environmental actions, and the defense and prosecution of intellectual property and certain types of commercial litigation actions. Tara is listed in the Bar Register of Preeminent Lawyers in the Field of Products Liability and has been rated AV by Martindale-Hubbell Legal Directory for more than ten years. Tara's practice includes the defense of mass torts and catastrophic injury and death cases. She has a wide range of experience defending clients in cases pending throughout the United States involving product liability, wrongful death, toxic torts, environmental exposures, insurance coverage, business torts, civil conspiracy, premises liability, deceptive trade practices, warranty claims, employment matters, discrimination and wrongful termination claims, technology matters, invasion of privacy, and negligent supervision and hiring claims. Prior to founding Markland Hanley, Tara practiced with the law firm of Vinson & Elkins LLP for more than 14 years.

REPRESENTATIVE EXPERIENCE

- Represented clients in wrongful death and serious injury cases involving crashworthiness, post-collision fuel fed fires, tire design and manufacture, unexpected acceleration, conspicuity, rollover protection systems, alleged component failures, and a wide variety of allegations regarding the design of automotive and other products and alleged failures to warn
- Obtained numerous summary judgments and dismissals on behalf of clients in cases involving wrongful death, products liability, warranty, and deceptive trade practice claims, including a summary judgment for a heavy truck manufacturer in a case pending in Dallas County, Texas involving loss of the truck's front wheel which collided with plaintiff's pickup truck, summary judgment for a heavy truck manufacturer in a case pending in Harris County, Texas in a post collision fuel fed fire death case, and summary judgment for manufacturer of polyurethane in a death case pending in Dallas County, Texas
- Represented clients in cases involving alleged exposures to asbestos; benzene; carbon monoxide; diesel exhaust; polycyclic aromatic hydrocarbons, polyurethane; polyvinyl chloride; refractory materials, silica; and alleged exposures to a wide variety of hazardous wastes
- Represented major pharmaceutical manufacturer in mass diet drug litigation
- Represented major tire manufacturer in high profile death and catastrophic injury litigation involving tires recalled in a national recall program
- Represented clients in mass tort cases involving alleged exposures to hazardous wastes emitted from hazardous waste disposal facility
- Represented clients in employment disputes involving alleged wrongful termination, gender discrimination, civil conspiracy, negligent supervision and hiring, and intentional infliction of emotional distress
- Represented foreign businesses in breach of contract and general business disputes filed in Texas state and federal courts
- Represented major computer manufacturer in class action suit brought on behalf of all purchasers of the manufacturer's products containing an allegedly defective floppy disk controller chip
- Defended cases involving alleged multiple chemical sensitivities
- Defended cases involving alleged exposures to a wide variety of chemicals and hazardous wastes
- Defended clients in numerous cases involving asbestos-related disease
- Defended clients in cases involving multiple fatalities, quadriplegia, brain damage, amputations, and severe burns

ACTIVITIES AND RECOGNITION

- Listed in the Bar Register of Preeminent Lawyers in the Field of Products Liability
- AV rated by Martindale-Hubbell Legal Directory since 1999
- Selected for recognition by Who's Who in American Law
- American Bar Association: Member
- American Bar Association Committee on Product Liability and Environmental and Mass Torts: Member
- American Bar Association Tort and Insurance Practice Section: Member
- Texas Bar Association: Member
- Dallas Bar Association: Member
- Attended: Biotech Primer—Bioimmersion three day course relating to biotechnical issues, including DNA, genomics, genetic engineering, and cloning 2008; Annual A.C.I. Drug and Medical Device Litigation Course, for years 2006 and 2007
- Guest corporate speaker: U.C.C., Lemon Law, Deceptive Trade Practice, and Magnuson-Moss Warranty Act Claims in Texas, 1998

EDUCATION AND PROFESSIONAL BACKGROUND

- Duke University, B.A. in Public Policy Studies with Honors, 1988
- London School of Economics and Political Science, visiting student, fall 1986
- Southern Methodist University School of Law, J.D., 1992 (Notes and Comments Editor, Southern Methodist University Law Review)
- Admitted to practice: Texas, 1992; U.S. Court of Appeals for the Fifth Circuit; U.S. District Courts for the Northern, Southern, Eastern, and Western Districts of Texas

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Adrienne RUSSELL
Associate

BIOGRAPHY

Adrienne Russell joined Markland Hanley as an associate attorney in 2009. Her practice focuses on complex litigation in which engineering, medical, scientific and other technical issues are of particular significance, including the defense of product liability actions.

