



## Jeffrey S. King

### Partner

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## OVERVIEW

Jeffrey King's practice has concentrated in complex commercial litigation and arbitration in a variety of areas, including business disputes, admiralty, transportation, product liability, toxic tort, and environmental matters. His clients include transportation companies, financial institutions, and manufacturers. He represents commercial interests in various disputes, including deal, shareholder, loan, privacy, and contract litigation. His maritime and transportation experience has involved representing clients in personal injury and death defense, cargo damage, equipment damage, charter dispute, insurance, collision, allision, pollution, and USCG regulatory matters, as well as rail service disruption claims and air and motor carrier cargo claims. His environmental experience includes representing companies in regulatory and private cost recovery matters under state and federal laws. His product liability experience has included defense of personal injury/wrongful death claims involving various products, including automobiles, industrial machinery and equipment, medical devices, and consumer products, and he has regularly counseled automobile and other manufacturers on product liability, warranty, consumer fraud, and recall matters. He has acted as national counsel for an automobile manufacturer regarding its product liability and product-related regulatory compliance matters. His toxic tort experience has involved the representation of defendants in asbestos, silica, and lead pigment matters. He has been on national coordinating counsel and trial teams defending manufacturers against asbestos exposure claims. Jeffrey has tried cases nationwide in various state and federal courts including in Massachusetts, New York, Pennsylvania, Illinois, California, Missouri, and South Carolina, and has prepared appeals to the United States Supreme Court, Court of Appeals for the First Circuit, Massachusetts Supreme Judicial Court, Appeals Court of Massachusetts, and the Superior Court of Pennsylvania.

Jeffrey retired from the U.S. Navy Reserve as a Commander after 28 years, during which he served at various Navy commands in the United States and overseas. Before becoming a lawyer, Jeffrey worked in a management consulting firm and was engaged in various government contract projects, including the preparation of contract overrun claims to the U.S. Government on behalf of a shipyard working on U.S. Navy vessels.

## ACHIEVEMENTS

- Fellow of the Litigation Counsel of America ([www.litcounsel.org](http://www.litcounsel.org))
- Martindale-Hubbell Peer Review Rating - AV® Preeminent™

- Selected as a “Massachusetts Super Lawyer” by *SuperLawyers Magazine* in 2011, 2012, 2013, 2014 and 2015
- Selected as a “Leading Lawyer” in the area of “Transport: Shipping - Litigation and Regulation by *Legal 500 USA*, 2020

## PROFESSIONAL / CIVIC ACTIVITIES

- Maritime Law Association (Proctor Member)
- Propeller Club, Port of Boston
- The Wardroom Club of Boston
- Holds United States Coast Guard Third Mate License (unlimited tonnage, continuity)
- United States Navy Reserve - Commander (retired)

## SPEAKING ENGAGEMENTS

- “The El Faro, A Case Study: Lessons Learned,” Connecticut Maritime Association Shipping 2018 Conference, March 13, 2018, Stamford, Connecticut
- ECA - MARPOL Annex VI - 'New' Regulations, Requirements, and Issues” - enforcement of new low sulfur fuel requirements in Emission Control Area, Connecticut Maritime Association Shipping 2015 Conference, March 24, 2015, Stamford, Connecticut
- Co-chair - Northeast Asbestos Litigators & Judges Forum, HB Litigation Conferences, June 21, 2012, New York, New York

## EDUCATION

- J.D., Harvard Law School, 1991
- B.S., United States Merchant Marine Academy, 1986 (*Highest Honors; Valedictorian*)

## ADMISSIONS

- Bar of Massachusetts
- United States Court of Appeals for the First Circuit
- United States District Court for the District of Massachusetts

## THOUGHT LEADERSHIP POWERED BY HUB

- 13 October 2020, U.S. Coast Guard Signals Intent to Require Safety Management Systems For Domestic Passenger Vessels (*Alerts/Updates*)
- 29 April 2020, COVID-19: Vessel Entry into U.S. Ports in the Age of a Pandemic (*Alerts/Updates*)
- 21 April 2020, COVID-19: Force Majeure Checklist for the GC's Office (*Alerts/Updates*)
- 30 March 2020, COVID-19: Impact on Supply Chain and Transportation Contracts
- 31 January 2020, IMO 2020 Is Here: Top 10 Considerations for Foreign Flag Vessels Calling on U.S. Ports and U.S. Flag Vessels Operating Worldwide (*Alerts/Updates*)
- 31 August 2018, 20/20 Vision for the 2020 Global Low Sulfur Requirement for the Shipping Industry (*Alerts/Updates*)
- 31 July 2018, Frequently Asked Questions About the California Consumer Privacy Act of 2018 (CCPA) (*Alerts/Updates*)
- 31 July 2018, California Continues Its Role as a Privacy Vanguard: California Consumer Privacy Act Of 2018 (*Alerts/Updates*)
- 9 July 2018, Do You Clearly See What's Coming? (*Alerts/Updates*)

## OTHER PUBLICATIONS

- COVID-19: Impact on Supply Chain / Transportation Contracts, Alert, 30 March 2020
- *The Economic Damages Expert: Business Valuation* in Expert Witness Answer Book 2016, Jeffrey S. King (PLI 2016). Also authored prior editions in 2012 and 2013. (New edition pending.)

