



R. LAWRENCE PURDY

Of Counsel

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OVERVIEW

Larry Purdy focuses his practice on the defense of major medical device and pharmaceutical manufacturers in complex, nation-wide product litigation. Larry has represented clients in product liability claims and lawsuits venued in virtually every state as well as the U.S. Virgin Islands and Puerto Rico. A significant portion of his practice deals with the issues of federal preemption and regulatory control over claims involving FDA-approved medical devices. He has tried a variety of cases in jurisdictions around the country involving both medical and non-medical products.

Larry also served as pro bono trial counsel for the plaintiffs in two landmark United States Supreme Court cases involving race-conscious admissions policies at the University of Michigan. As a consequence of his involvement in the Michigan cases, he has frequently been invited to discuss the role of race in college and university admissions. His campus appearances included invited presentations at the Universities of Texas, Michigan, Missouri, and Colorado, as well as appearances at the law schools at Arizona State University, the University of Minnesota, William Mitchell College of Law, Hamline University, University of St. Thomas, Valparaiso University, Northwestern University, and University of San Francisco. In addition, Larry has addressed numerous local, state, and federal bar associations on the topic of race.

SELECTED EXPERIENCE

- *Sherry Ann Walker, et al. v. Medtronic, Inc.*, No. 07-317, S.D.W.Va. (2010 U.S. Dist. LEXIS 125103).
- *Clark v. Medtronic, Inc.*, 572 F. Supp. 2d 1090 (D. Minn. 2008).
- *Hammitt v. Medtronic, Inc.* (Anoka Co. D. Ct., Minnesota, (2004). National counsel in a lawsuit involving the recall of a medical device. Case was never certified for class action and settled.
- *Emry et al v. Medtronic, Inc. et al* (U.S. Dist. Ct., Minnesota, 0:04-cv-04215 (terminated - 2005). National counsel in a lawsuit involving the recall of a medical device. Case was never certified for Class Action. The claims in this case were successfully mediated.

AREAS OF PRACTICE

Litigation

- Tort & Product Liability

BAR ADMISSIONS

Minnesota

U.S. District Court

- Minnesota
- E.D. Michigan
- W.D. Michigan
- Montana
- Nebraska
- E.D. Texas

U.S. Court of Appeals

- Sixth Circuit
- Eighth Circuit

U.S. Supreme Court

Numerous other state and federal courts on a pro hac vice basis

EDUCATION

William Mitchell College of Law
J.D., 1977

United States Naval Academy
B.S., 1968

- *Grutter v. Bollinger, et al.*, 137 F. Supp. 2d 821 (E.D. Mich. 2001), *rev'd*, 288 F.3d 732 (6th Cir. 2002), *cert. granted*, 123 U.S. 617 (2002), *aff'd*, 123 S. Ct. 2411 (2003).
- *Gratz v. Bollinger, et al.*, 122 F. Supp. 2d 811 (E.D. Mich. 2000), *Rule 11 cert. granted*, 123 U.S. 602 (2002), *rev'd*, 123 S. Ct. 2325 (2003).
- *Mozes v. Medtronic, Inc.*, 14 F. Supp. 2d 1124 (D. Minn. 1998).
- *Goldkist, Inc. v. Texas Utilities Electric Co. (fka Texas Power & Light), et al.*, 830 S.W.2d 91 (Texas 1992).
- *Texas City Refining, Inc. v. Graver Tank & Mfg*, 822 S.W.2d 252 (Texas 1991).
- *Neville Bros v. Cook Paint & Varnish, Inc.*, 671 F.2d 1107 (8th Cir. 1982).
- Mr. Purdy has served as lead counsel for product manufacturers in major product liability cases throughout the United States.
- He has also served as an arbitrator in binding arbitration matters.

LEADERSHIP & COMMUNITY

- University of St. Thomas School of Law: former Adjunct Professor, Mentor Externship 2011-2016

SELECTED HONORS

- **Selected for inclusion in *The Best Lawyers in America*®**, 2012-2019
- **Local Litigation Star**, *Benchmark Litigation*, 2008-2011
- **Maslon Law Firm Humanitarian Award for 2001** (honoring volunteer work for Habitat for Humanity and Kenwood Elementary School Reading Program).
- **AV Preeminent**, Martindale-Hubbell®
- **Honorable Discharge**, United States Navy in June 1973.
- Mr. Purdy served as an officer in the United States Navy reaching the rank of Lieutenant. His service included a one-year tour in Viet Nam beginning in December 1969 and ending in December 1970. While on active duty, he received the following military decorations and honors: Joint Services Commendation Medal, Navy Achievement Medal with Combat "V," Navy/Marine Corps Combat Action Ribbon, Meritorious Unit Citation, Southeast Asia and Vietnam Service Medals, and the National Service Medal.

