

CURRICULUM VITAE

ERIK W. LEGG

The Farrell Building
P.O. Box 6457
914 Fifth Avenue
Huntington, West Virginia 25772-6457
Phone: 304/522-9100
Direct: 304/781-1818
Facsimile: 304/522-9162
E-mail: ewl@farrell3.com

PROFESSIONAL:

FARRELL, WHITE & LEGG PLLC

Member (February 2011 – present)
Huntington, West Virginia

FARRELL, FARRELL & FARRELL, PLLC

Member (January 2007 – January 2011)
Associate (May 2000 – December 2006)
Huntington, West Virginia

CAMPBELL, WOODS, BAGLEY, EMERSON, McNEER & HERNDON

Associate, Litigation Section (1998 - 2000)
Huntington, West Virginia

EDUCATION:

NATIONAL TRIAL ADVOCACY COLLEGE AT THE UNIVERSITY OF VIRGINIA SCHOOL OF LAW

26th Annual Trial Advocacy Institute (January 5-12, 2007)

WEST VIRGINIA UNIVERSITY COLLEGE OF LAW

Morgantown, West Virginia
Juris Doctorate 1998
Moot Court Board

MARSHALL UNIVERSITY, COLLEGE OF BUSINESS

Huntington, West Virginia
B.A., Finance, 1995
Cum Laude

PROFESSIONAL ORGANIZATIONS & SOCIETIES:

International Association of Defense Counsel
Drug, Device & Biotech Committee
Product Liability Committee
Medical Defense & Health Law Committee
Vice Chair, Publications (2015-2017)
Vice Chair, Programs (2017-present)
Employment Law Committee
Defense Research Institute

Drug & Medical Device Committee
Medical Liability & Health Care Law Committee
Product Liability Committee
Commercial Litigation Committee
Employment and Labor Law Committee
Defense Trial Counsel of West Virginia
President (2018-19)
President-Elect / Vice-President (2017-18)
Executive Committee / Officers Rotation (2015 – present)
Board of Governors (2008 – present)
Board Liaison to Substantive Law Committees (2010 - 2012)
Business Law Committee
Employment Law Committee
Medical Liability Committee
- Chair (2007-2009)
Products Liability Committee

West Virginia Bar Association
Cabell County Bar Association
American Bar Association
West Virginia State Bar
Leadership West Virginia Diplomate (Class of 2011)

**FEDERAL COURT
PRACTICE:**

Fourth Circuit Court of Appeals
United States District Court for the Northern District of West Virginia
United States District Court for the Southern District of West Virginia
United States District Court for the Eastern District of Kentucky
United States District Court for the Western District of Kentucky

**STATE COURT
PRACTICE:**

Licensed & admitted to practice in West Virginia, Kentucky and Ohio

REPORTED OPINIONS

State ex rel. J.C., et al. v. Almond, et al. v. Murensky, 238 W. Va. 289, 794 S.E.2d 10 (W. Va. 2016)
Moore v. Ferguson, et al., 2015 WL 9587748 (S.D.W.Va., Dec. 30, 2015)
State ex rel. J.C., et al. v. Mazzone, et al. (Mazzone II), 235 W. Va. 151, 772 S.E.2d 336 (W. Va. 2015)
State ex rel. J.C., et al. v. Mazzone, et al. (Mazzone I), 233 W. Va. 457, 759 S.E.2d 200 (W. Va. 2014)
J.C. ex rel. Cook v. Pfizer Inc., 2014 WL 495455 (S.D.W.Va., Feb. 5, 2014)
Employer Teamsters-Local Nos. 175/505 Health and Welfare Trust Fund, et al. v. Bristol Myers Squibb Co., et al., 969 F.Supp.2d 463 (S.D.W.Va. 2013)

Almond v. Pfizer Inc., 2013 WL 6729438 (S.D.W.Va., Dec. 19, 2013)

J.C. ex rel. Cook v. Pfizer Inc., 2012 WL 4442518 (S.D.W.Va., Sept. 25, 2012)