In 2007, Adrienne earned a Juris Doctor *with Honors* from the University of Texas at Austin School of Law, where she was a recipient of the President's Endowed Scholarship in Law and Texas Leader Law Scholarship. Adrienne capitalized on rare opportunities to work alongside distinguished professors of law researching novel issues in the areas of technology and cyber law, constitutional law and Texas family law. Participating in courses with significant oral advocacy and writing components enabled her to continuously refine valuable practical skills and gain further proficiency conducting insightful legal and policy evaluations.

After earning her Juris Doctorate, Adrienne served as a judicial clerk in the United States District Court for the Western District of Texas. During this time, she gained extensive practical experience in federal court practice and procedure. Adrienne's responsibilities as a judicial clerk included reviewing pleadings and case files, analyzing legal issues, performing the necessary legal research and writing to determine the disposition of pre-trial motions, and further guiding each case to a conclusion. Her judicial clerkship experience exposed her to a wide range of complex civil litigation cases, including contract and insurance claims, labor and employment disputes, tort claims, commercial litigation, and civil rights actions. An exciting array of responsibility and intellectually challenging tasks has provided her with a strong foundation of legal knowledge, research and writing skills, and the ability to efficiently absorb and analyze information involving new areas of law.

In 2003, Adrienne received a Bachelor of Business Administration in Management Information Systems from Midwestern State University. Her studies included designing and enhancing information systems to optimize employee productivity, quality and cost-effectiveness; computer hardware and software design; and the identification and evaluation of potential marketing and strategic partnerships.

Adrienne has been a member of the State Bar of Texas since 2008. Her professional affiliations include membership in the Federal Bar Association, American Bar Association, and the Texas Young Lawyers Association. She also sits on the 2009-2010 Web Services Committee of the State Bar of Texas.

EDUCATION AND PROFESSIONAL BACKGROUND

The University of Texas School of Law, Juris Doctor *with Honors*, May 2007

- President's Endowed Scholarship in Law
- Texas Leader Law Scholarship
- Research Assistant on District and Circuit Court Adherence to United States Supreme Court Precedent
- Member, Thurgood Marshall Legal Society
- Member, Student Recruitment and Orientation Committee

Midwestern State University, Bachelor of Business Administration in Management Information Systems, May 2003

- Student Ambassador
- Dean's List
- President's Honor Roll
- Presenter: 2002 North Texas Area Student Conference
- Student Mentor: Boys and Girls Clubs of America

United States District Court for the Western District of Texas, Judicial Law Clerk, August 2007 – July 2009

- Conducted pretrial management of civil cases by closely analyzing court filings to determine issues involved and basis for relief.
- Performed legal research and analyzed relevant case law, statutes, regulations and other legal authorities and wrote legal memoranda.
- Assured proper progress of cases by closely examining court records to identify problem areas and formulate solutions.
- Draft findings of fact and conclusions of law resolving civil rights claims and petitions for habeas relief.

Federated Mutual Insurance Company, Insurance Claims Adjuster, June 2003 – July 2004

- Analyzed facts, evaluated evidence and resolved commercial lines insurance claims.
- Interviewed policyholders, claimants, and witnesses to identify strengths and weaknesses of each case.
- Negotiated settlement terms with policyholders, claimants and attorneys.



Michael WANG
Associate

BIOGRAPHY

Michael Wang will join Markland Hanley as an associate attorney in January 2010. His practice will focus on complex litigation in which engineering, medical, scientific and other technical issues are of particular significance, including the defense of product liability actions.

In 2009, Michael earned a Juris Doctor *with Honors* from the University of Texas at Austin School of Law, where he was a recipient of the Robert S. Strauss Endowed Presidential Scholarship. As a law student, Michael served for two years as an Editor of the Review of Litigation. He also took part in courses that included oral advocacy and writing components. Michael further honed his advocacy skills by participating in the University of Texas at Austin School of Law's Children's Rights Clinic, where he appeared in the Travis County District Court as a student attorney *ad litem* representing children in cases in which the state of Texas sought custody based on allegations of child abuse or neglect.

Michael received a Bachelor of Arts in Psychology from the University of Texas at Austin in May 2006. His undergraduate studies include one year at the University of Houston Honors College, where he maintained a place on the Dean's List.

