

## James D. Burger

Partner

Cherry Hill, NJ  
t: 856.317.3656  
f: 856.317.3609  
Philadelphia, PA  
t: 215.864.7044



Jim defends companies in high exposure and excess liability cases. His high-stakes litigation experience is invaluable to clients, big or small, no matter the stage of litigation.

### OVERVIEW

As a trial lawyer, Jim defends companies in high-exposure cases across federal and state courts in Pennsylvania and New Jersey. Whether handling a matter from inception or stepping in on the eve of trial, he brings extensive knowledge and experience to every stage of litigation.

Jim focuses his practice on excess liability and high-stakes litigation. He routinely advises clients on contract drafting and negotiation, risk allocation, and indemnity issues. His representative clients include some of the world's largest product manufacturers and chemical companies, as well as commercial property owners and regional hospital systems. Jim's deep courtroom experience enables him to craft litigation strategies tailored to each client's business objectives—whether pursuing early resolution or vigorously advocating through trial.

Jim is also a trusted advisor to property owners and developers in complex construction defect disputes. He handles cases involving design errors, latent defects, water intrusion, structural failures, and consequential property damage.

In addition, product designers turn to Jim for counsel and defense in product liability matters. He works proactively with manufacturers and designers to evaluate product safety and prepare effective instructions and warnings. This includes assessing product design and warning adequacy under the latest standards to ensure his clients are well-positioned should litigation arise.

### REPRESENTATIVE MATTERS

Third Circuit Dismisses Defect Suit Against Group of Equipment Manufacturers  
5.2.22

### PRACTICES

Litigation  
Commercial Litigation  
Catastrophic/Excess Liability  
Product Liability  
Construction and Surety

### BAR AND COURT ADMISSIONS

New Jersey  
Pennsylvania  
U.S. Court of Appeals for the Third Circuit  
U.S. District Court for the District of New Jersey  
U.S. District Court for the Eastern District of Pennsylvania  
U.S. District Court for the Middle District of Pennsylvania

### EDUCATION

Rutgers University School of Law, 2007  
Providence College, BS, 2001

### MEMBERSHIPS

New Jersey Bar Association  
Philadelphia Bar Association

Healthcare Practice Group Wins Issue of First Impression in the Superior Court of New Jersey, Appellate Division  
8.14.20

White and Williams Products Liability Team Achieves Summary Judgment in Major Amusement Park Accident Case  
6.25.20

White and Williams Catastrophic Loss Team Achieves Summary Judgment for Pet Retailer  
3.26.20

Won summary judgment for national retail store in excess exposure matter involving catastrophic injuries (Philadelphia Court of Common Pleas)

Won summary judgment in products liability suit that later proceeded to \$78 million verdict against remaining defendants (Superior Court of New Jersey, Somerset County)

Won summary judgment for product manufacturer in matter venued in federal court (Eastern District of Pennsylvania)

Successfully mediated case to favorable resolution for product manufacturer in matter venued in federal court of appeals (United States Court of Appeals for the Third Circuit)

Won summary judgment in excess liability matter after having punitive damage claims dismissed earlier in the litigation (Superior Court of New Jersey, Essex County)

Successfully moved to preclude Plaintiff's sole liability expert witness in product liability matter venued in federal court (District of New Jersey)

Successful appellate briefing to affirm trial court verdict in favor of client in shareholder dispute (Superior Court of New Jersey, Cape May County)

Won verdict of no liability in favor of a national corporation in off-site injury matter at arbitration (Philadelphia Court of Common Pleas, Philadelphia County)

Successfully represented global corporation at multi-day mediation, resulting in settlement favorable for client (Philadelphia Court of Common Pleas, Philadelphia County)

## **PUBLICATIONS**

Medical Device Update: Third Circuit Certifies Questions Concerning Device Manufacturers' Liability Under Pennsylvania Law  
*Litigation Alert*, 7.16.21

Don't Be the Next Boeing: Fixing Tension Between Engineering, Legal  
*Bloomberg Law*, 6.25.21

Legal Use Case 7 Part III: The Analysis  
*Apex Ridge Reliability*, 6.3.21

Legal Use Case 7 Part II: The Prescription  
*Apex Ridge Reliability*, 5.19.21

Legal Use Case 7: A Conversation  
*Apex Ridge Reliability*, 5.11.21

Making Safer Robotic Devices  
*The Journal of Robotics, Artificial Intelligence & Law*, Volume 4, No. 4 | July – August 2021