



## Linda S. Woolf

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## PROFILE

Linda S. Woolf is the Managing Partner of the firm and one of its founding members. Ms. Woolf's practice is devoted to the representation of clients in class action and multi-district litigation, complex commercial, insurance coverage, construction, government liability, and employment litigation.

Ms. Woolf is a member of the Federation of Defense and Corporate Counsel and the Chair of its Management, Economics & Technology Section and Former Vice Chair of the Commercial Litigation Section. She is a past Chair of the Network of Trial Law Firms, Inc. (1999-2000), a non-profit corporation comprised of 26 independent law firms nationally recognized for their trial and litigation experience. Ms. Woolf is a past member of the Executive Board of the Maryland Association of Defense Counsel, and past Co-Chair of its Appellate Committee.

From 2007-2011, Ms. Woolf has been named as one of the Top 25 Women Super Lawyers in Maryland and recognized by Best Lawyers in Bet-the-Company (2009-2011) and Commercial Litigation (2008-2011). In 2007, she was honored with the Daily Record's Leadership in Law Award and as one of the Top 100 Women in Maryland.

## PROFESSIONAL AFFILIATIONS

2005-Present **Goodell, DeVries, Leech & Dann**, Managing Partner.

1993-Present **Goodell, DeVries, Leech & Dann**, Partner in litigation law firm devoted to representation of clients in complex litigation and litigation management.

1988-93 **Goodell, DeVries, Leech & Dann**, Associate in litigation law firm devoted to representation of clients in complex litigation and litigation management.

1985-1988 **Semmes, Bowen & Semmes**, Associate in trial department of large, full-service law firm with offices in Baltimore, Maryland and Washington, D.C.

## PROFESSIONAL EXPERIENCE

### COMMERCIAL, CLASS ACTION AND MASS TORT LITIGATION

Represents major pharmaceutical company in federal court action seeking certification of nationwide class under consumer fraud statutes, obtaining order denying class certification.

Represents medical device manufacturer in class actions pending in various federal and state courts arising from sale and distribution of Class II medical device.

Represents major transportation software engineering company in consolidated lawsuits arising out of Washington Metropolitan Area Transit Authority collision on June 22, 2009 involving nine wrongful death and over 50 personal injury lawsuits.

Represented national food producer in multi-district litigation seeking certification of nationwide class of consumers involving allegedly false advertising claims.

Represents major pharmaceutical company in litigation arising from the divestiture of a wholly-owned medical device subsidiary.

Represents an international manufacturer in litigation arising from the divestiture of a worldwide battery business.

Has represented national and local corporations at the trial and appellate levels in state and federal courts in matters involving the sale of corporate subsidiaries and businesses, alleged predatory lending practices and consumer fraud, federal and state antitrust violations, claims arising from non-competition agreements and the misappropriation of technology and other contractual disputes. Represented a surety in protracted litigation with the Resolution Trust Corporation arising from the failure of a savings and loan institution. Represented the majority shareholders of two thoroughbred racing corporations in derivative lawsuits filed by minority shareholders, successfully retaining control of nationally known racetracks.

Has represented corporate directors and officers, trustees and other fiduciaries in various litigation including claims for diversion of corporate opportunity, claims under ERISA for alleged breaches of fiduciary duty, shareholder derivative claims. Defeated proposed class certification in two companion ERISA cases brought by retirees of non-for-profit health insurer seeking enforcement of former welfare benefit plan and damages for breach of fiduciary duty. Has represented a variety of businesses in complex business tort litigation. Defended a defense contractor against claims of defamation and tortious interference with economic relations, arising from responses to RFP's to NSA. Represented hospitals, health insurers and managed health care organizations and their officers and directors in various litigation involving billing disputes, alleged breach of physician participation agreements, credentialing disputes and claims of defamation, tortious interference with economic relations and other business torts.

