

# KEVIN G. OWENS

Shareholder

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## SERVICE AREAS

[Class Action](#)

[General Negligence](#)

[Product Liability](#)

[School & University Liability](#)

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Kevin G. Owens is a shareholder and co-chair of Johnson & Bell's Product Liability practice group. His civil litigation practice includes the defense and trial of catastrophic injury, consumer and other product liability actions, construction and general negligence actions, and the litigation of commercial disputes in state and federal courts. His experience also includes litigation of construction product defect actions, and litigation of contract actions at law and equity.

In a career spanning over thirty years, Mr. Owens has successfully tried numerous multi-million dollar cases to verdict. His trial and appellate successes include the trial to a defense verdict in favor of the manufacturer of an industrial pressure vessel which experienced an explosion resulting in the death of one worker and serious injury to another, the trial to verdict of the action brought against the installer of the retractable roof at Milwaukee's Miller Park resulting from the collapse of one of the world's largest mobile cranes into the stadium, and a jury verdict in favor of a consumer lender sued by a borrower who claimed that the lender's revocation of credit caused millions of dollars in damages to the borrower's business.

He has also successfully defended numerous manufactures of all manner of heavy industrial machinery and equipment. Mr. Owens has also successfully defended medical device manufacturers in product liability litigation at both state and federal courts, including Federal Multi-District Litigation. His medical device experience includes the defense of bone fixation devices, breast implants, artificial skin products and Continuous Positive Airway Pressure ("CPAP") devices. A frequent lecturer and panelist for continuing legal education programs, Mr. Owens has addressed audiences nationwide on issues covering all areas of product liability law, evidence

and trial strategy, and medical device litigation.

Mr. Owens also has extensive experience representing clients in the mediation of high stakes litigation. Those experiences led him to become a certified mediator, having completed intensive mediation training and certification through Chicago's prestigious Center for Conflict Resolution. As a complex case mediator, Mr. Owens focuses his mediation practice on civil and commercial disputes involving product liability, complex and catastrophic injury cases, and construction matters. Mr. Owens draws upon his extensive experience as a litigator to achieve effective results for the parties involved in the mediation process.

Recognized by his peers with an AV Preeminent rating from Martindale-Hubbell, Mr. Owens also served on the Chicago Bar Association's Judicial Evaluation Committee from 1987 to 1992. He is a member of the Defense Research Institute and formerly served on its Product Liability Practice Group Steering Committee. He is Chair of ALFA International, as well as a Chair Emeritus of its Product Liability and Complex Litigation Practice Group, and a member of its steering committee. Mr. Owens is regularly recognized as an Illinois Leading Lawyer and Illinois Super Lawyer in the area of product liability defense.

## **ADMISSIONS & EDUCATION**

### **ADMISSIONS**

Illinois Supreme Court

U.S. District Court, Northern, Southern & Central Districts of Illinois

U.S. Seventh Circuit Court of Appeals

U.S. District Court, Northern District of Indiana

Federal Trial Bar, U.S. District Court for the Northern District of Illinois

U.S. District Court, Western District of Michigan

### **EDUCATION**

DePaul University College of Law, J.D., 1983

Marquette University, B.A., 1980

## **AFFILIATIONS**

Chairman of the Board, ALFA International

Past program chair of the ALFA International Product Liability Practice Group seminar

Chicago Bar Association's Judicial Evaluation Committee from 1987 to 1992.

Illinois Association of Defense Trial Counsel, chairman of 1999 Fall Seminar

Defense Research Institute (DRI), Member, Steering Committee, Product Liability Committee

Past Director, LaGrange Park Little League Baseball

Past President, St. Francis Xavier Parish School Board, LaGrange, Illinois

Past President, Nazareth Academy High School Father's Club, LaGrange Park, Illinois

Volunteer Fundraiser, Misericordia Home, Chicago, Illinois

## **HONORS**

AV Preeminent rating from Martindale-Hubbell

Illinois Super Lawyers, Product Liability Defense 2005, 2006, 2008-2011, 2013-2024

Illinois Leading Lawyer, Product Liability Defense 2007-2022

## **CLIENT RESULTS**

Summary Judgment Ruling Ends Defamation, IIED Lawsuit Against School

Owens, Kotsalief Secure Summary Judgment in \$45M Steel Mill Case

Reported Decisions In Which Mr. Owens Has Served as Lead or Co-Trial and Appellate Counsel

## **PRESENTATIONS & PUBLICATIONS**

### **PRESENTATIONS**

"Virtually Limitless: The Effective Use of VR in Litigation." Co-presented with Chuck Fox of Engineering Systems Inc. (ESi) and Melissa McAlpine of Polaris, webinar, July 21, 2020.

