



Michael R. Klatt

PARTNER

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RELATED SERVICES

- Pharmaceutical & Medical Device
- Environmental & Toxic Tort
- Trial Practice
- Product Liability
- Commercial Litigation

OFFICES

- Austin

OVERVIEW

Mike Klatt is a Partner whose practice focuses on product liability and commercial litigation involving individual claims, mass tort/mass claims, and class actions in the fields of drugs and medical devices, products liability, and environmental/chemical exposures. Mike has decades of experience and specific expertise in the development of medical and scientific defenses to claims involving prescription and non-prescription pharmaceuticals, medical devices, cosmetic products, household products, and alleged chemical or environmental exposures. For over 30 years, he has developed and led defense strategies based on sound principles of medicine and science on behalf of national manufacturers of these products in significant statewide and national litigations. Most recently, he has acted as national counsel and tried cases for a nationwide talc manufacturer.

His experience also has included matters involving construction products, food contamination, and insecticides and pesticides, as well as commercial disputes. Mike has frequently lectured at CLE events and taught law students at the University of Texas and Baylor University law schools regarding product liability and expert witness deposition and examination techniques. He also served as a Teaching Faculty member at the 2019 Trial Academy for the International Association of Defense Counsel at Stanford University School of Law.

Before entering private law practice, he served as a briefing attorney for Judge Bob Shannon on the Court of Appeals for the Third Supreme Judicial District of Texas. Before attending law school, he taught high school social studies in Texas public high schools.

REPRESENTATIVE EXPERIENCE

Representative Experience

For more than the past 30 years, Mike has been involved in the development of medical and scientific defenses and has participated in successful trials, *Daubert* hearings, and “Science Day” presentations to courts in many of the highest profile national “mass torts”/ mass claim litigations affecting United States and foreign manufacturers of FDA-approved prescription and over-the-counter drugs, vaccines, medical devices, cosmetics, and other consumer products in both state and federal courts. During closing argument in one recent high-profile trial, a co-defendant’s counsel told the jury that Mike “had a knack for coming up with the right questions” during cross-examination of opposing experts.

Mike’s representation of clients has included serving as national, regional, and trial counsel in cases alleging links between:

- Cosmetic talc use and ovarian cancer, in which he served as national trial and science counsel for his client, including two jury trials resulting in defense verdicts for his client. One of these verdicts in 2017 was listed on the Courtroom View Network’s “Top Ten Most Impressive Defense Verdicts” in the country. Mike was also lead counsel for this client in a successful Kemp (*Daubert*) hearing in New Jersey state court that led to the exclusion of talc plaintiffs’ general causation cancer experts and summary judgment for his client in the first bellwether trials in the New Jersey consolidated state court proceedings.
- A prescription diabetes drug and bladder cancer.
- Prescription hormone replacement therapy drugs and breast and ovarian cancers.
- Prescription medications and birth defects.
- Chemical exposures and birth defects.
- A prescription gastrointestinal drug and neurologic/extrapyramidal symptoms.
- Thimerosal preservative in childhood vaccines and autism.
- A major prescription anti-depressant medication and suicidal behavior.

- An ingredient in non-prescription cough/cold medication and stroke.
- A leading anti-seizure medication and dermatological effects, including Stevens-Johnson syndrome.
- A prescription implantable hormonal contraceptive and allegations of overmarketing and excessive routine hormonal side effects
- Silicone breast implants and autoimmune diseases.
- Various vaccines (e.g., DTP, influenza, HiB) and neurologic illnesses

He has also been lead coordinating and trial counsel in the defense of product liability, negligence, warranty, and deceptive trade practice causes of action in other individual cases across the country regarding FDA-approved vaccines, prescription and over-the-counter medications, and medical devices.

His experience in other cases also includes:

- Leading the defense team for a national agricultural insecticide manufacturer that defeated both national and statewide certification of a class of farmers alleging that chemical exposure to insecticides caused agricultural damage.
- Defense of a major chemical manufacturer against claims that its products caused various cancers in employees and residents who lived near its manufacturing plant.
- Defense of a major cosmetic manufacturer in a case alleging chemical burns due to a perfume product.
- Representation of one of the country's largest veterinary products manufacturers in claims that vaccines resulted in widespread losses to cattle herds.
- Defense of a major agricultural chemical manufacturer in a suit brought by thousands of plaintiffs residing near or working in its manufacturing plant.

He also has experience in a wide range of other cases, including those involving food and cosmetic products.

PUBLICATIONS

Publications and Presentations

- Defense Research Institute, "*Science Basics for the Drug and Medical Device Lawyer*," chapter on *Epidemiology* (2020)
- *The Mounting Attacks On Company-Sponsored Science, Speech, and Experts*, Co-Author and Presenter, International Association of Defense Counsel (2020)
- *What's Up With IARC? Dealing with IARC Decisions in Product and Tort Litigation*, Co-Author and Presenter, International Association of Defense Counsel (2019)
- *Mass Torts and the Rule of Law: A Study in Talc*, Co-Author and Presenter, International Association of Defense Counsel Annual Meeting (2018)

CREDENTIALS

Admissions

- State Bar of Texas
- U.S. District Court, Northern, Southern, Eastern and Western Districts of Texas
- U.S. Court of Appeals, Fifth Circuit

Memberships

- International Association of Defense Counsel
- Defense Research Institute

Education

- J.D., Baylor Law School, 1980
 - *Baylor Law Review*, Associate Editor
 - Delta Theta Phi
- B.A., *with highest honors*, University of Texas at Austin, 1977
 - Phi Beta Kappa

Honors

- *Who's Who Legal Thought Leader: USA, Life Sciences – Product Liability and Product Liability Defense*, 2023
- Imperial College London's *Epidemiology for Public Health Specialization* (non-credit):
 - Measuring Disease in Epidemiology
 - Study Designs in Epidemiology
 - Validity and Bias in Epidemiology
- *Best Lawyers in America*® distinction in Product Liability Litigation – Defendants (2009-2025)
- *Best Lawyers in America*® “Lawyer of the Year” in Product Liability Litigation – Defendants, Austin (2024)
- *Who's Who Legal International: Product Liability Defense Lawyers* (2002-2019)
- *Martindale-Hubbell AV Preeminent*®