## NEWS & EVENTS

- 25 June 2020, K&L Gates Practices and Lawyers Recognized in 2020 Legal 500 United States Guide (*Rankings & Recognitions*)

## AREAS OF FOCUS

- Maritime
- Appellate Litigation
- Complex Commercial Litigation and Disputes
- Data Protection, Privacy, and Security
- E-Discovery Analysis and Technology (e-DAT)

- Insurance Recovery and Counseling
- K&L Gates Trial Academy
- Maritime Compliance
- Maritime Disputes
- Maritime Regulatory
- Maritime Transactions and Finance
- Mass Tort
- Oil and Gas
- Product Liability

## REPRESENTATIVE EXPERIENCE

- Obtained \$7.8 million arbitration award on behalf of international container leasing company against a Chinese shipping company for breach of contract (non-payment and non-return of containers). International Centre for Dispute Resolution - ICDR Case No. 50 125 T 00397 12.
- Represented owner and operator of the SS EL FARO, a Ro-Ro/Container vessel that sank in 2015 in Hurricane Joaquin in the Caribbean, resulting in a complete loss of the vessel, all cargo, and all 33 persons on board. This included the lead representation in the U.S. Coast Guard's Marine Board of Investigation (USCG MBI) and co-counsel roles in connection with the National Transportation Safety Board (NTSB) investigation and the civil limitation of liability suit in federal court.
- Represented ADVO in suit by Valassis alleging fraudulent inducement, material adverse change, and breach of merger agreement, in which Valassis had agreed to purchase all of ADVO's shares for approximately \$1.4 billion. Valassis sought to rescind its merger agreement and ADVO counterclaimed seeking specific performance. Approximately 80 depositions taken and voluminous documents produced during 3-month discovery period. Following five days of trial and the close of Valassis's case, the parties settled for a slightly reduced merger price. *Valassis Communications, Inc., et al. v. ADVO, Inc.*, Delaware Court of Chancery, New Castle County, 2383-N.
- Obtained summary judgment on behalf of owner of motor yacht in limitation of liability proceeding, defending against claims arising from fire at marina and resulting property damage and environmental (oil spill) claims. *In the Matter of the Complaint of Robert L. Stanton, as owner of the Vessel "MISTY LADY" for Exoneration from or Limitation of Liability*, United States District Court (D. Mass.) 02-cv-10408-GAO.
- Represented various motor vehicle and boat manufacturers and related entities in connection with numerous consumer claims, including product and warranty claims, as well as finance and insurance-based claims and class actions.

- Acted as special maritime counsel in connection with sale of domestic steel company to foreign interests. Addressed structuring aspects of the deal to allow the foreign company to continue exclusive use of U.S. flag vessels in the ore trade attendant to the steel company's business.
- Obtained defense verdict after 4-week trial for forklift manufacturer in wrongful death action involving design defect and punitive damage claims arising out of forklift rollover, resulting in quadriplegia and subsequent death. *Ginette Morrissette, Administrator of the Estate of Daniel J. Gagnon v. Teledyne Princeton, Inc.*, United States District Court (D. Mass.) 02-cv-10553-RCL, affirmed by the First Circuit Court of Appeals (09-1787).
- Obtained defense verdict after 3-week trial for equipment manufacturer in wrongful death action involving asbestos exposure on Navy ships. *Tucholski v. Crane Co., et al.*, Erie County Supreme Court, New York, 800161/2012. Similarly, obtained defense verdict after 2-week trial for same client in wrongful death action involving asbestos exposure on Navy ships and at land-based facilities. *Mulcahy v. Crane Co., et al.*, Circuit Court of Cook County, Illinois, 08-L-6223.
- Defended chemical company in series of matters involving claims by utility company regarding coal tar and related contamination at manufactured gas plants ("MGP") in Massachusetts where utility operated municipal MGPs and chemical company operated a tar recovery operation. *Commonwealth Gas Company v. Witco Corporation*, United States District Court (D. Mass.) 97-cv-11880-DPW; *Cambridge Electric Light Company, et al. v. Witco Corp.*, United States District Court (D. Mass.) 99-cv-11451-DPW; *Commonwealth Gas Company, et al. v. Witco Corp.*, United States District Court (D. Mass.) 99-cv-11450-DPW.
- Represented numerous financial institutions in connection with distressed loans and associated work-out, foreclosure, and bankruptcy issues.