#### INSURANCE COVERAGE LITIGATION

Has represented insurers in various complex insurance coverage disputes, including:

Industrial Enterprises, Inc. v. Penn America Insurance Company, Represented Penn America Insurance Company in declaratory judgment action to determine insurer's liability for expenses incurred by insured in CERCLA enforcement action. Acted as lead counsel throughout case and at trial. Liability of insurer determined as a matter of law prior to trial, which proceeded on damages. Obtained verdict limiting damages claim subject set-off. Liability ruling reversed on appeal.

Savings First Mortgage v. National Union Fire Insurance, Represented National Union Fire Insurance in coverage litigation arising out of claims against its insured asserted in a class action brought by 2,200 borrowers alleging illegal lending practices. In addition to litigating the coverage issues, negotiated a settlement of the underlying class action within agreed-upon coverage limits. Represented insurer throughout negotiation of Memorandum of Understanding, final Settlement Agreement, approval hearings and administration of class settlement. Recovered reverter amount for the benefit of National Union.

Klopman v. Zurich American Insurance Company of Illinois, Represented major insurer in lost policy litigation. Obtained summary judgment in U.S. District Court which was affirmed by the Fourth Circuit.

LEAD PAINT COVERAGE LITIGATION – Represented major insurer in multiple coverage declaratory judgment actions in Baltimore City Circuit Court to determine the availability and scope of coverage for progressive bodily injury claims due to continued and repeated exposure to lead paint.

Mayor & City Council of Baltimore v. Utica Mutual Ins. Co., et al. Represented primary and umbrella insurers in coverage litigation brought by municipality to recover damages allegedly incurred as a result of asbestos-containing building materials

in public buildings. Obtained summary judgment in favor of insurers on basis of products risk exclusion which was affirmed on appeal in a case of first impression in Maryland.

CSX Transportation, Inc. v. Continental Ins. Co., Inc., 343 Md. 216, 680 A.2d 1082 (1996). Represented national insurer in major declaratory judgment action concerning coverage for occupational noise-induced hearing loss claims brought by 30,000 former and present railroad workers, member of lead trial team for a group of 19 insurers, obtaining a jury verdict for the insurers which was affirmed by the Court of Appeals of Maryland.

Nationwide Mutual Insurance Company v. Lafarge Corp., et al., Represented Travelers Indemnity Company in protracted coverage litigation arising from the premature deterioration of concrete railroad cross-ties throughout the northeast corridor, successfully defending claims of statutory and common law bad faith and obtaining a jury verdict which substantially reduced the policyholders' claimed losses.

Represents national insurer in coverage disputes under directors and officers, and financial lines error and omissions insurance policies.

Has represented international insurance carrier in federal and state court coverage litigation arising from asbestos bodily injury and asbestos property damage claims. Has represented the same insurer in environmental coverage disputes involving alleged contamination of soil and groundwater as a result of petroleum-based compounds leaked from underground storage tanks. Successfully represented various insurers at the trial and appellate level in disputes involving coverage for lead poisoning injuries. Represented numerous insurers in disputes involving first and third party coverages, intentional acts, personal injury and advertising injury claims.

#### EMPLOYMENT LITIGATION

Has defended national and local, private and public employers in employment-related claims in federal and state courts and at the administrative level. Has obtained numerous summary judgments in favor of private sector and government employers arising from claimed violations of federal and state employment statutes, including claims under Title VII of the Civil Rights Act for wrongful termination, disparate promotion and training opportunities, disparate disciplinary measures, and retaliation based on race, religion, sex and disability. Has defended claims asserted under the ADA, the FMLA, the Equal Pay Act of 1963, the ADEA, COBRA, the FLSA and state wage and hour laws. Has represented businesses and their officers, directors and management in cases involving claimed breaches of employment contracts and related business torts. Substantial experience in enforcing and challenging enforcement of restrictive covenants in employment agreements. Has negotiated separation and severance agreements on behalf of employers and employees.