"Risk Assessment and Hazard Analysis – How and Why: Improving Your Company's Defensibility." Chartered Property Casualty Underwriters (CPCU) meeting- Chicago chapter, webinar, Apr 29, 2020.

"Virtual Reality: Put Your Best Foot Forward." Defense Research Institute's (DRI) annual Product Liability Conference, New Orleans, LA, Feb 6, 2020.

ALFA International Product Liability & Complex Torts Practice Group Seminar, Moderator, 2019.

"Risk Assessment and Hazard Analysis" Valley Industrial Association, Geneva, IL, Nov 14, 2018.

"Risk Assessment and Hazard Analysis: Making Your Company Defendable." Packaging Machine Manufacturers Institute annual meeting, Tampa, FL, Nov 12, 2018.

"Risk Assessment and Hazard Analysis: Making Your Company Defendable." Panelist. Association of Home Appliance Manufacturers' annual Product Liability and Safety Conference, Washington, D.C., Sept 18, 2018.

"Risk Assessment and Hazard Analysis – How and Why: Improving Your Company's Defensibility." Webinar to an international electrical products manufacturer, Aug 8, 2018.

"Risk Assessment and Hazard Analysis: Making Your Company Defendable" Association of Equipment Manufacturers' Product Safety & Compliance- Product Liability conference, Lincolnshire, IL, April 26, 2018.

"I Hear You Knocking But You Can't Come In!" Moderator. Product Liability and Complex Torts Practice Group Seminar, sponsored by ALFA International, Santa Barbara, CA, Oct 4-6, 2017.

Risk Assessment and Hazard Analysis – Making Your Company Defendable, the annual conference of the Packaging Machinery Manufacturers Institute (PMMI), Milwaukee, WI, September 19-21, 2016.

Do You Know What You Are Really Signing? Understanding the Implications of Your Customers' Terms and Conditions, the annual conference of the Packaging Machinery Manufacturers Institute (PMMI), PMMI MarketTrends Roundtable, Rosemont, IL, May 12, 2015.

Social Media: Products, Employers, Reputation and Liability, the Association of Equipment Manufacturers (AEM) annual Product

Safety & Compliance Seminar and Product Liability Seminar, Gateway to Product Safety, in St. Louis, MO on April 23, 2015.

Used Equipment – Compliant in All Markets with Craig Beymer of Terex/Genie Industries, the Association of Equipment Manufacturers (AEM) annual Product Safety & Compliance Seminar and Product Liability Seminar, Gateway to Product Safety, in St. Louis, MO on April 22, 2015.

“The Politics of Litigation,” [ALFA International](#) – International Client Seminar, March 6, 2015

“The Politics of Litigation,” [ALFA International](#) Product Liability Seminar, July 18, 2014

“Estate of Michael Mago and William Wesson v. Precision Industrial Vessels, Inc. – A Mock Trial Presentation,” Association of Equipment Manufacturers Annual Product Safety Conference, May 1, 2014

“The Challenges, Risks, and Pitfalls of Legacy Equipment,” Defense Research Institute Product Liability Conference, April 9, 2014

“[The Challenges of Legacy Equipment](#) – An Update on the Post-Sale Duty to Warn,” Packaging Machine Manufacturers Institute Annual Safety Conference, July 17, 2013

“Age Ain’t Nothin’ But a Number: [The Challenges of Legacy Equipment](#),” Defense Research Institute Product Liability Conference, Product Liability in the 21st Century: The Future is Now,” April 11 – 13, 2012

“Recall Litigation - Defending the Product Liability Case Where the Product Has Been Re- called,” ExpertRECALL - Stericycle Product Safety and Recall Seminar, January 21, 2010

“Product Liability Law and Practice,” Association of Home Appliance Manufacturers Safety Conference, Washington, D.C., Oct. 14, 2009

“The Company Engineer as Trial Witness,” Association of Equipment Manufacturers Product Safety and Compliance and Liability Seminar, Pittsburgh, PA, April 30, 2009

