



Eric C. Rosenberg

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RELATED SERVICES

- Insurance
- Commercial Litigation
- Construction
- Product Liability
- Environmental & Toxic Tort
- Chemical Exposure

OFFICES

- Philadelphia

OVERVIEW

Eric C. Rosenberg is a Partner in the Philadelphia office of GRSM and is a member of the Product & General Liability, Commercial Litigation, Construction, and Environmental & Toxic Tort practice groups. Eric represents public and privately held corporations in complex and high exposure litigation involving product design, manufacturing, and warning defect claims in jurisdictions across the country. Eric routinely counsels and defends chemical manufacturers and contractors on product safety and regulatory issues as national trial counsel, including the defense of catastrophic personal injury and property loss matters involving fire or exposure to hazardous consumer and industrial products. His national chemical and fire practice involves corporate investigations and regulatory compliance on product design, labeling, and stewardship, coordination with litigation and consulting experts, multi-jurisdictional legal issues, and the defense of senior and executive level corporate representatives.

In his construction practice, Eric advises owners and developers, modular home builders, equipment manufacturers, governmental entities, and contractors in construction claims, project performance disputes, contract compliance issues, and mechanic's lien litigation.

Eric also counsels public and privately held companies in commercial disputes such as breach of contract, commercial debt collection, consumer fraud, and business torts.

Prior to joining GRSM, Eric was an Associate at a mid-sized law firm in Philadelphia. He also served as a judicial intern to the Honorable Eduardo C. Robreno of the U.S. District Court for the Eastern District of Pennsylvania. Eric is a magna cum laude graduate of Franklin & Marshall College, where he was also invited to join the Phi Beta Kappa Society, and a cum laude graduate of the Rutgers University School of Law.

REPRESENTATIVE EXPERIENCE

- Obtained summary judgment with prejudice in precedent-setting Federal Hazardous Substances Act case in the U.S. District Court for the Central District of California. The litigation involved a spontaneous combustion incident and regulatory compliance defense of product line generating nine-figure annual revenue for multinational chemical and coatings manufacturer. The opinion struck plaintiffs' expert reports and resolved a regulatory issue of first impression in the Ninth Circuit, and provides certainty for the manufacturers of flammable consumer products in misbranding cases related to principal hazards and precautionary language.
- Preliminary objections sustained on behalf of publicly traded modular home manufacturer in consumer fraud litigation involving allegations of regulatory violations and defective design and construction.
- Routinely provides regulatory, land use, construction, and business counsel to regional port authority and Pennsylvania independent governmental agency, including white papers and interpretive legal memoranda used to advise general counsel and senior executive leadership team.
- Negotiated a no-pay settlement that included complete dismissal with prejudice on behalf of public landowner in defense of Pennsylvania mechanic's lien litigation.
- Obtained summary judgment and five-figure monetary sanctions against opposing counsel in federal products liability litigation for repeated disclosures of proprietary chemical formulation and trade secret information in violation of protective order.
- Led team of six attorneys in catastrophic injury litigation in Texas state court arising out of chemical explosion incident, involving four years of investigation and depositions, the coordination of fourteen defense experts in a variety of scientific and regulatory disciplines, and ultimately settling at mediation for less than 2% of demand made five days before jury selection.

