

Jenny A. Hergenrother

Partner

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Jenny Hergenrother is a partner with Alston & Bird's Litigation & Trial Practice 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, toxic tort litigation, and class and mass actions. She chiefly represents automotive, 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. She was also named to *The Best Lawyers in America*® in "Mass Tort Litigation / Class Actions – Defendants" and "Products Liability Litigation – Defendants" in 2020 and 2021.

Representative Experience

- First-chaired an \$80 million arbitration for a truck and trailer rental company.
- Second-chaired a \$125 million bench trial for an automotive component supplier.
- Second-chaired a trial on behalf of a Fortune 500 appliance manufacturer and obtained a favorable verdict.
- Obtained summary judgment and a denial of class certification in 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 and raw material supplier in the *In re National Prescription Opiate MDL* and related opioid litigation.
- Representing a power company and a manufacturing client in toxic tort mass actions.
- Representing a private utility in a class action related to allegedly contaminated drinking water.
- Defended a prominent paint company in a putative nationwide consumer class action.
- Defended a plumbing products company in a nationwide warranty class action.
- Advising and 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.

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
- Peachtree Road United Methodist Church (past girls soccer coach)

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 | Environment, Land Use & Natural Resources