“Preparing for and Conducting a Successful International Recall,” National Electrical Manufacturers Association Product Safety & Liability Conference, Memphis, TN, Sept. 30, 2008

“Product Liability Law and the Litigation Process,” Packaging Machine Manufacturers Institute Safety & Technology Conference, July 16 – 17, 2008

“Documented Risk Assessment in the Global Marketplace – Increasing Safety Without Compromising Productivity,” Rockwell Automation Fair, November 2007

“Documented Risk Assessment in the Global Marketplace – Defending the Process of Making Your Products Safe,” Packaging Machine Manufacturers Institute Safety & Technology Conference, July 10-11, 2007

“If It Ain’t Broke, Do I Still Have To Fix It? A Brief Examination of the Standards By Which U.S. Products May Be Judged,” [ALFA International](#) – International Client Seminar, March 8-10, 2007

“Defending the Non-Traditional Asbestos Defendant,” [ALFA International](#) – International Client Seminar, March, 2005

“Final Preparation for Trial,” IICLE Seminar, October 12, 1995

“Minimizing a Plaintiff’s Claims for Disability and Suffering,” Illinois State Bar Association Law Ed Series Seminar, April 26, 1995

“Breast Implant Litigation: The Defense Perspective,” The St. Paul/University Hospital Consortium Seminar, March 23, 1994

“Minimizing Damages for Aggravation of a Pre-Existing Injury,” Illinois State Bar Association Law Ed Series Seminar, Nov. 11, 1993

“Illinois Tort Law Update,” Illinois Association of Defense Trial Counsel Fall Seminar, Sept. 10, 1993

"Demonstration of a Slip and Fall Case-Presentation at Trial: The Defendant's Perspective," Continuing Legal Education Program for the Chicago Bar Association, Dec. 7, 1992

## **PUBLICATIONS**

"Making Products Defendable" Author. Defense Trial Counsel of Indiana, Nov 11-24, 2020

"Virtual Reality: Put Your Best Foot Forward" Co-author. Defense Research Institute's For The Defense magazine, Apr 2020.

The Defense Research Institute (DRI) Product Liability Compendium: "Warnings, Instructions, and Recalls," Defense Research Institute, 2018; (Illinois chapter author)

"What Is the General Scope of Duty to Warn and Instruct in Illinois?"

"Illinois Supreme Court Rejects Employee's Direct Action Against Employer for Claimed Asbestos Related Illness," Johnson & Bell Product Liability Law Alert, Winter 2015

The Defense Research Institute (DRI) Product Liability Compendium: "Warnings, Instructions, and Recalls," Defense Research Institute, 2012; (Illinois chapter author)

"The Challenges of Legacy Equipment," Defense Research Institute Product Liability Conference, Product Liability in the 21st Century: The Future is Now," April 11 – 13, 2012

Seventh Circuit Bars Plaintiffs Last Minute Change in Theory of Products Case," Johnson & Bell Product Liability Law Alert, Summer 2011

"Legacy Equipment - What is the Machine Manufacturer's Duty Once the Machine Leaves the Plant?" Johnson & Bell Product Liability Law Alert, Spring 2011

"Beyond the Horizon...A new Dawn for Global Product Liability Claims" ALFA International

Product Liability Practice Group Seminar (Program Chair), Nov. 12-14, 2008

"Product Liability Prevention Guide," Co-author of practice guide published by the Packaging Machine Manufacturers Institute, July 2008

Co-author, two-volume practice guide, Illinois Pretrial Practice, James Publishing, Inc., 2002

"Landowner's Duty to a Trespasser Found in a Place of Danger," IDC Quarterly, 1995

"Product Liability - RIP or Is There Still Life Left in Old Suvada - What the Defense Lawyer Can Expect," IDC Fall Conference, 1995 (with William V. Johnson)

"Plaintiff's Assumption of Risk in a Product Liability Case Acts as Contributory Fault," IDC Quarterly, 1993

"Historical Precedent vs. Logic: The Further Erosion of the Moorman Doctrine," IDC Quarterly, 1993

"Can a Product be an Improvement to Real Property?" For The Defense, (Product Liability Annual) October 1993

"Aggravation of a Pre-Existing Injury or Condition," ISBA Tort Trends Newsletter, December, 1993

"Application of Statutes of Repose and Limitation for Improvements to Real Property to Product Liability Cases," IDC Quarterly, 1992