MEAGHER+GEER®

John C. Hendricks

Retired Partner

Phoenix, Los Angeles

Overview

John practices out of the firm's Phoenix, Arizona and Los Angeles, California offices. He handles product liability (including asbestos product liability cases), business and complex litigation, including contracts, insurance coverage, employment law, Uniform Commercial Code cases, environmental and environmental insurance coverage litigation, CERCLA contribution actions, toxic torts, intellectual property, insurance defense, and personal injury litigation.

John has been lead counsel in numerous jury and bench trials in state and federal courts in Arizona, California, Iowa, Illinois and North Dakota. His representative cases includes seven jury trials involving asbestos products; a three-month environmental insurance coverage case involving soil and groundwater contamination caused by chlorinated solvents, BTEX compounds, and PAH's; a UCC breach of warranty suit involving more than $20 million in damages due to defective nitrocellulose lacquer; intellectual property litigation over computer software trademarks and copyright, petroleum pumping equipment and direct vent gas fireplaces; product liability litigation involving destruction of a foundry; toxic tort litigation concerning chronic low-level manganese exposure; and environmental litigation over manufactured gas plant sites and leaking underground storage tanks. John has handled at least 32 jury trials, and more than 50 non-jury trials and countless evidentiary hearings.

John's professional experience also includes representing financial institutions and lenders with a wide variety of matters in legal proceedings in state and federal courts, including bankruptcy court matters. Past clients include: CIT Group Inc.; McMorgan & Company; Arizona Laborers, Teamsters And Cement Masons Local No. 395 Pension Trust Fund; Arizona Laborers, Teamsters and Cement Masons Local No. 395 Defined Contribution Pension Trust Fund; Arizona Operating Engineers Defined Benefit Pension Trust Fund; Arizona Operating Engineers Defined Contribution Pension Trust Fund; Arizona State Carpenters Pension Trust Fund; Arizona State Carpenters Defined Contribution Pension Trust Fund; Data Sales Co.; First National Bank of Muscatine, Iowa; and First National Bank of Gordon, Nebraska.

Services

- Intellectual Property
- Electronic Litigation
- Commercial Litigation
- Employment
- Securities and Financial Services
- Life Sciences
- Mass Tort/Toxic Tort
- Products Liability
- Professional Liability
- Catastrophic Loss
- Safety, Toxic Tort & Environmental
- Insurance
  - Insurance - Bad Faith
  - Insurance Coverage
  - Insurance - Reinsurance

State Bar Admissions

- Arizona, 1999
- California, 1998
- Illinois, 1984
- Iowa, 1982

Federal Court Admissions

- United States Court of Appeals for the Federal Circuit, 2004
- United States Court of Appeals, Eighth Circuit, 1998
- United States Court of Appeals, Ninth Circuit, 2000
- United States District Court, District of Arizona, 1999
- United States District Court, Central District of California, 2000
- United States District Court, Eastern District of California, 2003
- United States District Court,

John's employment law experience includes, but is not limited to, handling numerous wrongful discharge, discrimination, harassment and retaliation matters involving administrative complaints to the Equal Employment Opportunity Commission and the Arizona Attorney General's office, as well as employment-related litigation in state and federal court.

John is experienced in electronic case management, electronic discovery and electronic trial presentation, including:

- Consulting with clients prior to suit, or at the initiation of litigation, to develop policies and procedures essential for preservation of evidence and complying with state and federal rules regarding the preservation and production of electronic evidence;
- Identification and retrieval of potentially-relevant electronic evidence, including cost-benefit analysis of various methods and tools for identifying and retrieving e-data;
- Electronic production of evidence, including analysis of the format for production (e.g., native, .tiff or other formats);
- Analysis and implementation of cost-effective, case-specific solutions to meet preservation obligations;
- Litigation involving electronic evidence, including taking and defending depositions of IT personnel and third-party e-discovery vendors, and discovery motion practice involving e-discovery, spoliation of evidence and technology issues; and
- Use of Summation, PowerPoint, Trial Director and other electronic legal tools for discovery, case management, arbitrations, mediations, motions and trials.