#### ENVIRONMENTAL

Has represented a local government in a series of cases brought by a citizens' group under the federal Clean Water Act and state statutes, alleging violations of the plant's National Pollution Discharge Elimination System Permit and common law claims for nuisance, trespass, and violation of riparian rights arising from its operation of a waste water treatment plant.

Has represented insurers in coverage disputes involving alleged environmental contamination from the escape of pollutants from underground storage tanks, bodily injury allegedly resulting from exposure to second hand tobacco smoke and similar matters.

#### LOCAL GOVERNMENT AND MUNICIPAL LIABILITY

Substantial experience representing local governments in FLSA and other employment matters, environmental and land use litigation, challenges to rent control ordinances, and various constitutional claims. Has represented numerous counties, towns and other local governments in governmental liability cases, including claims for wrongful death and injuries arising from negligent design, maintenance or repair of roadways, sidewalks, administration of recreational programs, auto torts and negligent hiring. Has represented private sector parties, including contractors and product manufacturers named as co-defendants with municipalities in cases involving catastrophic property damage.

## PRODUCT LIABILITY

Has represented product manufacturers and bulk suppliers in litigation involving injuries alleged to have been caused by unreasonably dangerous products, chemicals and components. Authored successful motions for summary judgments and briefs leading to the adoption of the sophisticated user/bulk suppliers defense in Maryland. Represents international supplier of medical products and devices in class action litigation asserting claims for violation of industry standards and state consumer protection statutes. Substantial experience in the defense of product liability claims, defending manufacturers of construction equipment, abrasive products, high pressure hoses, exterior building panels, construction materials and drug testing kits against claims of negligence, strict liability and breach of warranty.

## EDUCATION

The University of Baltimore (B.A., magna cum laude, 1982)

The University of Baltimore (J.D., magna cum laude, 1985)

Managing Editor, The University of Baltimore Law Review, 1984-85

Heusler Honor Society

## COURT ADMISSIONS

- Maryland State Bar, 1985
- United States District Court for the District of Maryland, 1986
- United States Court of Appeals for the Fourth Circuit, 1989
- United States District Court for the District of Columbia, 2003
- United States Supreme Court, 2009

## PROFESSIONAL ORGANIZATIONS

- Federal Bar Association, Maryland Chapter, Board of Governors, 2009-2011
- CENTERSTAGE, Board of Trustees, 2009-Present
- Federation of Defense and Corporate Counsel, 2000 to present, 2010-2011 Chair, ME&T Section, 2006, Vice-Chair, Commercial Litigation Section, Member of Class Action, Reinsurance, Excess and Surplus Lines Section, Insurance Coverage Section and Membership Development & Retention Committee
- Network of Trial Law Firms, Chair, 1999 to 2000, Program Chair, 1998, Member Executive Committee, 1997 to present
- Maryland Association of Defense Trial Counsel, Past Member of Executive Board; Past Co-Chair Appellate Committee, 2002-2003; past Co-Chair; Judicial Selections Committee; Past Editor of The Defense Line
- Equal Justice Council Group, Board Member 2006-present
- Member: American Bar Association, Litigation, Torts and Insurance Practice, and Labor and Employment Law Sections
- Federal, Maryland and Baltimore City Bar Associations
- Defense Research Institute, Insurance Law and Employment Law Committees

## HONORS/AWARDS

- Best Lawyers in America, "Bet-the-Company" Litigation Award, 2010-2011
- Best Lawyers in America, Commercial Litigation, 2009-2011

- Baltimore Smart CEO, Baltimore Legal Elite for Business Law, 2009
- SuperLawyer, Top 50 SuperLawyers in Maryland, 2009, 2010
- SuperLawyer Corporate Counsel, Top Attorney in Business Litigation, 2008
- SuperLawyer, Top 25 Women SuperLawyers in Maryland and Leader in Business Litigation, 2007-2010
- The Daily Record's Top 100 Women, 2007
- Leadership in Law Award, The Daily Record, 2006