Keffer v. Wyeth, et al., 791 F.Supp.2d 539 (S.D.W.Va. 2011)

Hines v. Wyeth, et al., 2011 WL 2792436 (S.D.W.Va., July 14, 2011)

Hines v. Wyeth, et al., 2011 WL 2730908 (S.D.W.Va., July 13, 2011)

Hines v. Wyeth, et al., 2011 WL 2680842 (S.D.W.Va., July 8, 2011)

Hines v. Wyeth, et al., 2011 WL 2680814 (S.D.W.Va., July 8, 2011)

Hines v. Wyeth, et al., 2011 WL 2680718 (S.D.W.Va., July 8, 2011)

Hines v. Wyeth, et al., 2011 WL 2680834 (S.D.W.Va., July 8, 2011)

Michael v. Wyeth, et al., 2011 WL 2150112 (S.D.W.Va., May 25, 2011)

Hines v. Wyeth, et al., 2011 WL 1990496 (S.D.W.Va., May 23, 2011)

Michael v. Wyeth, et al., 2011 WL 2011485 (S.D.W.Va., May 23, 2011)

Michael v. Wyeth, et al., 2011 WL 2011480 (S.D.W.Va., May 23, 2011)

Keffer v. Wyeth, et al., 2011 WL 1838966 (S.D.W.Va., May 13, 2011)

Michael v. Wyeth, et al., 2011 WL 1807575 (S.D.W.Va., May 11, 2011)

Keffer v. Wyeth, et al., 2011 WL 3843688 (S.D.W.Va., Apr. 26, 2011)

Michael, et al. v. Wyeth, et al., 2011 WL 1527581 (S.D.W.Va., Apr. 20, 2011)

Keffer v. Wyeth, et al., 2011 WL 1397098 (S.D.W.Va., Apr. 13, 2011)

Perry v. Tri-State Chrysler Jeep, LLC, 2008 U.S. Dist. LEXIS 33218 (S.D. W. Va., Apr. 16, 2008)

Ashworth v. Albers Medical, Inc., 410 F.Supp.2d 471 (S.D.W.Va. 2005)

Baisden v. Bayer Corp., 275 F. Supp. 2d 759 (S.D.W.Va. 2003)

Michael, et al. v. Wyeth, et al., 2011 WL 1527581 (S.D.W.Va., Apr. 20, 2011)

Keffer v. Wyeth, et al., 2011 WL 1397098 (S.D.W.Va., Apr. 13, 2011)

Perry v. Tri-State Chrysler Jeep, LLC, 2008 U.S. Dist. WL 1780938 (S.D. W. Va., Apr. 16, 2008)

Ashworth v. Albers Medical, Inc., 410 F.Supp.2d 471 (S.D.W.Va. 2005)

Ashworth v. Albers Medical, Inc., 229 F.R.D. 527 (S.D.W.Va. 2005)

Baisden v. Bayer Corp., 275 F. Supp. 2d 759 (S.D.W.Va. 2003)

**PROFESSIONAL
AWARDS &
RECOGNITIONS**

The Best Lawyers in America (2011 to present)

- Products Liability Litigation – Defendants category
- Medical Malpractice Law – Defendants category

Martindale-Hubbell Rating: AV

Chambers USA

- Litigation, Health Care (2015-present)
- Litigation, General Commercial (Up-and-coming: 2012-2013)

West Virginia *State Journal* Top Lawyers (2012 to present)

West Virginia Super Lawyers

- Personal Injury Defense – Products (2013 to present)
- Rising Stars (2010 – 2012)

**ACADEMIC
APPOINTMENTS:**

Marshall University School Of Pharmacy, Adjunct Faculty,
September 1, 2012 to Present

Marshall University College of Business, Adjunct Instructor –
“Legal Environment of Business” (undergraduate course), Spring
2013 Semester

**SEMINARS
PRESENTED:**

Panel Moderator, “Pardon the Objection – A Fresh View from the Bench.” Defense Trial Counsel West Virginia Annual Meeting (June 16, 2017)

“Identifying, Retaining and Developing Testifying Experts: A Primer for Young Lawyers.” Defense Trial Counsel West Virginia Expert Witness Seminar for Young Lawyers (September 9, 2016)

Panel Member, “Electronic Discovery.” Kanawha County Bar Association Meeting (Charleston, West Virginia, May 5, 2009)

Panel Member, “Direct & Cross Examination of Witnesses: Tips from Both Sides of the Fence.” West Virginia State Bar Annual Meeting (Wheeling, West Virginia, April 25, 2009)

“Use Direct Examination to Protect Your Witness from Cross.”

