

Todd B. Benoff

Partner

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Todd Benoff focuses his trial practice on high-exposure cases in the areas of products liability, toxic tort/mass tort and business litigation, including complex False Claims Act matters and consumer class actions. He also focuses on cybersecurity issues presented by connected and autonomous vehicles.

In his products liability and toxic tort work, Todd has defended manufacturers of cars, trucks and trailers, as well as electrical distribution products, specialty chemicals and water distribution systems and components.

He has also handled a wide array of business litigation matters including consumer class actions, unfair business practice claims, contract disputes and shareholder derivative actions, as well as disputes involving real estate purchases and investments. Todd has also practiced at the appellate level.

Todd was selected to the “Rising Stars” list by Southern California Super Lawyers from 2007-2012. He received both his B.A. and J.D. from the University of Virginia in 1994 and 1997, respectively.

Representative Experience

- Counsel for a mining company in a toxic tort action alleging cosmetic talcum powder was contaminated with asbestos and caused cancer. After a two-month trial, the jury returned a complete defense verdict.
- Counsel for an international automobile manufacturer in large-scale automotive products liability and consumer class action MDL and state court consolidated proceedings involving over 200 nationwide class actions.
- Counsel for a manufacturer of control valves in a bellwether product liability matter involving pressure vessel failures. After a two-week trial, a verdict exonerating the client led to the dismissal of all remaining actions, and indemnification from the pressure vessel manufacturer against all future claims.
- Counsel for a manufacturer of plumbing components in a nationwide class action. After deposing plaintiffs’ experts and establishing grounds to preclude each of them from testifying, the class action settled for a fraction of plaintiffs’ demand.
- Defended real estate investors in litigation stemming from a series of foreclosures. Obtained an arbitration award exonerating the clients.
- Counsel for the manufacturer of a high-voltage electrical distribution panel in a products liability action involving severe burn injuries sustained during an explosion and fire. In less than two hours, the jury returned a unanimous defense verdict for the manufacturer.
- Counsel for the manufacturer of water distribution components in false claims act litigation in which more than 160 municipal entities alleged lead contamination in their drinking water and damages in excess of \$1 billion. This litigation included the defense of a companion common law action brought by more than 40 municipalities, and a verdict on summary judgment against a related unfair competition action brought on behalf of every consumer of drinking water in California.

- Counsel for a minority shareholder in a dispute over the operation of a closely held corporation that owned and operated several nursing homes. Even though the majority shareholder's actions resulted in increased profits for the corporation, obtained a multimillion-dollar verdict for minority shareholder after several weeks of trial. Also obtained an award of more than 100 percent of the attorneys' fees requested.
- National trial team for a manufacturer of trucks and trailers in products liability litigation.
- National trial team for a major automotive and truck component manufacturer's asbestos litigation. Obtained a dismissal for the manufacturer before the conclusion of every trial that this team handled.
- Counsel for a manufacturer of automotive components in wrongful death asbestos litigation involving allegations of mesothelioma. Won summary judgment
- Counsel for the manufacturer of an electrical panel in a wrongful death products liability action brought by the widow and minor children of a 33-year-old electrician. Obtained a dismissal for the manufacturer in exchange for a waiver of costs.
- Counsel for the manufacturer of cruise control components in related wrongful death products liability actions brought by the widows and minor children of motorists in a multivehicle collision caused by a tractor trailer. Obtained a dismissal for the manufacturer before trial.
- Counsel for the manufacturer of circuit breakers in several products liability actions involving severe burn injuries. In each case, the case was dismissed before trial in exchange for a waiver of costs.
- Counsel for a chemical manufacturer in a products liability action alleging severe pulmonary injuries from exposure to super-heated refrigerants. Rather than oppose the manufacturer's motion for summary judgment, the plaintiff filed a dismissal in exchange for a waiver of costs.
- Counsel for the manufacturer of a stove in a wrongful death action brought by the widow and minor children of a 45-year-old man who suffered full thickness third degree burns over 95 percent of his body. After deposing the plaintiffs' cause and origin expert witness, the case settled for a few thousand dollars.
- Counsel for chemical manufacturers in a number of toxic tort cases involving plaintiffs who alleged a variety of pulmonary injuries from exposure during their work in plating facilities. In each case, the case was dismissed before trial in exchange for a waiver of costs or a nominal settlement.

Publications & Presentations

Publications

- "Why We Must Teach Self-Driving Cars How To Crash," *Law360*, June 27, 2017.
- "Putting the Brakes on Hackers," *Corporate Counsel*, November 28, 2016.
- "NHTSA Autonomous Vehicle Rules Take an Unexpected Turn," *Law 360*, July 13, 2016.
- "Emerging Threats In Recall-Based Auto Class Actions," *Law360*, March 4, 2015.
- "Automakers Should Not Be Held Strictly Liable for V2V Hacks," *Law360*, October 29, 2014.

Presentations

- "Legal Issues and Risks for Highly Autonomous and Connected Vehicles," WCX World Congress Experience, Detroit, MI, April 9-11, 2019.
- "An AV Crash Occurs: What Happens Next?" 2018 Automated Vehicles Symposium, San Francisco, California, July 9-12, 2018.
- "Keeping the Autonomous Car Safe & Secure," TU-Automotive Conference, Novi, MI, June 6-7, 2018.

Education

- University of Virginia (J.D., 1997)
- University of Virginia (B.A., 1994)

Admitted to Practice

- California

Related Services

Litigation | Products Liability | Commercial | Toxic Torts | Connected & Autonomous Vehicles