- Awarded summary judgment and a complete dismissal of all claims on behalf of a multi-billion dollar electronic systems manufacturer after five years of litigation in Pennsylvania state court, and involving a contentious jurisdictional dispute on a novel issue of constitutional law, allegations of spoliation, and extended discovery and expert practice related to the design engineering of a patented electrical component part.
- Successfully challenged personal jurisdiction in products liability litigation on behalf of a multinational petroleum and chemical conglomerate. The dispute arose out of conflicting interpretations of Pennsylvania's corporate registration and long-arm statutes, namely whether the Due Process Clause of the Fourteenth Amendment prohibits Pennsylvania from requiring a corporation to consent to personal jurisdiction to do business in the state.
- Obtained dismissal on behalf of leading healthcare data management service provider in third-party breach of contract and business tort claim arising out of dispute over alleged nonperformance of client's proprietary information management software. The court found that the contract bound all disputes to arbitration, and that the "gist of the action" doctrine barred any post-statute of limitations business tort claims. Leveraging the strength of the motion to dismiss, Mr. Rosenberg obtained a voluntary dismissal that mitigated the client's financial exposure by an estimated \$5,000,000 before taking any discovery.
- Represented client in binding arbitration involving an industrial warehouse contamination incident. Mr. Rosenberg led an internal investigation and retained a team of experts, successfully reaching a multi-party global settlement, and reducing total client exposure to 6% of total economic losses.
- Counseled largest privately held salon chain in the United States in contractual performance dispute against bulk equipment supplier that delivered defective equipment. Mr. Rosenberg initiated contractual ADR proceedings and ultimately negotiated new vendor contract and settlement agreement requiring supplier to cure defects, reimburse client for seven-figure economic damages, and indemnify the client for potential accidents caused by defective parts.

PUBLICATIONS

- Author, Supreme Court of Pennsylvania to Address Whether Registration of Out-of-State Business Creates General Jurisdiction, *Environmental & Toxic Tort Defense Insight*, November 24, 2020
- Author, PA Appellate Court Declines Opportunity to Re-Evaluate State Registration Statute Under Daimler, *Environmental & Toxic Tort Defense Insight*, July 6, 2020
- Author, Not Fair in Pennsylvania (Update) – The Pennsylvania Supreme Court Rules That Fair Share Act Does Not Allow Fault-Based Apportionment in Strict Liability Cases, *Environmental & Toxic Tort Defense Insight*, March 27, 2020
- Author, Not Fair in Pennsylvania: Application of The Pennsylvania Fair Share Act to Strict Liability Cases Reviewed by State Supreme Court, *Environmental & Toxic Tort Defense Insight*, March 11, 2019

- Author, Strategic Considerations Before Challenging Personal Jurisdiction in Products Liability Litigation, *The Legal Intelligencer*, January 30, 2018
- Author, Employer's Liability Insurer Not Obligated to Cover Claims Alleging Intentional Conduct, *Insurance Coverage Law Blog*, November 17, 2017
- Author, When Lawyers Switch Firms During Litigation, Can an Ethical Wall Prevent Firm Disqualification?, Defense Research Institute, *The Guide -A Young Lawyer's Guide to Defense Practice*, Spring 2015

CREDENTIALS

Admissions

- Pennsylvania
- New Jersey
- U.S. District Court, Eastern and Middle Districts of Pennsylvania
- U.S. District Court, District of New Jersey
- U.S. Bankruptcy Court, Eastern District of Pennsylvania

Memberships

- State Bar of Pennsylvania
- Philadelphia Bar Association—Young Lawyers Division
- Defense Research Institute

Community Involvement

Eric sits on the board of Friends of Crease Street Garden, a 501(c)(3) Pennsylvania non-profit corporation dedicated to managing a community garden in the Fishtown neighborhood of Philadelphia.

Eric is also an annual fundraiser and participant in Cycle for Survival, a charity dedicated to supporting rare cancer research at Memorial Sloan Kettering Cancer Center.

Education

- J.D., *cum laude*, Rutgers School of Law, 2013
 - First Year High Honors
 - Dean's Scholars Honors
 - Rutgers Journal of Law and Public Policy, Submissions Editor
- B.A., *magna cum laude*, Philosophy / Government, Franklin & Marshall College, 2010
 - Phi Beta Kappa Honors

Honors

- *Best Lawyers in America*® Ones to Watch distinction in Commercial Litigation (2021-2025), Mass Tort Litigation/Class Actions – Defendants (2021-2025), Product Liability Litigation – Defendants (2022-2025), Insurance Law (2022-2025)*
- *Super Lawyers*® *Rising Star* distinction in Construction Litigation, (2019 – 2024)*

*No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

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The *Super Lawyers*® Rising Star list is issued by Thomson Reuters. A description of the selection methodologies can be found at: https://www.superlawyers.com/about/selection_process.html.