West Virginia State Bar Annual Meeting (Wheeling, West Virginia, April 25, 2009)

“Give Ethics Proper Consideration.” National Business Institute Handling Medical Negligence Claims (Charleston, West Virginia, May 7, 2009; June 17, 2008)

“Use Expert Witnesses to Support Your Case.” National Business Institute Handling Medical Negligence Claims (Charleston, West Virginia, May 7, 2009; June 17, 2008)

“Electronic Discovery - An Overview.” Defense Trial Counsel of West Virginia Annual Meeting (Myrtle Beach, South Carolina, June 18, 2007).

“Taking the Plaintiff’s Deposition.” Defense Trial Counsel of West Virginia Deposition Boot Camp 2006 (Days Inn, Flatwoods, West Virginia, November 9, 2006).

“Practicing Under the Class Action Fairness Act.” West Virginia Continuing Legal Education Class Action and Mass Torts: Multi-Plaintiff Litigation in West Virginia Seminar (West Virginia University College of Law, September 8, 2006).

“Removal, Remand and Fraudulent Joinder.” West Virginia Continuing Legal Education Litigation Seminar (Canaan Valley, West Virginia, February 3, 2006).

“Electronic Discovery - An Overview” (co-presenter). West Virginia Continuing Legal Education Litigation Seminar (Canaan Valley, West Virginia, February 6, 2004).

“Documentation Issues And Charting For The Future In West Virginia” (co-presenter). Lorman Education Services (Charleston, West Virginia, February 6, 2003).

LEGAL PUBLICATIONS:

“Supreme Court of Florida Rules Medical Malpractice Noneconomic Damages Caps Unconstitutional . . . Again”, International Association of Defense Counsel Newsletter, Medical Defense and Health Law Committee (July 2017) (co-author)

“Informed Consent, Experts and Openings”, International Association of Defense Counsel Newsletter, Medical Defense and Health Law Committee (June 2017)

“Ohio Court of Appeals Evaluates Offsets, Caps and Informed Consent”, International Association of Defense Counsel Newsletter, Medical Defense and Health Law Committee (October 2016)

“Catching Up on Medical Malpractice Opinions from 2015” (Parts I and II), International Association of Defense Counsel Newsletter, Medical Defense and Health Law Committee (January & February 2016)

“Ohio Takes a Closer Look at Forseeability”, International Association of Defense Counsel Newsletter, Medical Defense and Health Law Committee (November 2015)

“West Virginia Amends its Medical Professional Liability Act”, International Association of Defense Counsel Newsletter, Medical Defense and Health Law Committee (August 2015)

“Overview of the 2015 Amendments to the West Virginia Rules of Professional Conduct”, Defense Trial Counsel of West Virginia Annual Notebook of Articles (April 2015)

“The Single Bullet Theory: Multi-Plaintiff Complaints and Diversity Jurisdiction”, International Association of Defense Counsel Newsletter, Drug, Device & Biotech Committee (January 2014)

“What Have You Done For Me Lately? Checking in on the Status of Religious Discrimination Claims and Reasonable Accommodation Under Title VII”, International Association of Defense Counsel Newsletter, Employment Law Committee (October 2013)

CIVIC & COMMUNITY
ACTIVITIES

Kiwanis Club of Huntington

Past President (2009)

Kiwanis Day Care Center (Huntington, WV)

Past President (2008)

Little League 3 (Huntington, WV)

President (2011-2013)

Board Member (2009-2014)

Volunteer coach

Salvation Army

Advisory Board Member for Huntington, WV Chapter (2008 to 2013)