

GASS WEBER MULLINS LLC
T R I A L A T T O R N E Y S



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Rich Orton is a trial attorney, representing clients in a wide variety of complex claims in forums throughout Wisconsin and the United States. Rich's practice focuses on products liability, general liability, professional liability, and commercial, construction and insurance litigation and appeals. These claims typically involve a myriad of damages related to personal injuries, property damages, and other commercial or business losses.



Rich has represented a variety of commercial and manufacturing clients in products liability litigation, from local retailers to large multinational OEMs. He has significant experience as a member of the national trial counsel team for one of the world's leading manufacturers of compact farming and construction equipment. Rich's products liability experience has included defending consumer, commercial and industrial products in a variety of industries, such as construction, agribusiness, heavy equipment, trucking and transportation. In addition to this litigation work, Rich also has experience counseling companies on product liability, product safety, risk assessment, and claims management issues.

Rich regularly handles matters at all stages of their lifespan – from the prompt investigation of accidents and evidence preservation, through pre-suit negotiations, discovery, trial and appeal. Rich assists clients in developing and executing the most efficient and effective strategies in all

phases of dispute resolution. He has experience handling some of the most complex claims, involving catastrophic injuries, fire and explosion accidents, and massive property damages.

Since 2017, he has served as a member of the Board of Directors of Wisconsin Lawyers Mutual Insurance Company; in 2019 he was elected Vice Chairman of the Board. Rich served on the Board of the State Bar of Wisconsin's Young Lawyers Division from 2014-2018. He has served on various committees of the Eastern District of Wisconsin Bar Association since 2012, and was elected to its Board of Directors in 2019.

Rich stays involved in the Milwaukee community through volunteer efforts with the United Way and his service on the Board of the Brady Street Area Association (2017-present).

Prior to joining Gass Weber Mullins, Rich was a shareholder at one of Wisconsin's largest civil litigation firms. Rich attended the University of Wisconsin Law School, where he was a member of the Moot Court Board and Mock Trial Team. He won the Ruby R. Vale National Corporate Law Moot Court Competition's best brief award, and worked as a law clerk for the Wisconsin Governor's Office of Legal Counsel. Prior to law school he worked as a paralegal at a large multinational law firm in Washington, D.C. He obtained his undergraduate degree with honors from Marquette University, during which he spent two terms studying law and public policy at the University of Oxford in England. Mr. Orton was born and raised in Mauston, Wisconsin.

Representative Experience

- Won an appeal to the Wisconsin Court of Appeals on behalf of a manufacturer of heavy excavation equipment, involving the application of the economic loss doctrine to claims against the manufacturer resulting from a fire. *Secura v. Super Products LLC*, No. 2018AP1600, 2019 WL 3432520 (Wis. App. July 31, 2019).
- Secured a favorable verdict as first chair trial counsel for a construction company in a fire loss case involving allegations of negligent installation of a fireplace and chimney system after a four-day jury trial in Lincoln County, Wisconsin. (2018)
- Obtained a defense verdict on behalf of a heavy equipment manufacturer as second chair in a five-week products liability jury trial in Sonoma County, California. Plaintiff sought \$26 Million in damages after losing an arm and a leg as a result of a rough terrain forklift (“telehandler”) tip-over incident. (2017)
- Secured two subsequent dismissals of the case of an injured plaintiff clearly engaged in forum shopping, one in Cook County, Illinois, and the other in Lake County, Illinois, on behalf of a major national organizer of outdoor music festivals, ultimately resulting in the settlement of the claim for nuisance value. (2016)
- Received a favorable verdict on behalf of a printing company in a forklift accident case in Milwaukee County, Wisconsin (second chair). (2016)
- Successfully first chaired a bench trial in St. Croix County, Wisconsin, securing a favorable decision on behalf of a health insurer that resulted in the full reimbursement of the client’s subrogation claim. (2015)

Awards, Affiliations and Admissions

Honors

- Super Lawyers Rising Star, 2017-2018
- Fellow, Wisconsin Law Foundation (2017 Inductee)
- 2016 Wisconsin Law Journal “Up and Coming Lawyer Award”

Professional Organizations

- American Bar Association
- State Bar of Wisconsin
 - YLD Board, 2014-2018
- Illinois State Bar Association
- Thomas E. Fairchild Inn, American Inns of Court
 - Associate Member, 2013-2016
- Milwaukee Bar Association
- Milwaukee Young Lawyers Association
- Eastern District of Wisconsin Bar Association
 - Board of Directors, 2019-Present
- Defense Research Institute
- Wisconsin Defense Counsel
- Claims & Litigation Management Alliance (CLM)

Bar Admissions

- State of Wisconsin
- State of Illinois
- U.S. District Court - Eastern District of Wisconsin
- U.S. District Court - Western District of Wisconsin
- U.S. District Court - Western District of Michigan
- *Multiple pro hac vice admissions in state and federal courts from New York to California*

Presentations

- Moderator, “From the Bench: Practical Tips for Litigants”, State Bar of Wisconsin Annual Meeting and Conference, June 16, 2016.
- Co-Organizer, “Common Evidentiary Issues and Pitfalls,” State Bar of Wisconsin Annual Meeting and Conference, June 15, 2017.
- Presenter, “Dig Deep and Extract the Truth: How to use the Latest Digital Forensic Technology to Win Your Cases,” State Bar of Wisconsin Annual Meeting and Conference, June 21, 2018.
- Presenter, “Writing it Right: Avoiding Litigation Risks in Technical Publication Drafting,” 2018 (multiple locations and clients).
- Presenter, Annual Wisconsin Legal Update, annually, 2015-2019 (multiple locations / clients).
- Presenter, “Pretrial Techniques”, State Bar of Wisconsin, September 20, 2018 (covering motions to compel discovery, summary judgment and *Daubert* challenges).
- Presenter, “Anatomy of a Products Liability Claim,” annual equipment industry product liability seminar, May 2019.