## TEACHING ACTIVITIES

Lecturer, The Network of Trial Law Firms, Inc., "Navigating the World of Alternative Fee Arrangements," May 2011 CLE Program, Naples, Florida

Presenter, Federation of Defense and Corporate Counsel, Winter Meeting, Advantages and Disadvantages of Alternative Fee Arrangements, February 2011, Indian Wells, California

Lecturer, The Network of Trial Law Firms, Inc., "Pros & Cons of MDL Consolidation," April 2010 CLE Program, Scottsdale, Arizona

Lecturer, The Network of Trial Law Firms, Inc., "2009 Developments in Class Action Law: Appellate Courts Continue to Raise the Bar for Class Certification," November 2009 CLE Program, Laguna Beach, California

Lecturer, FDCC/IADC Law Firm Management Conference, "Ownership Structuring," November 2009 CLE Program, Chicago, Illinois

Presenter, Federation of Defense and Corporate Counsel, Winter Meeting, Best Practices in the Preservation and Production of Electronically Stored Information, March 2007, Scottsdale, Arizona

Lecturer, The Network of Trial Law Firms, Inc., "The Attorney as Witness," November 2006 CLE Program, West Palm Beach, Florida

Lecturer, The Network of Trial Law Firms, Inc., "The Future of Non-Competes in the Technology Industry," August 2006 CLE, New York, New York; January 2006 CLE, Los Angeles, California

Presenter, Federation of Defense and Corporate Counsel, Annual Meeting, Plenary Session, "Rights and Obligations of the Insured, Primary Insurer and Excess Insurers in Large Loss Cases," July 2005, LaCosta, California

Lecturer, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), "Liability Insurers' Duty to Defend Under Maryland Law," April 2004

Lecturer, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), "Recent Developments in Personal Injury and Advertising Injury Liability Coverage," April 2004

Presenter, Federation of Defense and Corporate Counsel, Annual Meeting Plenary Session, "Ethical Considerations in Dealing With Former Corporate Constituents Accused of Misconduct," July 2003, Quebec, Canada

Lecturer, Network of Trial Law Firms, Inc., "Preventing Litigation," January 2003 CLE presented to corporate counsel, Houston, Texas

Lecturer, Network of Trial Law Firms, Inc., "Separation Anxiety, Litigation with Former Employees," July 2002 CLE presented to ACCA Chapter of New York City

Lecturer/Demonstrator, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), 9-day Intensive Trial Advocacy Program, 1993-2008

Lecturer, The Network of Trial Law Firms, Inc., "Recent Changes in Insurance Coverage for Employment, Personal Injury and Advertising Injury Claims," July 2001 CLE presented to ACCA Chapter of Westchester County

Lecturer, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), "Insurance Coverage for Employment-Related Claims," "Personal Injury and Advertising Injury Coverage in Comprehensive/Commercial Liabilities Policies," July 2001

Lecturer, The Network of Trial Law Firms, Inc., "Amendments to the Federal Rules of Civil Procedure and Federal Rules of Evidence," July 2000 CLE presented to WESFACCA and October 2000 CLE program

Lecturer, U.S. Department of the Treasury Continued Professional Education Program to IRS Special Agents and Supervisory Special Agents, "Avoiding Civil Liability for Claims of Excessive Force," September 2000

Lecturer, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), "Discovery Motions Under the Maryland Rules," September 2000

Lecturer, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), "Personal Injury and Advertising Injury Liability Coverage," May 1999 and May 2000

Lecturer/Demonstrator, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), "Trying the Case," October 1999, 2007, 2009

Lecturer, The Network of Trial Law Firms, Inc., Unusual and Non-Obvious Disabilities Under the Americans With Disabilities Act, October 1997 CLE program

Lecturer, MICPEL Insurance Institute, Insurance Coverage for Employment-Related Claims, May 1997

Lecturer, National Business Institute, Insurance Coverage Law in Maryland, March 1997

