



KATE MERCER-LAWSON

Associate

mercerlawson@wtotrial.com | P 303.244.1891 | F 303.244.1879

Kate Mercer-Lawson defends product liability and personal injury lawsuits involving asbestos and stray voltage claims. In a short time, Kate has gained significant experience taking depositions, preparing witnesses for trial, and arguing in court.

EDUCATION

Indiana University Robert H. McKinney School of Law, J.D., 2011, Faculty Prize, *summa cum laude*, *Indiana Law Review*, Editor-in-Chief

Indiana University Richard M. Fairbanks School of Public Health, M.H.A., 2012, *summa cum laude*, Health Administration

Indiana University, B.A., 2004, Wells Scholar, *summa cum laude*, Chemistry and Religious Studies
Phi Beta Kappa

GOVERNMENT SERVICE

Law Clerk to The Honorable Jerome A. Holmes, U.S. Court of Appeals for the Tenth Circuit

Law Clerk to The Honorable Sarah Evans Barker, U.S. District Court for the Southern District of Indiana

OTHER EXPERIENCE

Bingham Greenebaum Doll LLP, Summer Associate
Y-ME Indiana Breast Cancer Organization
Programs
Manager/Volunteer Coordinator

ADMISSIONS

Colorado
Indiana
Wisconsin

HIGHLIGHTS

- Won federal whistleblower trial, including punitive damages, against a defense contractor responsible for security investigation services at Bagram Air Base in Afghanistan.
- Won for Foster Wheeler in a Fourth Circuit asbestos case involving the government contractor defense.
- Won an asbestos failure to warn case for Foster Wheeler in the Fourth Circuit.
- Taken over 50 expert and fact depositions in asbestos cases nationwide.
- Argued a motion to dismiss in Wyoming state court that drew praise from the court.
- Argued a winning opposition to plaintiffs' motion to dismiss a counterclaim in Wyoming state court.
- Led trial preparation efforts, under senior supervision, for a major industrial manufacturer facing hundreds of millions in damages as a result of a catastrophic accident.

INDUSTRIES

- Asbestos
- Energy

PRACTICE AREAS

- Commercial Litigation
- Mass Torts
- Product Liability
- Toxic Torts
- Appellate
- Environmental Litigation
- Personal Injury Defense

KATE MERCER-LAWSON

BIOGRAPHY

Kate Mercer-Lawson defends product liability and personal injury lawsuits involving asbestos and stray voltage claims. In a short time, Kate has gained significant experience taking depositions and preparing witnesses for trial. Her experience includes successful briefings and arguments on a range of matters. Kate's familiarity with the sciences, and her comfort diving deep to understand the complex issues at play (for instance, in medical causation arguments), help her to develop winning trial themes.

CASES

- *Cejka et al. v. Vectrus Systems Corp.*, 1:15-cv-02418 (D. Colo.) - Won a federal whistleblower trial, including compensatory and punitive damages totaling \$1.75 million, against a defense contractor responsible for security investigation services at Bagram Air Base in Afghanistan.
- *Sawyer v. Foster Wheeler* (4th Cir. 2017) - Won for Foster Wheeler in an asbestos failure to warn case involving the government contractor defense. The Fourth Circuit reversed and remanded to the district court following WTO's arguments that evidence set forth by Foster Wheeler was sufficient to demonstrate a colorable defense establishing federal jurisdiction.
- *Ripley v. Foster Wheeler* (4th Cir. 2016) - Won for Foster Wheeler in an asbestos failure to warn case involving the government contractor defense. The Fourth Circuit reversed and remanded to the district court following WTO's arguments in this matter of first impression.
- Represented a utility company in the retrial of a \$1 billion dollar lawsuit brought by a consortium of dairy farmers alleging stray electricity from our client's facilities and transmission lines depressed herd production. The parties reached settlement on the eve of the retrial.
- Led trial preparation efforts, under senior supervision, for a major industrial manufacturer facing hundreds of millions in damages as a result of a catastrophic accident. Drafted Daubert motions, developed expert witnesses, and prepared experts for depositions and trial. The case settled shortly before trial.
- Argued a winning opposition to plaintiffs' motion to dismiss a counterclaim in Wyoming state court.
- Argued a motion to dismiss in Wyoming state court that drew praise from the court.
- Taken over 50 expert and fact depositions in asbestos cases nationwide.

TEACHING POSITIONS

Adjunct Professor of Political Science, Indiana University – Indianapolis (taught courses in judicial politics and criminal law)

BAR & COURT ADMISSIONS

Colorado
Indiana

KATE MERCER-LAWSON

U.S. Court of Appeals for the Tenth Circuit
U.S. District Court for the District of Colorado
U.S. District Court for the Northern District of Indiana
U.S. District Court for the Southern District of Indiana
Wisconsin

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Advisory Board, University of Denver Sturm College of Law Professional Mentoring Program
Mentor, University of Denver Sturm College of Law Professional Mentoring Program
Tenth Circuit Historical Society
Defense Research Institute

ARTICLES & PRESENTATIONS

- *Tribute to the Late Mary Harter Mitchell*, 44 Ind. L. Rev. 657 (2011).
- *The Pitfalls of an Internet Persona: Evidentiary and Privacy Concerns of Online Social Media*, 28 Mich. IT Law 9 (2011).
- *Survey of Recent Developments in Indiana Evidence Law*, 45 Ind. L. Rev. 1147 (2012).

PERSONAL INTERESTS

Running, traveling, and mentoring