Education

- University of Iowa College of Law, J.D., with distinction, 1982
- Harvard University, A.B., *cum laude*, 1979

Prior Experience

- Prior to joining Meagher + Geer in August, 2005, John was a partner at the Phoenix firm of Stinson Morrison Hecker from 1998 to 2005, and was Litigation Department Chair, Vice-President and Shareholder of Stanley, Lande & Hunter in Davenport, Iowa, from 1982 to 1998.

Experience

Representative Cases

- *Cinda Haugen, individually and on behalf of the Estate of James Nodsle v. A.H. Bennet Company, et al.*, 09-2016-CV-02156, February 27, 2018 – North Dakota
- *Violet Pfenning v. A.H. Bennet Company, et al.*, 09-2014-CV-01770, April 4, 2017 – North Dakota
- *Borner v. Building Sprinkler Company*, North Dakota District Court, Cass County (liability for lung cancer supposedly resulting from construction work in or around asbestos-containing insulation)
- *Geier v. Building Sprinkler Company*, North Dakota District Court, Cass County (liability for mesotheliaoma supposedly resulting from construction work in or around asbestos-containing insulation)
- *Colbourn Estate of v. Crane Company, The William Powell Company*, United States District Court, D. Arizona (10- day jury trial about liability for mesothelioma supposedly resulting from work with or around asbestos-containing products from naval ships)
- *Judy Geier, individually and on behalf of the Estate of Douglas Geier v. A.H. Bennet Company, et al.*, 09-2014-CV-01765,

Northern District of California, 2001

- United States District Court, Southern District of California, 2001
- United States District Court, Northern District of Iowa, 1982
- United States District Court, Southern District of Iowa, 1982

October 4, 2016 – North Dakota

- *Maynard Borner v. A.H. Bennet Company, et al.*, 09-2014-CV-01250, August 30, 2016 – North Dakota
- *Leflet v. Redwood Fire & Casualty Ins. Co.*, 226 Ariz. 297, 247 P.3d 180 (Ariz.App. 2011) (court restricts the use of Morris agreements and finds insureds who enter into such agreements to the benefit of one carrier and to the detriment of another carrier violate the policy's cooperation clause).
- *Kirkish v. Mesa Imports, Inc.*, 2010 WL 364183 (D. Ariz. 2010) (finding employer did not discriminate based on disability in violation of the ADA).
- *DeSantiago v. Pargas*, 2009 WL 794929 (Ariz. App. 2009) (vacating and remanding for further proceedings on issue whether $8.3 million stipulated judgment in wrongful death case was unreasonable).
- *Holy Trinity Greek Orthodox Church v. Church Mut. Ins. Co.*, 476 F.Supp.2d 1135 (D. Ariz. 2007) (granting insurer's motion for summary judgment on plaintiff's punitive damage claim).

Professional Affiliations

- American Bar Association
- State Bar of Arizona
- Maricopa County Bar Association
- Arizona Association of Defense Counsel
- State Bar of California
- Iowa State Bar Association, previously served in the following groups:
  - Federal Practice Committee, 1996-98
  - Environmental Section Council, 1995-98
  - Litigation Section Long Range Planning Committee, 1990-92
  - Annual Meeting Committee, 1989-92
  - Executive Council, Young Lawyers Section, 1983-88
  - Bridge the Gap Committee, 1985-88 (Chair, 1988-89)
- Illinois State Bar Association

Community Involvement

- Make-A-Wish Foundation of Central and Southern Arizona

Notable

Accolades

- Selected as a "2014 Top-Rated Lawyer in Personal Injury Defense Law" by The American Lawyer & Corporate Counsel magazine and Martindale-Hubbell™
- Awarded the highest possible Martindale-Hubbell Peer Review Rating, AV® Preeminent ™ (AV is a registered certification mark of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards

and policies)