

Jenny A. Hergenrother

Partner

404.881.4977

jenny.hergenrother@alston.com

Atlanta | One Atlantic Center, 1201 West Peachtree Street, Suite 4900 | Atlanta, GA 30309-3424



Jenny Hergenrother is a partner with Alston & Bird's Products Liability Group, where she focuses on products liability and other complex litigation. Her practice experience includes representing companies in a variety of product litigation, including allegations of false and deceptive advertising, high-value personal injury and wrongful death cases, claim substantiation, and product-related class and mass actions. She chiefly represents automotive, food and beverage, and pharmaceutical companies as well as other manufacturers of consumer products. Jenny has also provided pro bono representation to indigent clients in various civil and criminal cases, including before the Eleventh Circuit on numerous occasions.

While at Washington University in St. Louis, Jenny was inducted into the Order of the Coif, served on the executive board of the *Global Studies Law Review*, and represented indigent defendants in St. Louis County in connection with the Public Defender Office. She was named to the 2015–2018 Georgia Rising Stars lists by *Super Lawyers* magazine, an award given to lawyers nominated by their peers.

Representative Experience

- Second-chaired a trial on behalf of a Fortune 500 appliance manufacturer and obtained a favorable verdict.
- Second-chaired a trial on behalf of a truck and trailer rental company.
- Obtained summary judgment in three putative class actions for a Fortune 10 OEM.
- Obtained summary judgment for a Fortune 50 computer manufacturer in a nationwide class action regarding allegedly defective computers.
- Obtained summary judgment for a prominent OTC drug manufacturer in a personal injury case in federal court.
- Representing an API manufacturer in the *In re National Prescription Opiate* MDL.
- Defended a prominent paint company in a putative nationwide consumer class action.
- Defended a plumbing products company in a nationwide warranty class action.
- Advising food and beverage companies in consumer protection class actions.
- Counsel to a Tier I automotive supplier in products liability actions.
- Counsel to health care professionals and hospitals in medical malpractice litigation.
- Defending companies in claim substantiation litigation and in the National Advertising Division.
- Appointed by the Eleventh Circuit to brief and argue cases on behalf of pro se appellants.

Publications & Presentations

Publications

- “When a Home Is More Than a Place to Sleep [In Service],” *Daily Report*, November 13, 2015.
- “3D Printed Medical Devices: More Lawsuits and More Questions,” *Bloomberg BNA Medical Devices Law & Industry Report*, February 4, 2015.
- “3-D Printing Meets Strict Liability in the Auto Industry,” *Law360*, December 8, 2014.
- “Class Action Certification Got Tougher in 2014,” *The National Law Journal*, December 8, 2014.
- “All You Can Eat: Food and Beverage Class Actions in 2014,” *Bloomberg BNA Product Safety & Liability Reporter*, October 6, 2014.
- “Food for Thought? Chew on These Class Action Trends,” *Law360*, September 2, 2014.
- “Comcast v. Behrend: Was It Really a Boon for Defense Attorneys?” American Bar Association, Products Liability E-Newsletter, Fall 2013.
- “Practice Tip: Spoliation and the 'Bad Faith' Requirement,” *LJN's Product Liability & Strategy*, May 2012.

Presentations

- “Ethical Dilemmas in Representation of Business Clients, Inside and Out,” moderator, ABA Tort Trial & Insurance Practice Section, webinar, June 12, 2017.
- “What Young Lawyers Need to Know When Looking for an Expert Witness,” ABA Section of Litigation Roundtable, webinar, April 4, 2017.
- “Inside View: Legal and Ethical Considerations for In-House Counsel,” moderator, 2016 TIPS Section Conference, Atlanta, GA, May 11-15, 2016.

Professional & Community Engagement

- International Association of Defense Counsel (IADC) Trial Academy, graduate (2019)
- Soccer in the Streets, advisory board
- Fulton County Boys & Girls Club, advisory board
- Back on My Feet, past advisory board
- Joseph Henry Lumpkin Inn of Court (2014–2016)
- Duke Alumni Association

Education

- Washington University in St. Louis (J.D., 2009)
- Duke University (A.B., 2006)

Admitted to Practice

- Georgia

Related Services

Litigation | Products Liability | Toxic Torts | Commercial | Class Action & Multidistrict Litigation | FDA/Food, Drug & Device | FDA Compliance & Enforcement | Consumer Product Safety & Regulatory Compliance