



ASHLEY A. WEAVER

Staff Counsel

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Ashley Weaver's legal practice focuses on research and writing in high-stakes medical malpractice and product liability matters. She relies upon her background in chemistry to learn the medicine or technology at issue in every case and upon her time as a law clerk to tailor her writing for busy judges and clients, resulting in effective and approachable advocacy and communication.

EDUCATION

Georgetown University Law Center,
J.D., 2004, *cum laude*
*Law and Policy in International
Business Journal*, Staff Member
and Online Editor

Cornell University, B.A., 1996,
Chemistry

GOVERNMENT SERVICE

Law Clerk to The Honorable
Patricia A. Gaughan, United States
District Court for the Northern
District of Ohio

OTHER EXPERIENCE

Ulmer & Berne LLP
Foley Hoag LLP
MicroStrategy, Inc.
Regional Support Lead
Technical Support Engineer
BF Goodrich Company
Chemist

ADMISSIONS

Colorado
Ohio

HIGHLIGHTS

- Won summary judgment in a medical malpractice case for a hospital and two physicians in New Mexico on plaintiffs' claims for "ordinary" negligence, negligence per se, breach of contract, and breach of express and implied warranty.
- Served as bellwether selection/coordination counsel and won summary judgment in a bellwether case for a cardiologist in Utah after more than 1,000 patients claimed our client's treatments were medically unnecessary.
- Won a motion to dismiss for a nurse and staffing agency sued under New Mexico's Wrongful Death Act amid emerging abortion law in the U.S. The court dismissed the plaintiff's claim with prejudice, agreeing with WTO's arguments and finding no cause of action existed under New Mexico law.
- Obtained summary judgment for a national legal malpractice carrier in an attorney-lien enforcement action in Wyoming district court. WTO recovered significant costs for its client in this matter of first impression.
- Won unanimous defense verdict for Michelin in a \$20 million Arizona tread separation lawsuit.
- Won a defense verdict for a hospital and its doctors in a \$19 million Wyoming medical malpractice lawsuit.

PRACTICE AREAS

- Product Liability
- Catastrophic Injury Defense
- Commercial Litigation
- Intellectual Property
- Healthcare Professional Liability

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BIOGRAPHY

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CASES

- Won summary judgment in a medical malpractice case for a hospital and two physicians in New Mexico on plaintiffs' claims for "ordinary" negligence, negligence per se, breach of contract, and breach of express and implied warranty.
- Served as bellwether selection/coordination counsel and won summary judgment in a bellwether case for a cardiologist in Utah after more than 1,000 patients claimed our client's treatments were medically unnecessary.
- Won a motion to dismiss for a nurse and staffing agency sued under New Mexico's Wrongful Death Act amid emerging abortion law in the U.S. The court dismissed the plaintiff's claim with prejudice, agreeing with WTO's arguments and finding no cause of action existed under New Mexico law.
- Obtained summary judgment for a national legal malpractice carrier in an attorney-lien enforcement action in Wyoming district court. In this matter of first impression, the Court held that the plain language of the statute precluded the plaintiff law firm's attorney-lien and constructive fraud claims. As the prevailing party under the statute, WTO obtained a significant award of attorneys' fees and costs for its client.
- Won a unanimous defense verdict for Michelin following a three-week trial in Arizona state court in which the plaintiff demanded \$20 million in actual and punitive damages.
- Won a complete defense verdict and dismissal of punitive damages claims for a Wyoming hospital and codefendant physicians facing non-negotiable \$19 million negligence claims brought by a plaintiff who suffered a stroke following emergency room treatment for a head wound.

BAR & COURT ADMISSIONS

- Colorado
- Ohio
- U.S. Court of Appeals, 1st Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, D. Massachusetts
- U.S. District Court, N.D. Ohio

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ARTICLES & PRESENTATIONS

- Co-Author, "One Year after eBay: Injunctions in Patent Cases," Annual Intellectual Property Law Conference, Suffolk University Law School, (April 2007).
- "Alternative Careers in Chemistry," panelist at, American Chemical Society National Meeting, (March 2006).
- Co-Author, "Written Description and Enablement: One Requirement or Two?," Federal Circuit Bar Journal, vol. 15, issue 1, (2005).
- "Hatch-Waxman: Will the Playing Field be Leveled?," Co-Author, Update Magazine, Food and Drug Law Institute, (September 2002).

PERSONAL INTERESTS

- Travel, jogging, and skiing