SELECTED PRESENTATIONS

- "Exhaustion, Race Neutral Alternatives, and the Future of Affirmative Action Litigation," panel member, Michigan Journal of Law Reform Symposium on *Fisher v. University of Texas at Austin*, University of Michigan Law School, 2014
- "After the Fall: The Legacy of the I-35W Bridge Collapse Litigation and What It Means to the Design & Construction Industry in Minnesota," Maslon Speaker Series, 2013
- "The Future of Affirmative Action After *Fisher*: Is It Time to End and Not Mend It?" University of San Francisco Law Review Symposium, University of San Francisco School of Law, 2013
- "A Focus on 'Diversity': What Are the Implications for Our Military?" United States Naval Academy, Annapolis, Maryland, 2012
- "Diversity in the Profession," Alabama State Bar Association Annual Convention, 2010
- "Master Class on Trial Advocacy for Products Liability," ACI, 2006
- "Advanced Trial Advocacy," former adjunct faculty, William Mitchell College of Law
- "Trial Practice Course," guest lecturer, University of Minnesota Law School
- Faculty presenter for numerous Minnesota Institute of Legal Education (MILE), ABA, and Lexis/Nexis sponsored programs dealing with product liability, expert witness, and federal pre-emption issues.

SELECTED PUBLICATIONS

- "Awaiting the Rebirth of An Icon: *Brown v. Board of Education*," 44 *Mitchell Hamline L. Rev.* 510 (2018)
- "'To Speak Openly and Candidly on the Subject of Race': Musings on *Schuetz v. Coalition to Defend Affirmative Action, et al.*," 12 *U. St. Thomas L.J.* 508, Spring 2016

- "Fisher v. University of Texas at Austin: Grutter (Not) Revisited," 79 *Mo. L. Rev.* 1, Winter 2014
- "The Future of Affirmative Action After Fisher: Is It Time to End and Not Mend It?" 48 *U.S.F. L. Rev.* 301, Fall 2013
- *Getting Under the Skin of "Diversity" – Searching for the Color-Blind Ideal*, Robert Lawrence Press, 2008
- "Preemption: Current Case Law and Developments," written materials and presentation, LexisNexis® Present: Defense Strategies in Pharmaceutical Litigation Conference, January/February, 2005
- "Current Issues in Medical Device Litigation & Policy: 'General Review of the Case Law Relating to Federal Pre-emption of Traditional Common Law Product Liability Claims Involving FDA-Approved Medical Devices,'" ABA, 2004
- "Prelude: Bakke-Revisited," 7 *Tex. Rev. L. & Pol.* 313, Spring 2003
- Mr. Purdy's verbatim presentation and comments during a debate at the University of Texas School of Law appear in 8 *Tex. Hisp. J.L. & Pol'y* 7, 10-13 (2002)
- "Tort Law Update, 'Federal Pre-emption of Medical Device Claims,'" Minnesota Institute of Legal Education, 2002
- "Federal Pre-emption, *Medtronic, Inc. v. Lohr*: An Analysis and New Developments from the Defense Perspective," Minnesota Institute of Legal Education, 1997
- "*Medtronic, Inc. v. Lohr*: A Work In Progress," *Mealey's Emerging Drugs & Devices*, Vol. 1:14 (1996)
- "Expert Witnesses, 'Privileges Applicable to Expert Files,'" Minnesota Institute of Legal Education, 1994
- "Drug & Medical Device Liability, 'A Manufacturer's Compliance with Federal and State Law,'" Minnesota Institute of Legal Education, 1991
- "Product Liability Strategies for Today, 'Use of Experts in Product Litigation,'" Minnesota Institute of Legal Education, 1986
- "Product Liability Update, 'Punitive Damages,'" Minnesota Institute of Legal Education, 1984