

Andy is a shareholder with Sandberg Phoenix & von Gontard P.C. He served as the firm's product liability department leader for eight years from 2008 to 2016 and is currently a Recruiting Committee member. Andy has more than 20 years' experience with litigation throughout the country defending manufacturers of various products, to include drugs and medical devices, hospital products, construction equipment and machinery, aerial lifts, digger derricks, cranes, and potentially toxic chemicals. Additionally, he is retained by clients in the railroad, transportation, and construction industries.



Andy's goal in representing large, publicly traded companies is to help minimize any negative impact on their image, brand, stock price, distributors, and salespeople by trying and winning cases. At the same time, he recognizes from experience how litigation can impact a company financially. Andy works closely with clients at the beginning of every case to provide an up-front evaluation that informs them of their chances of success, potential and probable exposure, and anticipated costs so they know the risks involved. He also provides recommendations at the end of a case based on lessons learned during the lawsuit on steps a company can take to avoid future litigation and on developing quality assurance procedures to ensure nonconforming products can be identified and taken off the market.

Much of Andy's litigation activity involves defending clients based in the United States, Canada, England, Israel, Italy, Japan, Korea, and other countries in complex, high exposure matters involving multiple injuries and deaths. These cases have included mass casualties associated with prescription medications, lead and other toxic substances, trucking accidents, amphibious vehicles, and fireworks and explosives. Andy has also defended general contractors and subcontractors in catastrophic injuries related to the construction and maintenance of energized transmission lines, communications towers, highways, airports, and fire suppression systems. In handling these matters, Andy has become knowledgeable regarding a variety of construction standards and building codes, government regulatory standards, and standards organizations such as ANSI and ISO have promulgated. More recently, Andy has expanded his product liability expertise to defending manufacturers and distributors of alternative nicotine delivery systems.

Andy's litigation experience has allowed him to develop particular skill in neutralizing opposing experts' opinions and qualifications to the point he is routinely successful in excluding those experts from testifying. He is one of the few attorneys in the United States who has been able to convince a judge to prohibit a life care planner from offering opinion testimony despite the fact the life care planner was a medical doctor and he has also enjoyed success in disqualifying experts in other disciplines such as accident reconstruction, biomechanical engineering, product design, and product warnings. Indeed, Andy's partners and attorneys from other firms frequently consult with him on strategies for eliciting testimony from opposing experts during depositions that will support pretrial motions to strike those experts.

Andy has received the Martindale Hubbell® AV Preeminent® Peer Review Rating™ from attorneys who have worked with and against him. This rating reflects Andy's commitment to high ethical standards and his broad knowledge and experience. Andy has also been selected by his peers for inclusion in The Best Lawyers in America 2016, 2017, 2018, and 2019 in the field of Product Liability Litigation – Defendants.

### **Civic Activities**

Andy is actively involved with Glendale Lutheran Church as its President and has served on the congregation's Leadership Council since July 2012. He is also a member of the Friends of the St. Louis Symphony.

### **Professional Activities**

Andy is licensed to practice in Missouri, Illinois, Kansas, the United States District Courts for the Eastern and Western Districts of Missouri, the United States District Court for the Southern District of Illinois and the United States District Court for the District of Kansas. He is a member of the Missouri Bar Association, the Product Liability Advisory Council, the National Association of Railroad Trial Counsel, and the Treestand Manufacturers Association. Additionally, Andy serves as a member of Mackrell International, one of the world's premier networks of independent legal firms. Andy is also a Fellow with the Litigation Counsel of America, an invitation-only trial lawyer honorary society with membership limited to less than one-half of one percent of North American lawyers, judges and scholars.

### **Education**

Andy earned his Juris Doctor in May 1996 from the University of Missouri-Kansas City School of Law, where he served as Articles Editor for The Urban Lawyer quarterly journal on local government law and urban legal affairs. Prior to law school, Andy received his B.S. in Business Administration from the University of Missouri-Columbia in May 1993.

### **Representative Cases**

*Yeargain v. Summit Treestands, LLC*, 2012 WL 1033649 (E.D.Mo. Mar. 27, 2012)

*Wetzler v. Barnes-Jewish Hosp.*, No. ED94034 (Mo.App. Aug. 17, 2010)

*Long Motor Corp. v. SM&P Util. Res., Inc.*, No. 100,336 (Kan.App. Aug. 21, 2009)

*Baltzell v. R&R Trucking Co.*, 554 F.3d 1124 (7th Cir. 2009)

*Clark's Res., Inc. v. Ireland*, 142 S.W.3d 769 (Mo.App. 2004)

*Keisker v. Farmer*, 90 S.W.3d 71 (Mo. banc 2002)

### **Publications**

*The Explosion in E-Cigarette Battery Explosion Litigation: Tips and Tactics for Manufacturers, Distributors, & Retailers*, V SMOKE & VAPE BUS. SOLUTIONS 18 (Jan/Feb 2018)

### **Speaking Engagements**

Insurance Law 2012, The Latest in Subrogation and Liens and Ethical Considerations for the Attorney in the Tripartite Insurance Relationship - Who is the Client?, National Business Institute, St. Louis, Missouri (June 27, 2012)

Chief Litigation Officer Summit, How to Reduce Litigation Costs Using Experts, marcus evans summits, Las Vegas, Nevada (Sept. 16, 2011)

Managing Liens and Subrogation in Auto Accident Litigation, Liens and Subrogation in Auto Accident Litigation and Litigation Ethics, National Business Institute, St. Louis, Missouri (August 30, 2011)

Insurance Law 2011, Current Case Law, Market Trends and Legal Updates, National Business Institute, St. Louis, Missouri (June 29, 2011)

PLRB/LIRB 2010 Central Regional Adjusters Conference, Products Liability: From Beginning to End, PLRB/LIRB, Columbus, Ohio (Sept. 14-15, 2010)

Managing Liens and Subrogation in Auto Accident Litigation, Subrogation Liens in Detail, National Business Institute, St. Louis, Missouri (Aug. 13, 2010)

Insurance Law 2010, Ethical Considerations for the Attorney in the Tripartite Insurance Relationship - Who is the Client? National Business Institute, St. Louis, Missouri (June 18, 2010)

Insurance Law from A to Z, Insurance Law Legislative Update and Ethical Considerations for the Attorney in the Tripartite Insurance Relationship - Who is the Client? National Business Institute, St. Louis, Missouri (May 16, 2008)