



James A. Lowery

PARTNER

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RELATED SERVICES

- Commercial Litigation
- Asbestos & Talc
- Trucking
- Environmental & Toxic Tort
- Transportation
- Trial Practice

OFFICES

- Dallas
- Austin
- Houston

OVERVIEW

James (“Jim”) Lowery is a Partner in the Dallas office of GRSM and a member of the Environmental & Toxic Tort, Commercial Litigation, Trucking and Transportation practice groups. He has achieved favorable verdicts in several high-risk cases on behalf of multiple clients in asbestos, silica, talc, and other catastrophic injury litigation. Jim first chaired more than 60 trials in multiple jurisdictions, including Texas, New York, Pennsylvania, Florida, Massachusetts, Delaware, Ohio, Maryland, Louisiana, Virginia, Illinois, California, Iowa, Missouri, Oklahoma, and Mississippi. He obtained defense verdicts in pro-plaintiff jurisdictions, such as Madison County, Illinois, Beaumont and Orange Counties in Texas, Philadelphia, Pennsylvania, Los Angeles and Oakland, California.

Jim represented a wide variety of asbestos clients, including insulation manufacturers, “low-dose”

product manufacturers, distributors, retailers, contractors, employers and premises owners. He has extensive experience in preparing, defending and cross-examining experts at trial, including leading challenges to expert testimony under Daubert, Frye and Havner. Jim leads the effort to develop expert witnesses and defense strategies for multiple clients. He has deposed hundreds of experts in asbestos, silica, and talc litigation. Jim also serves as National Coordinating Counsel for multiple clients in toxic tort matters.

In addition to his extensive experience in asbestos, silica and talc cases, Jim has also defended numerous clients in commercial cases. He defended and tried multiple personal injury claims arising out of trucking accidents. Jim also has extensive experience in defending catastrophic injury claims involving workplace injuries, including caustic burns and oil field accidents.

Jim has also defended clients in numerous environmental claims, involving toxic spills, hazardous waste deposition and property damage issues. He defends transportation companies charged with criminal, civil and regulatory violations associated with hauling and disposing of hazardous materials. Jim has helped multiple clients develop comprehensive environmental handling, warning, labeling and transportation programs to help minimize long term risks.

Jim previously served more than four years as lead in-house counsel for a Fortune 500 corporation, supervising its national toxic tort litigation. This included a docket of more than 45,000 asbestos, PCB, beryllium, lead, silica, and benzene cases. Jim took a lead role in developing the corporation's defense strategies, developing experts, controlling defense and indemnity costs, and supervising outside counsel in more than 40 jurisdictions.

In addition to his trial and national counsel experience, Jim is also a frequent speaker at national litigation conferences. He has written several articles pertaining to issues relating to toxic tort litigation, defense and trial strategies, and expert challenges in multiple jurisdictions.

REPRESENTATIVE EXPERIENCE

Representative Experience

- Trial counsel for equipment manufacturer in seven-week jury trial in Oakland, California, resulting in defense verdict for major firm client.
- Lead trial lawyer representing a diversified industrial product manufacturer in asbestos mesothelioma wrongful death claim in the Madison County, Illinois. After nearly four hours of deliberation, the jury returned a unanimous defense verdict on behalf of the client.
- Lead trial counsel representing a construction company in a wrongful death, gross negligence asbestos trial in Beaumont, Texas. Jury returned an 11-1 defense verdict in favor of the client.

- Lead trial counsel representing a concrete company in a three plaintiff, catastrophic injury truck crash case in Brownsville, Texas. The jury returned an 11-1 defense verdict in favor of our client. Verdict upheld on appeal to the Thirteenth District of Texas, Corpus Christi-Edinburg.
- Lead trial counsel for a diversified manufacturing client in asbestos mesothelioma matter. In May 2008, after a three-month trial, the jury returned a plaintiff's verdict but only allocated 2 percent against the client. In August 2012, the California Court of Appeal reversed the judgment and remanded the matter to the trial court for entry of judgment notwithstanding the verdict in favor of the client.
- Lead trial attorney for a diversified manufacturing client in asbestos mesothelioma case. After a multi-week trial, and despite plaintiff's asking for an eight-figure verdict, the jury returned a damages phase verdict for only \$123,000, assigning a 1/8 share to the client (\$15,375). The plaintiff's counsel dismissed their claim against the client prior the start of the liability phase of this trial.

PUBLICATIONS

- Why Developing and Presenting Alternative Exposure Evidence is Vital to the Defense of Asbestos and Talc Cases, *Mealey's Litigation Report*, June 2021
- Commentary: The Scourge of Over-Naming in Asbestos Litigation: The Costs to Litigants and the Impact on Justice, *Mealey's Asbestos Reporter*, January 19, 2018
- Contributing Author, Daubert and Frye Challenges to Expert Testimony, *Expert Witness Answer Book*, 2012-2015

PRESENTATIONS

- *How to Settle a Case When You Don't Have all the Answers*, GRSM Legal Education Conference, New York and Hartford, May 2019
- *Defending Mass Torts and Products Liability Lawsuits*, GRSM Legal Education Conference, New York and Hartford, May 2019
- Featured Presenter, *Utilizing Bankruptcy Trust Evidence in Asbestos Trials*, Defense Research Institute Asbestos Medicine Seminars, Austin, Texas, November 2018

CREDENTIALS

Admissions

- Texas
- Florida
- New York
- Pennsylvania
- U.S. District Court, Eastern, Western, Northern, and Southern Districts of Texas
- U.S. District Court, Western, Northern, and Southern Districts of New York

- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, Southern District of Florida

Memberships

- Texas Bar College
- Defense Research Institute
- The Florida Bar
- State Bar of Texas

Community Involvement

- Youth Baseball Coach

Education

- J.D., University of Notre Dame Law School
- B.A., University of Notre Dame

Honors

- *Best Lawyers in America*® distinction in Mass Tort Litigation / Class Actions – Defendants (2014-2025)
- AV Preeminent®, Martindale-Hubbell