

Eli Granek

MEMBER

Eli works closely with clients to help them achieve their business objectives, identify and navigate potential risks, and, when necessary, prevail in litigation. He brings a practical, results-oriented approach to each challenge, and has experience assembling and managing teams of attorneys, in-house professionals, subject-matter experts, and vendors to develop and deliver cost-effective solutions.

Eli has represented a diverse group of clients in a range of industries. In the corporate and commercial context, Eli has helped clients in the e-commerce, marketing, fintech, manufacturing, and construction industries resolve vendor disputes, collect unpaid invoices, obtain insurance coverage from third parties, and enforce contractual provisions relating to non-solicitation, competition, and indemnification. He also has significant experience representing companies in litigation involving fraud, securities fraud, and breaches of contract in connection with merger, acquisition, and licensing agreements.

Eli also maintains an active practice defending consumer-product companies, pharmaceutical companies, raw-material suppliers, contractors, employers, and property owners against claims involving product liability, mass torts, and exposures to various chemicals and substances, including benzene, asbestos, and talc. He has served, at various times, in the role of trial counsel, regional coordinating counsel, and local counsel, and has extensive experience managing e-discovery, preparing corporate representatives to testify, developing expert witnesses, taking and defending depositions, drafting and arguing dispositive motions, and handling mediations, arbitrations, jury trials, and appeals.

REPRESENTATIVE MATTERS

- Successfully defeated a motion for summary judgment seeking to dismiss a client's counterclaims in a complex commercial dispute arising out of alleged breaches of representations and warranties in a stock purchase agreement.
- Prevailed on motion to dismiss breach-of-guaranty claims brought against a US company's foreign parent, limiting the litigation's scope and costs, and reducing the interruption to the clients' core businesses.
- Convinced an Illinois court to dismiss three bellwether cases brought against a former supplier of raw talc, leading to the voluntary dismissal of hundreds of similar claims.

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PRACTICE AREAS:

Product Liability

Litigation

Artificial Intelligence, Robotics, and Autonomous Transportation Systems

Appellate

STATE ADMISSIONS:

Pennsylvania

New Jersey

COURT ADMISSIONS:

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Middle District of Pennsylvania

U.S. District Court for the District of New Jersey

EDUCATION:

J.D., cum laude, Rutgers University School of Law – Camden, 2013

B.A., City University of New York Queens College, 2009

- Prevailed on motions to dismiss multiple product-liability actions brought against a consumer-products manufacturer in the Philadelphia Court of Common Pleas, halting future filings of this nature against the client in Pennsylvania.
- Served as trial counsel on behalf of a former power plant owner in a trial involving long-tail toxic-tort claims brought by a former employee. As one of the first trials in the country involving a former employee's tort claim against a former employer for a latent disease, the trial required addressing numerous issues of first impression.
- Favorably resolved multiple disputes between clients and clients' customers involving customer efforts to prematurely terminate the parties' service agreements without cause.
- Secured summary judgment over plaintiff's opposition in multiple asbestos-related personal-injury actions by building a favorable record during key depositions that established the plaintiff could not prove his or her case against the firm's clients at trial.
- Counseled government entity regarding litigation risk and potential remedial programs relating to its real estate portfolio.
- Obtained an early dismissal of product-liability claims against a consumer-products manufacturer by demonstrating the client was not subject to jurisdiction in Pennsylvania on the plaintiffs' claims.
- Successfully negotiated the dismissal of product-liability, negligence, and fraud claims against a former talc producer at various stages of litigation.
- Obtained a dismissal of product-liability claims against a consumer-products manufacturer for a lack of personal jurisdiction. The client was one of several defendants named in a lawsuit filed in the Philadelphia Court of Common Pleas in which the plaintiff sought damages for cancer he allegedly developed as a result of working with products the plaintiff contended the defendants manufactured or sold. The Court permitted the plaintiff to take jurisdictional discovery, but after a hearing, the Court dismissed the claims against the firm's client.
- Favorably resolved litigation involving the enforceability of a non-compete provision on behalf of a manufacturing company. The lawsuit, brought by a company with which the client formerly had contracted to serve as a sales representative, was complicated by the need to protect the client's trade secrets and market share. A resolution was reached within months that protected these interests and minimized the cost and risk of continued litigation.
- Represented a regional transportation company defending against a class of personal-injury claims. The plaintiffs attempted to introduce evidence of atypically expensive medical costs, increasing their alleged damages tenfold. After researching the medical-billing industry's best practices and aggressively pursuing discovery from the plaintiffs' experts, Eli convinced the court that the plaintiffs could be entitled to no more than twenty-five percent of their alleged medical costs. The pending claims subsequently settled for a favorable sum, and the client has not seen claims involving similar tactics since.
- Defended a general contractor and its principal in a lawsuit

brought by a laborer who died after falling from a height during construction. The case was complicated by several factors, including the laborer's catastrophic injuries, a lack of sufficient insurance coverage, and the plaintiff's efforts to collect damages from the principal directly. After pursuing third-party claims against subcontractors and working with the plaintiff's counsel to identify alternative sources from which the plaintiff might recover, the case settled without the general contractor or its principal contributing to the settlement.

- Represented a regional transportation company in an appeal challenging an adverse quarter-million-dollar jury award. The Commonwealth Court agreed the case should have been dismissed before being submitted to the jury and ordered the award be vacated, and the Supreme Court of Pennsylvania denied the petition for allocatur.

PROFESSIONAL AFFILIATIONS

- American Bar Association
- Pennsylvania Bar Association
- Philadelphia Bar Association
- Defense Research Institute

AWARDS AND RECOGNITION

- Received a Best Lawyers: Ones To Watch recognition for Commercial Litigation; Mass Tort Litigation / Class Actions – Defendants (2021-2025)
- Selected for inclusion in *Pennsylvania Super Lawyers – Rising Stars*

NEWS AND INSIGHTS

PUBLICATIONS

- "Pennsylvania Superior Court Holds [C]overt Allegations in Underlying Complaint Sufficient to Trigger Coverage," Eckert Seamans' Legal Update, December 6, 2019.
- "Pennsylvania Federal Court Declares the Exercise of Registration-Based General Jurisdiction Unconstitutional," Eckert Seamans' Legal Update, June 14, 2019.
- "California Court Declares a Mistrial in Talc Powder Case," Eckert Seamans' Legal Update, September 25, 2018.
- "Third Circuit Rules Maritime Negligence Claims May Survive 'Bare Metal' Defense," co-author, Westlaw Journal Asbestos, February 2018.
- "An Update on Personal Jurisdiction," co-author, Thompson Reuters Westlaw, August 2017.

SPEAKING ENGAGEMENTS

- "Navigating Joint & Several Liability,"presented during the Perrin Conferences "Insurance Coverage & Allocation Issues" seminar , May 2022.

- “Premises Liability & Risk Transfer,” presented to attorneys and claims adjusters at Zurich American Insurance Company, November 2019.
- “Personal jurisdiction issues and defending employers against product-liability claims,” co-presenter, Allianz Resolution Management US, September 2017.
- “Personal Jurisdiction Update,” co-presenter, Resolute Management, Inc., July 2017.
- “Update on Pennsylvania Product-Liability Law,” co-presented to Resolute Management, Inc., April 2017.
- “Talc and Ovarian Cancer Litigation Overview,” Perrin Conferences Live CLE Webinar, January 2017.
- “Practical Insights into Premises Liability Cases,” Dispute Resolution Institute Personal Injury Practicum, November 2016.
- “Understanding, Defending Against, and Valuing Cosmetic-Talc Claims,” in-house presentation to Resolute Management, Inc., March 2016.