



BRYAN D. CROSS

Partner

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Bryan Cross defends clients in catastrophic lawsuits involving personal injury and wrongful death claims. A trial lawyer for the past 25 years, Bryan primarily defends Fortune 500 companies in state and federal courts throughout the United States and its territories. He frequently serves as SWAT counsel, including in product liability, trucking, and premises liability cases.

EDUCATION

Indiana University - Maurer
School of Law, J.D., 1995
Indiana Law Journal, Associate

Indiana University, B.S., 1989,
Finance

OTHER EXPERIENCE

Brown McCarroll, LLP
Feeney Kellett Wiener & Bush,
P.C.
NCR Corporation

ADMISSIONS

Colorado
Michigan
New Mexico
Texas

HIGHLIGHTS

- Won a motion to dismiss in a matter of first impression for a major industrial manufacturer facing toxic tort and wrongful death claims.
- Represent a major industrial equipment manufacturer in nationwide high-exposure cases involving multiple injury and wrongful death claims.
- Secured a subrogation settlement in excess of \$800,000 arising from the 2011 Kappa Alpha Theta house fire at CU Boulder in a case involving allegations of defective installation of cellulose insulation.
- Won a defense verdict in a high-exposure trial involving an explosive accident between two semi trucks.
- Won a unanimous defense verdict for Evenflo in a two-week federal product liability trial.
- Won reversal for Ford in a Tenth Circuit appeal involving a rollover crash.
- WTO successfully defends trucking company against negligence claims

INDUSTRIES

- Asbestos
- Automotive
- Construction & Engineering
- Professional Services
- Trucking

PRACTICE AREAS

- Professional Liability
- Commercial Litigation
- Product Liability
- Catastrophic Injury Defense

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BIOGRAPHY

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Bryan excels at defending matters involving catastrophic personal injuries, including quadriplegia and traumatic brain injury. He is frequently brought in shortly before trial to quickly organize and develop previously neglected files, identify and address strategic vulnerabilities, and minimize or eliminate downside risk in high-exposure cases.

Bryan is admitted to practice in Colorado, Michigan, and Texas.

CASES

- Won a motion to dismiss in federal court in Colorado in a matter of first impression for a major industrial manufacturer facing toxic tort and wrongful death claims. WTO's novel arguments resulted in the product liability statute taking precedence for the first time.
- Represent a major industrial equipment manufacturer in nationwide high-exposure cases involving multiple injury and wrongful death claims.
- Secured a subrogation settlement in excess of \$800,000 arising from the 2011 Kappa Alpha Theta house fire at CU Boulder in a case involving allegations of defective installation of cellulose insulation.
- Won a defense verdict in federal court in Spokane, Washington, for Easterday Farms in a \$12 million personal injury case involving an explosive collision between two tractor-trailers.
- Won a unanimous jury defense verdict in federal court in Colorado for Evenflo Company in a two-week trial involving liability for permanent injuries to a child strapped into an Evenflo car seat during an auto accident. Ultimately, the jury agreed with our argument that the seat saved the child's life rather than caused the child's injuries.
- Won Tenth Circuit reversal of a federal district court jury verdict favoring the plaintiff and secured a judgment in favor of Ford Motor Co. in a product liability case involving a rollover crash in which the plaintiff was rendered a quadriplegic.
- Defended a trucking company against negligence claims arising from a nine-vehicle accident on a snowy Nebraska interstate highway.
- Defended the appeal to the New Mexico Court of Appeals of a 2009 jury verdict that WTO won for a large food store in a personal injury case.

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- Won a unanimous jury verdict in a Santa Fe, New Mexico district court in the defense of a personal injury claim brought against a food store.
- Won summary judgment from the West Virginia Supreme Court in a federal preemption case involving claims that Ford Motor Co. should have used different glass in its vehicle windows.
- Won a defense verdict in Kentucky for Ford Motor Co. in a rollover case involving a Mazda pickup truck.
- Defended construction management company Heery International in litigation arising from KB Homes's construction of 277 single family homes for the San Antonio Housing Authority.

REPRESENTATIVE CLIENTS

Ford Motor Company
Illinois Tool Works Inc.

BAR & COURT ADMISSIONS

Colorado
Michigan
New Mexico
Texas
U.S. District Court, N.D. New York

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

The Best Lawyers in America
Personal Injury Litigation - Defendants, 2019-2024
Martindale-Hubbell AV® Peer Review Rated
American Bar Association
Colorado Bar Association
State Bar of Michigan
Colorado Defense Lawyers Association
Defense Research Institute

ARTICLES & PRESENTATIONS

Articles

- Co-Author, "Limitations Applicable to Wrongful Death Claims Allegedly Caused by a Defective Product," DRI Strictly Speaking, (December, 2021).

Presentations

- Presenter, "Techniques for Effective Cross-Examination of Expert Witness," DRI 2024 Product Liability Conference, (February 7, 2024).

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Other Articles/Presentations

- "A Look Through Tinted Glass: What Does the Future Hold for Preemption in Motor Vehicle Litigation?," *Prod. Safety Liab. Rptr.*, Vol. 39, No. 20, (May 2011).
- "Preemption in Automobile Product Liability Cases After Williamson and Priester," presented at Product Liability Advisory Council, (April 29, 2011).
- "Sophisticated Deposition Strategies," presented at National Business Institute, (August 20, 2010).
- "I Could Tell You, But I'd Have to Kill You: Protecting Your Clients' Trade Secrets and Other Confidential Information," *Mich. Def. Q.*, (May 1997).

PERSONAL INTERESTS

Snowboarding, hiking, motorcycling, and spending time with family