EDUCATION AND PROFESSIONAL BACKGROUND

The University of Texas at Austin School of Law, Juris Doctor *with Honors*, May 2009

- Robert S. Strauss Endowed Presidential Scholarship
- Associate Editor, THE REVIEW OF LITIGATION, Volume 28
- Staff Editor, THE REVIEW OF LITIGATION, Volume 27

The University of Texas at Austin, Bachelor of Arts in Psychology, May 2006

The University of Texas System: Office of General Counsel, Legal Intern, May 2008 – August 2008

- Assisted in drafting policy statements.
- Performed document review to determine the relevance and responsiveness of documents.
- Researched and evaluated citations and statutes.
- Researched and wrote memorandums and briefs.
- Reviewed and closed estate claims.
- Observed pre-trial motions and civil trials.

State Representative Rob Eissler, Legislative Aid, November 2007 – June 2008

- Researched bill proposals.
- Aided in addressing constituent concerns.



Aaron MARTINEZ
Joining the firm as an Associate in 2010

BIOGRAPHY

Aaron Martinez is a May 2010 candidate for a Juris Doctor at Southern Methodist University's Dedman School of Law. His academic experience includes coursework in alternative dispute resolution, consumer law, evidence and trial advocacy, as well as participation in negotiation, mock trial and moot court competitions. Aaron earned a Bachelor of Arts in Government *with High Honors* from the University of Texas at Austin in 2006.

Aaron will join Markland Hanley as an associate attorney upon graduation from law school and passage of the Texas Bar Exam.

Education and Professional Background

Southern Methodist University, Dedman School of Law, Juris Doctor Candidate, May 2010

- Participant, Texas Young Lawyers Association Moot Court Competition (Summer 2009)
- Participant, Southern Methodist University On-Campus Negotiation Competition (Fall 2008)
- Participant, Southern Methodist University On-Campus Mock Trial Competition (Fall 2008)
- Participant, Jackson Walker 1L Moot Court Competition (Spring 2008)
- Member, Phi Alpha Delta Law Fraternity
- Student Senator, Student Bar Association Voting Council
- Voting Member, Southern Methodist University Finance Committee

The University of Texas at Austin, Bachelor of Arts in Government *with High Honors*, December 2006

- Academic Chair, Phi Kappa Alpha Fraternity
- Vice President of Recruitment, Gamma Sigma Alpha Honor Society
- Member, Order of Omega Honor Society

Dallas County Criminal Court No. 6, Judicial Intern to the Honorable Angela King, May 2008 – June 2008

- Observed pre-trial motions and criminal trials.
- Provided input during *voir dire* deliberations.

Texas Senate Research Center, Bill Analyst, January 2007 – July 2007

- Researched and analyzed legislative documents for the 80th Texas Senate, 2007.

United States Army, 285th Engineering Company, Motor Transport Operator, January 2003 – April 2004

- Provided security in highly volatile areas and built roads in Iraq during war time.

MARKLAND HANLEY

THE TECHNICAL LITIGATION FIRM FOR THE 21ST CENTURY

During my entire career I have had the dream of creating what I now describe as “The Technical Litigation Firm for 21ST Century.” This would be a new and unique type of law firm.

The roots of my dream are deep—beginning when I was an Assistant District Attorney of Dallas County, Texas, during which time I tried approximately 200 cases to a jury and dealt extensively with medical, toxicological, ballistic and other forensic issues.

My dream continued to grow through some thirteen plus years at the established Dallas law firm of Strasburger & Price. This firm was founded by the legendary Texas civil trial lawyer, Henry Strasburger. During the time that I was there, I devoted myself principally to the defense of products liability cases for major corporations, including General Motors, Chrysler, and what is now known as Navistar, Inc. (which, at that point in time, was known as International Harvester Company). While at Strasburger, as well as devoting myself to motor vehicle products liability cases, I was also principally responsible for developing the firm’s toxic tort practice and expanding the firm’s products liability practice to include heavy equipment and other products beyond motor vehicles. During this time frame, I was selected as one of the small initial group of outside counsel in the country to be named a “Sustaining Member” of the Products Liability Advisory Council, Inc. I believe there were initially 43 lawyers in the country asked to be in this organization as Sustaining Members.

