

# Thomas G. McIntosh

Counsel



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## Practices/Industries

- Product Liability
- Pharmaceutical, Medical Device & Mass Tort Litigation

## Education

University of Kentucky  
(B.S., *magna cum laude*,  
1998)

University of Kentucky  
College of Law  
(J.D., 2003)  
CALI Award, Civil Procedure  
I; Member, *Journal of Natural  
Resources and  
Environmental Law*

## Overview

Tom's area of concentration is product liability litigation with a focus on personal injury defense involving pharmaceutical products. Tom has experience defending drug companies in complex matters across the country in multi-district litigation and state-court consolidated litigation as well as individual cases in state and federal courts. He has worked on matters involving a variety of different products including generic and brand-name pharmaceuticals, supplements, and medical devices. Tom has participated in all phases of litigation, including drafting and responding to written discovery, taking and defending depositions, dispositive motion practice, expert witness preparation, arguments at hearings, appeals, and final case resolution. Tom has specialized experience in federal preemption of state-laws involving generic drugs, and has briefed the issue in numerous state and federal courts across the country.

## Representative Experience

- Experienced in handling complex litigation, including multi-district litigation and mass tort proceedings, for a variety of corporate clients, focusing on pharmaceutical litigation involving metoclopramide, isotretinoin, zolpidem, fluoxetine, ephedra, anti-depressants, and other pharmaceuticals.
- Specialized experience in federal preemption of state-laws involving generic drugs, including briefing at the trial court and appellate levels.
- Obtained dismissal in a variety of product liability cases.
- Experienced in handling all aspects of state and federal litigation, including pleadings and motion practice, discovery, trial preparation, appeal and final case resolution.

## Reported Cases

- *Meade v. Parsley*, No. 2:09-cv-00388, 2010 WL 4909435 (S.D.W.V. Nov. 24, 2010)

## Publications

- "I Can See Clearly Now: Has the U.S. Betrayed Future Generations with Air Quality Control Standards?" *Journal of Natural Resources & Environmental Law*, Volume 18, 2003-2004, Number 1

## Involvement

### Professional Affiliations

- American Bar Association
- Ohio State Bar Association
- Kentucky Bar Association
- Cincinnati Bar Association

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Counsel

## Involvement (Cont)

### Community Involvement

- ProKids Run for Kids (*Committee Member 2015; 2016*)
- Cincinnati Alternative Volleyball Association (*President 2016, Board Member 2015*)
- University of Kentucky LGBTQ+ Alumni Group "Pride Cats" (*Board Member, 2016*)
- Team In Training Sports Endurance Program to benefit the Leukemia and Lymphoma Society (*Participant 2002, 2005, 2007; Mentor 2008; Captain 2009*)

## Honors & Distinctions

- Named to the *Ohio Super Lawyers Rising Stars* list (2010; 2013; 2015-2016)

## Admissions

- State of Ohio
- Commonwealth of Kentucky
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Eastern District of Kentucky
- U.S. District Court, Western District of Kentucky
- U.S. District Court, Western District of Tennessee