Lecturer, Chubb Group of Insurance Companies, Recent Developments in Maryland Insurance Law, February 1997

Lecturer, MICPEL Premises Security Program, Property Owners and Managers Liability for Third-Party Criminal Conduct, February 1997

Lecturer, National Business Institute, Bad Faith Litigation in Maryland, 1997

Lecturer, MICPEL, The Commercial/Comprehensive General Liability Insurance Policy Under Maryland Law, October 1996-1997

Lecturer, MICPEL Hot Tips in Litigation, Ex-Parte Contacts with Former Employees of Party Opponents, 1993

Lecturer, MICPEL Hot Tips in Litigation, The Use of Out-of-State Subpoenas and Depositions, 1992

Lecturer, Franklin Square Hospital, How to Avoid Sexual Harassment Claims

## PUBLICATIONS

Navigating the World of Alternative Fee Arrangements, The Network of Trial Law Firms, Inc., May 2011 CLE program

Reliance Requirements in Consumer Fraud Class Actions: Courts Continue to Struggle to Strike the Proper Balance, Federation of Defense and Corporate Counsel Quarterly (Winter 2009)

Co-author of book chapter, Impact Of Insurance Policies On Product Litigation, in Current Law, Strategies and Best Practices in Product Litigation (Pract. Law Inst., 2009)

Best Practices in the Preservation and Production of Electronically Stored Information, Federation of Defense and Corporate Counsel, March 2007 CLE programs

The Future of Non-Competes in the Technology Industry, The Network of Trial Law Firms, Inc., January 2006 CLE program

Rights and Obligations of the Insured, Primary Insurer and Excess Insurers in Large Loss Cases, Federation of Defense and Corporate Counsel, Annual Meeting, Plenary Session, July 2005

Non-Competition Agreements, 54 FED'N DEF. & CORP. COUNS. Q. 333 (2004)

Liability Insurers' Duty to Defend Under Maryland Law, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), April 2004

Recent Developments in Personal Injury and Advertising Injury Liability Coverage, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), April 2004

Litigation Arising From the Sale of Corporate Subsidiaries and Business Units, The Network of Trial Law Firms, Inc., April 2003 CLE program

Recent Changes in Insurance Coverage for Employment, Personal Injury and Advertising Injury Claim, The Network of Trial Law Firms, Inc., CLE presented to WESFACCA and July 2001 CLE program

Insurance Coverage for Employment-Related Claims, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), July 2001

Personal Injury and Advertising Injury Coverage in Comprehensive/Commercial Liabilities Policies, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), July 2001

Discovery Motions Under the Maryland Rules, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), September 2000

Personal Injury and Advertising Injury Liability Coverage, Maryland Institute for the Continuing Professional Education of Lawyers (MICPEL), May 1999 and May 2000

The Use of Secretly-Taped Conversations in Civil Actions -- A Multi-State Survey, The Network of Trial Law Firms, Inc., Co-author, May, 1998

Unusual and Non-Obvious Disabilities Under the Americans With Disabilities Act, The Network of Trial Law Firms, Inc., October, 1997

Insurance Coverage Law in Maryland, National Business Institute, March, 1997

Insurance Coverage for Employment-Related Claims, MICPEL Insurance Institute, May, 1997

Recent Developments in Maryland Insurance Law, Chubb Group of Insurance Companies, February, 1997

Property Owners and Managers Liability for Third-Party Criminal Conduct, MICPEL Premises Security Program, Co-author, February, 1997

Bad Faith Litigation in Maryland, National Business Institute, Co-author, 1997

The Commercial/Comprehensive General Liability Insurance Policy Under Maryland Law, MICPEL, October, 1996

Use of the Sophisticated User/Bulk Supplier Defense in Product Liability Failure to Warn Cases, The Defense Line, Spring, 1990

Caveat Venditor in Maryland Condominium Sales, Vol. 14, University of Baltimore Law Review, 1985