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## Anthony J. Klein | Senior Partner

Anthony J. Klein has more than 40 years of experience in products liability, personal injury, and complex business litigation and is widely recognized as one of the preeminent litigators in California. He is currently litigating multiple elder abuse and nursing home cases involving both injury and wrongful death. He is also currently working on cases involving insurance bad faith, long-term disability and wrongful death, as well as a major residential fire case involving multiple deaths caused by faulty electrical wiring. Mr. Klein is a graduate of Stanford University and the University of California at Berkeley's Boalt Hall School of Law, where he received his LL.B. in 1963. He is a member of the American Board of Trial Advocates. Martindale-Hubbell rates him AV®, the highest designation and he was voted one of San Diego's Top Lawyers for 2013.

In this age of attorneys moving from firm to firm, it is notable that Mr. Klein has spent his entire private practice with the same firm. When Mr. Klein joined KDG in 1966, there were three attorneys. There are now more than 40 attorneys in three regional offices located in Bakersfield, Fresno, and San Diego.

### Practice Focus

Serious Injury and Wrongful Death, Insurance Bad Faith, Products Liability Litigation, Complex Civil Litigation, Major Environmental and Enforcement Matters, Nursing Home and Elder Abuse Involving Serious Injury or Wrongful Death, Automotive Defect Litigation

### SERIOUS INJURY AND WRONGFUL DEATH

Mr. Klein presently represents plaintiffs or the heirs of plaintiffs who have been badly injured in various types of situations including passengers in commuter vans, residents in assisted living facilities, drivers and passengers of motor vehicles, and victims of serious residential fires. In all of these cases, the plaintiffs have been very seriously injured and or killed as a result of a third party's negligence and wrong doing. All of these cases are presently being litigated in San Diego County.

### INSURANCE BAD FAITH

Mr. Klein has and is representing individuals who have been the victims of insurance companies' bad faith in the handling of the client claims for long-term disability benefits or other benefits owed to them under their policy. He recently resolved a case involving a plaintiff who was a quadriplegic entitled to benefits from a policy purchased through his employer. The insurance carrier denied his claim for benefits in its entirety and at the end of the litigation and prior to trial the case settled for seven figures. Mr. Klein continues to represent individuals with bad faith claims against insurance companies.

### PRODUCTS LIABILITY LITIGATION

Mr. Klein has handled over 1,000 product liability cases including cases against automotive manufacturers, the manufacturers of various types of machinery, and the manufacturers of prescription drugs and medical devices. Among these cases, Mr. Klein represented approximately 750 plaintiffs throughout the U.S. who suffered severe infections from a newly introduced contraceptive device. Over a five-year period, Mr. Klein was able to consolidate the case in U.S. District Court in San Francisco, try a test case involving 16 clients, and ultimately settle all the cases before the defendant filed bankruptcy.

### COMPLEX CIVIL LITIGATION

Mr. Klein has represented a number of corporations, including oil companies, trucking companies, and agricultural companies. These companies were involved in litigation having to do with intellectual property, contract disputes, and environmental issues. In one such case, while representing an oil company, Mr. Klein won an arbitration award in excess of \$5 million for the theft of proprietary geologic data. Mr. Klein has also represented a large agricultural company seeking to protect a proprietary patent involving specific types of grape crops. This litigation was successful and the defendants were required to destroy their illegally obtained produce.

## Notable Cases

Mr. Klein represented approximately 20 women who suffered strokes as a result of ingesting oral contraceptives. One case went to trial and the client was successful in proving that the pills caused her stroke and the jury awarded substantial damages. The case subsequently settled favorably for the Plaintiff.

Mr. Klein also represented two separate groups of clients who used two different types of IUDs. The two groups totaled over 800 clients. One case involving 16 clients and involving one of the IUDs went to trial in Federal District Court in San Francisco. This trial resulted in a settlement for the 16 clients that included both compensatory and punitive damages. The remainder of the cases all settled.

Mr. Klein has handled other drug and medical device cases involving products such as a blood pressure cuff used in surgery that resulted in serious damage to the patients' leg, the administration of the wrong dosage of medicine due to improper labeling that led to serious brain injuries to a cancer patient, and a white cell blood analyzer that was defective in design and led to the death of a patient from a misdiagnosed infection.

Mr. Klein has experience with automotive fire cases resulting from improper electrical circuits in a vehicle and, in one case, the defective design of a door that failed to open when a fire broke out in the car. The driver was badly burned and disfigured. In another automotive defect case Mr. Klein established that a door latch was defective and led to the failure of the door to protect the driver in a front impact collision. The driver became a quadriplegic. This case settled for multiple millions of dollars.

Over the last 8 years, Mr. Klein has established and managed our San Diego Office. Together with his partner, Ryan Bright, Mr. Klein has focused on personal injury cases involving very serious injuries. Among those was the wrongful death of the V.P. for a San Diego bank as a result of an auto fatality. Mr. Klein settled this case for over \$3 million dollars. Mr. Klein has also handled cases involving trucking accidents, insurance bad faith, and a recent case set for trial involving a permanent spinal injury to a customer of a large Northern California Pet Food Store. Mr. Klein will continue focusing on accidents causing permanent injury or death.

Last year, Mr. Klein obtained a verdict in the sum of \$10,800,000 on behalf of client James Engel and wife, Joan Engel. Mr. Engel was the victim of a serious accident, riding in the passenger seat of a transportation van on Highway 15 in San Diego, California. Due to Mr. Engel's position within the van, his injuries were the most severe of those involved in the accident. This case, originally heard in the San Diego Superior Court, was appealed and then taken to the Ninth Circuit Court of Appeals.

Mr. Klein represented the widow and four children of an employee involved in a wrongful death case at a plant in Mojave Desert. Due to an explosion, which caused a valve to erupt, Mr. Klein contended fault on the manufacturer. In the Los Angeles Superior Court, the client was awarded a net judgement of \$6,000,000.

Mr. Klein obtained a verdict in the sum of \$1,000,000 on behalf of client, Floyd John Gann who was involved in a two-vehicle collision on Highway 270 in McAlester, Oklahoma. While on his to work one morning, Mr. Gann struck a waste management truck that had illegally turned on a two-lane highway. As the defendant had a history of hazardous driving and Mr. Gann was wearing his seatbelt while driving well within the speed limit, the defendant was found to be fully at fault.

**Professional Leadership**

Kern County Bar Association, 1965-present  
-Board of Directors, 1974-1976  
American Board of Trial Advocates, 2005-present  
The American Association of Justice, 1975-present  
The Association of Trial Lawyers of America, 1975-present  
Nahama & Weagant Energy Co. Board of Directors, 1971-1994  
-Secretary/ General Counsel  
Bakersfield Public Education Facilities Corp., 1986-1993  
Kern County Air Pollution Control District, 1972-1973  
-Chairman, 1974-1975  
Freymler Trucking Company, Board of Directors, 1988-1995  
-Secretary/General Counsel  
Henrietta Weill Memorial Child Guidance Clinic, Board of Directors  
-President  
Kern County Stanford Club  
-President 1976-1978

**Professional Experience**

Klein, DeNatale, Goldner, Cooper, Rosenlieb & Kimball, LLP, 1966-present  
Kern County Deputy District Attorney, 1964-1965