

Frederick J. Ufkes

Los Angeles, CA

He/Him

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About Fred

A seasoned trial attorney with over 40 years of experience in complex litigation, Fred handles civil cases from start to judgment. He has tried to verdict more than 100 personal injury claims, a class action wage and hour case, and numerous corporate and alter ego claims. His litigation experience includes medical devices, prescription pharmaceuticals, over-the-counter products, environmental disputes, toxic torts, mass torts, product liability defense, and construction matters.

Leveraging his national and regional counsel experience, Fred defends manufacturers of chemicals, solvents, asbestos, pharmaceuticals, medical devices, electronics, computer software and hardware, heavy machinery, construction equipment, and consumer products. He represents design professionals, owners, developers, and contractors in construction-related disputes. He also defends businesses nationwide in other commercial and employment matters.

Fred routinely handles compliance and litigation related to California's Proposition 65 (Safe Drinking Water and Toxic Enforcement Act). He counsels manufacturers and distributors on pre-marketing compliance and defends consumer class actions and state regulatory cases. Additionally, he litigates under the federal statutes including Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), Clean Air Act (CAA), and Clean Water Act (CWA) on behalf of property owners, lessees, and manufacturing enterprises in plastics manufacturing.

Fred's Affiliations

- Defense Research Institute (DRI)
- Association of Southern California Defense Counsel

- Los Angeles County Bar Association, Litigation Section
- American Bar Association, Torts and Insurance; Natural Resources; Energy and Environmental Law
- Los Angeles Superior Court Alternative Dispute Resolution, Pro Bono Mediation; Arbitration Panels

Areas of Focus

Industries: Construction; Energy & Environment

Services: Complex Tort & General Casualty; Consumer & Class Action Defense

Experience

- Secured a complete defense verdict for Sika Corporation in a three-week product liability trial. The plaintiffs had sought more than \$60 million in damages for alleged chemical exposure. The jury returned with a finding of no defect and no liability for Sika.
- Served as the leading trial counsel or primary trial counsel for a number of Fortune 500 companies throughout California. Many of these cases were brought by plaintiffs claiming exposure to industrial solvents, degreasers, paints, adhesives, epoxies, and asbestos-related litigation.
- Successfully defended medical device manufacturers against claims for defective implants, artificial joints, and surgical instruments.
- Tried cases involving a broad spectrum of consumer products, and litigated cases involving issues affecting product liability, market share liability, limitations on punitive damages, causation standards under federal and state law, and federal preemption.
- Defended the world's largest surfboard blank manufacturer against claims by former employees of cancer allegedly due to chemical exposure during manufacturing.
- Defended through trial, as one of the few trial attorneys in the country, a products liability case where the plaintiff claimed leukemia caused by benzene exposure.
- Defended a medical products manufacturer against claims by 65 plaintiffs for personal injuries by arguing the company was not the alter ego or successor in interest to the actual manufacturer of the devices.
- Involved in the national coordination of diethylstilbestrol (DES) cases for a pharmaceutical company and for all product liability claims affecting a manufacturer of medical devices such as surgical instruments.

Recognition

- Martin-Hubbell, AV® Peer Review Rating
- *Southern California Super Lawyers*, 2010 – 2011

Credentials

Education

Washington University School of Law, JD, 1982

University of California – San Diego, BA, 1979

Bar Admissions

California

Court Admissions

US Court of Appeals for the Ninth Circuit

US District Court for the Central District of California

US District Court for the Eastern District of California

US District Court for the Northern District of California

US District Court for the Southern District of California

Interests

Did you know...

Fred spends as much time with his family as possible, especially when it involves hiking and camping. An avid outdoorsman, he also loves skiing, golfing, hunting, and fishing. He also has a deep appreciation of opera and has attended performances across the United States and Europe.

Community/Civic Activities

- St. Matthews Episcopal Church, Pacific Palisades, California, Lector
- University of California at San Diego, Alumni Association, Board of Directors

Thought Leadership

Presentations

Fred presents on topics such as complex case management strategies and litigation skills, toxic tort, and environmental matters.

Publications

Fred publishes articles in a variety of areas of law, including the federal preemption of Proposition 65 claims.

- “The Inherent Risks In Purchasing Assets of a Predecessor,” *Law360*, October 24, 2013
- “Supreme Court Clarifies Role of Trial Judge in Determining Admissibility of Expert Testimony,” *California Bar Journal*, January 2013
- Co-Author, “Avoiding a Quagmire: Environmental and Product Liability Issues,” *The M&A Journal*, April 2007
- “*Bates v. Dow*: Are Pesticides Now Subject to Regulation under Prop. 65,” *Prop. 65 Clearinghouse*, September 15, 2005
- “Message in ‘Lockheed’: Judges Must Control Medical Testimony,” *Los Angeles Daily Journal*, February 14, 2005
- “Prop. 65 — The Pharmaceutical Industry’s Bitter Pill?” *Prop 65 News*, October 2003
- “Be Wary of Prop. 65,” *Nutritional Outlook*, October 2003
- “When is Compliance Necessary: Pharmaceutical Manufacturers and Prop 65,” *Pharmaceutical & Medical Device Law Bulletin*, July 2003
- “Proposition 65: The New Requirements in 2002,” *Toxic Chemicals Litigation Reporter*, May 2002

Hinshaw Alerts

- Four Things Manufacturers, Distributors and Retailers Need to Know About Proposed Revisions to California Proposition 65, Jan 27, 2015
- California Supreme Court Adopts Daubert Gatekeeper Role for Trial Courts, Dec 12, 2012
- California Proposes Green Chemistry Regulations for Public Comment, Jul 9, 2010

In The News

- Fred Ufkes Authors Law360 Article on the Inherent Risks in Purchasing Assets of a Predecessor, Oct 24, 2013
- “Supreme Court clarifies role of trial judge in determining admissibility of expert testimony”, Jan 4, 2013

Press Release

- Trial Spotlight: Hinshaw Secures Complete Defense Verdict in \$65 Million Product Liability Claim, Sep 19, 2023