In 1991, I moved to the preeminent Texas based law firm, Vinson & Elkins, LLP to develop a products liability, toxic tort, and general technical litigation practice for their Dallas office. During the sixteen plus years that I was at Vinson & Elkins, I served a lengthy stint as the head of the firm’s Products Liability Practice Group. During this time frame, my dream of a genuine advanced technology litigation firm continued to grow. While at Vinson & Elkins, I continued to represent vehicle manufacturers, all types of manufacturers and suppliers in the widest possible variety of toxic tort cases, pharmaceutical manufacturers, tire manufacturers, engine manufacturers, petrochemical providers, industrial gas and gas container manufacturers, and a significant number of advanced technology companies, including semiconductor manufacturers and an internet banking service provider. I continued during these years with my lifelong education in medical, toxicological, engineering, biotechnological, pharmaceutical and other technical litigation areas. During my years at Vinson & Elkins, I played an integral role in many of the most significant products liability and technical litigation matters of our generation, including mass toxic torts, hazardous waste generators liability, the Firestone tire/Ford Explorer litigation (in which Vinson & Elkins represented Firestone) and the Wyeth diet drug/phen-fen litigation (in which Vinson & Elkins represented American Home Products/Wyeth Pharmaceuticals). I believe I can say without equivocation that I am one of the most experienced technical litigation attorneys in the country.

My present partner, Tara Hanley, worked with me as a summer clerk at Vinson & Elkins after her second year in law school and, upon graduation, began working with me as my right hand attorney in the technical litigation arena. She is as instrumental as I in the vision and development of our unique technical litigation firm for the 21ST Century. She is also the finest overall attorney that I know.

My idea when I left Vinson & Elkins, was to devote significant time in the first few years of practice at Markland Hanley to the following prioritized goals:

- To continue to provide our core group of clients with the best possible service in on-going cases
- To devote very significant non-billable time (which I had not been able to do at prior law firms) toward the goals of gaining extreme knowledge in each of our envisioned areas of practice and organizing this knowledge to such an extent that we could squeeze out as many time inefficiencies as possible in the provision of legal services. This was a capital investment that was needed prior to the full launching of our law firm vision. This extensive capital investment of our time over the last two years has included attendance by myself and my partner at numerous seminars and conferences dealing with advanced technology issues including nanotechnology, biotechnology and biogenetic engineering, and pharmaceutical litigation and technical issues arising in those areas. These non-billable efforts have also included hundreds of hours of time putting together the most comprehensive summary that exists

of the law of products liability in Texas and of defensive approaches in products liability cases. This effort also included putting together the most comprehensive summary of the law relating to exclusion of expert testimony under Texas and federal law that I know of. We have also spent a great amount of time putting together a set of standard deposition questions for technical experts that cover virtually all defensive points under Texas products liability law and all points that we can utilize under Texas and federal law to exclude the expert's testimony. This set of standard deposition questions for technical experts when completed, will be tied in with specific portions of our products liability law summary and our exclusion of experts law summary, which will expedite the briefing regarding exclusion of such experts and regarding summary judgment. Our non-billable efforts have also included putting together the most efficiently utilized forms for virtually all activities in products liability cases, including such detailed forms as a form for standard responses to Texas requests for disclosure, that can be easily fitted to the nature of a particular case. In other words, we have put in great efforts to date to truly live up to two of the three elements in our firm slogan—"extreme knowledge," and "efficient actions."

- The third element of our firm slogan is "Diverse Insights." It is our goal to have an extremely diverse law firm. Our devotion to this goal has led to our firm's being awarded client Navistar, Inc.'s 2008 Law Department Diversity Recognition Award. We are very proud of our client's recognition of our efforts. We have begun to assemble the greatest group of diverse young trial lawyers and soon to be trial lawyers imaginable to assist us in representing our clients most effectively. We are very excited about the team of diverse personnel we are putting together. Our team members' biographical information can be found in the Biographies Section of our website.
- We have also utilized much of this past year putting together the necessary marketing elements, including web site, firm resumé, and other such marketing necessities, and we are now beginning a program to attract the type of clients that fit with our vision of the firm. The clients that we will actively seek include high technology clients such as those in the nanotechnology, biotechnology, pharmaceutical, electronics, and computer chip industries. It is our goal to represent a few of the top companies in individual high technology areas and to provide them with the most cost effective, superb representation available in the technical litigation arena.

We founded Markland Hanley to meet the litigation needs of twenty-first century companies involved in technical litigation in which medical, biotechnological, nanotechnological, pharmaceutical, computer chip, electronics, engineering and other technological issues are of significance. We founded the firm to meet the needs of the emerging, and soon to be dominant, industry sectors in the global economy. We also founded the firm because we love the process of learning and growing, because we love the task of searching for the truth, and because we love to be able, through our efforts, to strengthen the ability of advanced technology companies to create a better life for all on the planet.

Dale Markland
Co-founding and Co-Managing Partner
Markland Hanley
The Technical Litigation Firm for the 21st Century