



## Jeffrey S. King

### Partner

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## OVERVIEW

Jeff 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. 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. He represents commercial interests in various disputes, including deal, shareholder, loan, and contract litigation. 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. Jeff 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.

Jeff 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.

## ACHIEVEMENTS

- Recognized in *Best Lawyers in America* for Admiralty and Maritime Law since 2019, and as “Lawyer of the Year” in 2023
- Selected as a “Leading Lawyer” in the area of “Transport: Shipping - Litigation and Regulation by *Legal 500 USA*, since 2020

- Fellow of the Litigation Counsel of America ([www.litcounsel.org](http://www.litcounsel.org))
- Martindale-Hubbell Peer Review Rating - AV® Preeminent™
- Selected to Massachusetts Super Lawyers list, 2011, 2012, 2013, 2014 and 2015

## 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

- 3 May 2023, SASH (Sexual Assault and Sexual Harassment) Reporting in the Maritime Industry Key Issues for All US Flag Commercial Vessel Owners and Operators
- 13 April 2023, PFAS Litigation: Who's Next?
- 21 February 2022, U.S. Coast Guard Signals Intent to Initiate Rulemaking to Implement Ship Efficiency and Carbon Intensity Regulations Under MARPOL Annex VI
- 30 April 2021, U.S. Poised to Urge the International Maritime Organization to Dramatically Accelerate Decarbonization of Shipping
- 13 October 2020, U.S. Coast Guard Signals Intent to Require Safety Management Systems For Domestic Passenger Vessels
- 29 April 2020, COVID-19: Vessel Entry into U.S. Ports in the Age of a Pandemic
- 21 April 2020, COVID-19: Force Majeure Checklist for the GC's Office
- 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
- 31 August 2018, 20/20 Vision for the 2020 Global Low Sulfur Requirement for the Shipping Industry
- 31 July 2018, Frequently Asked Questions About the California Consumer Privacy Act of 2018 (CCPA)
- 31 July 2018, California Continues Its Role as a Privacy Vanguard: California Consumer Privacy Act Of 2018
- 9 July 2018, Do You Clearly See What's Coming?

## OTHER PUBLICATIONS

- *The Economic Damages Expert: Business Valuation* in Expert Witness Answer Book 2022, Jeffrey S. King (PLI 2022). Also authored prior editions from 2012 to 2019.

## NEWS & EVENTS

- 7 June 2023, The Legal 500 Recognizes K&L Gates Practices, Lawyers in 2023 United States Edition
- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 8 June 2022, K&L Gates Practices and Lawyers Recognized in *The Legal 500 United States* 2022 Edition
- 19 August 2021, Nearly 300 K&L Gates Lawyers Named Among 2022 Best Lawyers in America, Ones to Watch

- 24 June 2021, Legal 500 Recognizes K&L Gates Policy and Regulatory Practice Among Leaders in the 2021 United States Guide
- 25 June 2020, K&L Gates Practices and Lawyers Recognized in 2020 Legal 500 United States Guide

## AREAS OF FOCUS

- Maritime
- Appellate Litigation
- Commercial Disputes
- E-Discovery Analysis and Technology (e-DAT)
- Insurance Recovery and Counseling
- Mass Tort
- Product Liability
- Real Estate Litigation

## INDUSTRIES

- Automotive
- Consumer Products
- Energy
- Financial Services
- General Manufacturing
- Manufacturing

## REPRESENTATIVE EXPERIENCE

- 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 US 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 the owner and operator of the STRETCH DUCK 7, a passenger vessel that sank on Table Rock Lake in Branson Missouri in 2018, resulting in the loss of 17 lives, in the National Transportation Safety Board (NTSB) investigation, the US Coast Guard Marine Board of Investigation (USCG MBI), and resulting civil litigation. Commenced limitation of liability proceeding in the Western District of Missouri (In the Matter of The

Complaint of Branson Duck Vehicles, LLC and Ripley Entertainment, Inc., 6:18-cv-03339-MDH) and resolved all civil claims within 18 months of the incident.

- 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 clients in connection with Rule B attachment issues in the Southern District of New York.
- Represented bridge owner to recover for damages to bridge from vessel allision. We arrested the vessel before it departed, vessel owners posted security, and we conducted expedited discovery before settling. Middlesex Corp. v. M/V AGIOS NEKTARIOS, USDC, D. Mass., 02-cv-10208-EFH.
- Represented owner/operator of large domestic tug and barge fleet as national counsel developing and coordinating its strategy and response to numerous vessel arrests and attachments in multiple jurisdictions.
- Obtained US\$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 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 US\$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 three-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 US flag vessels in the ore trade attendant to the steel company’s business.
- Obtained defense verdict for a forklift manufacturer in a four-week trial for a wrongful death action involving design defect and punitive damage claims arising out of forklift rollover, resulting in quadriplegia and subsequent death. Ginette Morrisette, 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 three-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 two-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.
- Represented numerous financial institutions in connection with distressed loans and associated workout, foreclosure, and bankruptcy issues.
- Represented owner of luxury yacht in connection with death of a crewmember while in a shipyard.