HUSCH BLACKWELL



Brandan P. Mueller

PARTNER

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OVERVIEW

Brandan has extensive litigation and regulatory experience across the United States and Canada with matters ranging from counseling clients on the development of new products to the investigation and trial of cases involving catastrophic incidents.

He enjoys the challenge of figuring out why a situation occurred and using that experience to help clients bring new and existing products to market or resolve claims through negotiation, arbitration or litigation.

Brandan has been involved in more than 150 product failure investigations, including many related to catastrophic events such as fires and explosions, including those alleged to have been caused by batteries. He primarily handles the defense and prosecution of cases involving product and premises liability, product safety, transportation and toxic tort matters.

As a proactive measure, Brandan counsels clients on compliance issues, product recalls and potential exposure to lawsuits. He drafts product warnings, warranties and instructions, and he guides clients in product testing and product warning analysis. Brandan also advises clients on reporting requirements to the Consumer Product Safety Commission and often addresses state, federal and international regulations, as well as industry and consensus standards.

Industry

Manufacturing

Services

Asbestos Litigation
Construction & Design
Construction Litigation
Litigation & Alternative Dispute Resolution
Product Liability
Product Safety
Toxic Tort

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Featured Experience

Recall Demand Withdrawn for Self-Balancing Scooters

The Consumer Product Safety Commission (CPSC) initiated an industrywide investigation that led to a safety recall of nearly 300,000 self-balancing (hoverboard) scooters. Brandan's team represented an importer/seller of hoverboards in months of negotiations with CPSC over the product recall. The team continued to advocate for the client, including obtaining testing and source information from the overseas manufacturer. The team's efforts demonstrated the safety of the hoverboards, and the client was one of the few companies in the United States not required to recall its products.

Experience

LITIGATION

- Represented Fortune 500 corporation in investigation and litigation through trial of grain bin explosion that resulted in multiple injuries. Ultimately, client was found to not be liable and recovered judgment for $3 million in property damage.
- Served as regional counsel for Fortune 500 corporation in numerous investigations and litigation involving electrical failures, as well as liquid propane and natural gas explosions.
- Managed major joint defense groups comprised of a variety of Fortune 500 companies in product liability (involving a wide range of industrial tools, construction equipment and consumer products) and premises liability cases alleging personal injury from exposure to solvents and benzene.
- Represented a Fortune 100 company in litigation regarding alleged exposure to coal tar.
- Represented a home security company in a product liability case involving a fire in a Washington, D.C. condominium. The claims alleged that the fire started as a result of an alarm and the security system panel.
- Represented an industrial gas distributor in a suit alleging that a welder work box exploded as the result of a faulty valve on a gas tank.

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Experience

COUNSELING/PREVENTION

- Worked with major manufacturers to craft domestic and international consumer product warnings.
- Counseled client on compliance with EPA regulations allowing use of propane refrigerant.
- Counseled a client with the nationwide recall of a furniture item following reported fatalities.
- Led international recall in the United States, Canada and Germany related to pool equipment and potential shock hazards.
- Trained legal and engineering departments on product safety, warnings and product liability.
- Counseled client on organization and structure of claims handling, investigations and resolutions.
- Established compliance program for seller of consumer products.
- Instructs product safety professionals as part of supply chain program at Saint Louis University Chaifetz School of Business.
- Persuaded court to set aside $5 million default judgment against national restaurant chain entered in a premises liability/personal injury case.
- Led investigation for boiler manufacturer involving fatality explosion.
- Serves as national product safety and compliance counsel for multiple manufacturers and a major retailer of consumer and industrial products. This representation includes development of strategy and addressing risk management issues related to product safety and regulatory compliance.
- Led numerous U.S.-based and international product recalls.
- Handled an investigation into the safety testing of a baseball catcher's helmet and drafted filings for US CPSC. Based on our findings, the Husch Blackwell team then led a recall in the US and Canada.

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Experience

- Led an investigation for major retailer into a possible injury hazard with a children's bed and drafted all filings with US CPSC.

Recognition

- *The Best Lawyers in America®*
  - Product Liability Litigation - Defendants, 2022-2027
- *The Legal 500 United States*
  - Product liability, mass tort and class action - defense: toxic tort, Recommended lawyer, 2023-2026
- *St. Louis Lawyer*, Pro Bono Volunteer of the Month, February 2019
- *Missouri & Kansas Super Lawyers*, Rising Star, 2013-2015
- *Missouri Lawyers Weekly*, "Up & Coming Lawyer," 2014

Education

- J.D., Saint Louis University School of Law
  - *cum laude*
- B.S., Truman State University
  - Political Science

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Admissions

- Missouri
- Illinois
- Iowa
- Texas

Community Leadership

He serves in leadership positions with both La Salle Middle School and Christian Brothers College High School. He's particularly active with La Salle Middle School, where he serves on the Governance Committee, assisting with administration, compliance, recruitment and fundraising events.

- Marygrove, Golf Tournament Committee, 2010-present
- Saint Louis University John Cook School of Business, Product Safety Management Certificate Course, Instructor, 2016-present
- Christian Brothers College High School Alumni Association, Board of Directors, 2009-present; president, 2012-2016; School Board, Board of Directors, 2017-present
- La Salle Middle School, Board of Directors, 2011-present
- Veterans of Foreign Wars, Post 3500, Commander, 2011-2012



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