# Robert D Hays

CHAIRMAN


## CONTACT

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## PRACTICES

Energy & Natural Resources

Product Liability Litigation

Toxic Tort Litigation

## EDUCATION

J.D., Vanderbilt University

B.A., summa cum laude, Phi Beta Kappa, University of North Carolina

## ADMISSIONS

Georgia

## PROFILE

Robert Hays serves as Chairman of King & Spalding. In this role, he oversees the strategic growth and direction of the firm and focuses on building strong relationships with the firm's clients. Prior to his election to Chairman in 2005, Mr. Hays had held a variety of leadership positions within the firm, including six years as a member of the firm's governing Policy Committee, which he now also chairs and 12 years as leader of the firm's Tort and Environmental Litigation Group where he was a leading trial lawyer in that practice group.

Mr. Hays' leadership in the legal and business communities has been recognized by numerous organizations. He currently serves as a member of the board of directors of the Atlanta Chamber of Commerce, and for several years has been named one of the "100 Most Influential Atlantans" by the *Atlanta Business Chronicle*. For the past four years, he has been named to *Georgia Trend* magazine's list of "Legal Elite" and ranked as a leading litigator in Georgia by *Chambers USA*. Other organizations that have recognized his legal skills and leadership include *Best Lawyers in America*, *Georgia Super Lawyers*, and the *Atlanta Business Chronicle*'s "Who's Who in Law & Accounting."

Mr. Hays continues to handle select matters for clients as lead trial counsel and a member of the firm's tort litigation practice group, which includes more than 100 lawyers whose practices are devoted exclusively to defending product liability and mass tort litigation. It is one of the largest practice groups of its kind anywhere, offering a complete array of expertise – from the cost-effective collection of documents, the work-up of scientific and other experts, and a sophisticated motion practice all the way through to trial and appeal, including in class actions and MDLs in notoriously dangerous jurisdictions. The group has been recognized by the *American Lawyer* as one of the top three product liability practices in the country, *Chambers USA* gave the group a "Tier 1 National" ranking, and the group has contributed to the firm's selection as one of the top ten defense firms in the nation by *National Law Journal* for the past two years.

Mr. Hays has amassed extensive experience as lead trial counsel in high exposure product liability and other mass tort litigation, with over 20 years of courtroom experience as lead trial counsel in state and federal courts. His clients have included General Motors, Merck, ChevronTexaco, Schering-Plough, GlaxoSmithKline, DaimlerChrysler, The Home Depot, Temple-Inland, ExxonMobil, The Coca-Cola Company, General Electric and Wendy's.

**Service to the Bar:**

- Served as Vice Chairman of the American Bar Association TIPS Product Liability Section.
- Member of the ABA Litigation Section and Product Liability Section.

**Other Information:**

- Member, *Best Lawyers* Advisory Board
- Member of the Product Liability Advisory Counsel (PLAC) and author of numerous briefs on its behalf.
- Member of the Defense Research Institute and the DRI Trial Tactics & Techniques Committee.
- Member of the Georgia Defense Lawyers Association and a founding member of the Georgia Product Liability Committee.
- Author of *Leading Product Liability Practices in the United States* (published by Aspatore Press, 2005).

- *Vanderbilt Lawyer*, featured author, “Business and the Law,” 2006.
- Speaker, Managing Partner Forum, Chicago, 2006.
- Speaker, Lateral Partner Recruiting Forum, 2006.
- Joined the firm in 1983 after receiving his J.D. from Vanderbilt University where he was selected for the *Vanderbilt Law Review* and a Patrick Wilson Scholar. He graduated, *summa cum laude*, and Phi Beta Kappa, from the University of North Carolina at Chapel Hill, where he was a Morehead Scholar.

## MATTERS

**Examples of significant trial experience as lead trial counsel:**

- Jury victory as lead trial counsel in *Nichols v. General Motors Corporation*, selected by *National Law Journal* in 2004 as one of the Top 10 Defense Verdicts in the United States.
- Lead trial counsel in a successful zero recovery in jury trials in Georgia, Tennessee and Kentucky seeking punitive damages for one million recalled products.
- Lead trial counsel in a successful zero recovery in jury trials seeking punitive damages and attacking the design of millions of similar products and more than 100 plaintiffs.
- Lead trial counsel in federal court in Georgia seeking punitive damages against *Fortune* 10 Company.

**Other examples of trial counsel experience:**

- Selected as one of GM's national lead trial counsel for product liability litigation.
- Selected by *Fortune* 50 company as southeastern regional counsel in mass tort cases involving asbestos and silica.
- Selected as national trial counsel for medical device manufacturer in connection with recalled product blamed for numerous deaths nationwide.
- Won multiple dismissals in mass tort pharmaceutical litigation.
- Won dismissal for *Fortune* 100 company in toxic tort litigation involving allegations of massive ground water contamination.
- Successfully represented *Fortune* 100 company in repetitive stress injury litigation.
- Successfully defended global chemical company against punitive damage claim.
- Won directed verdict after extensive *Daubert* hearing in case alleging cancer claims.
- Successfully defended *Fortune* 5 company in highly publicized toxic mold case.
- Defeated class certification for *Fortune* 100 pharmaceutical company.

**Examples of trial and appellate experience:**

- Won 11th Circuit appeal upholding jury verdict in a case he had successfully tried, making groundbreaking law in the preemption area. (*Griffith v. General Motors*, featured in *National Law Journal*.)
- In one of the largest appellate cases ever in Alabama, served as lead counsel for a *Fortune* 5 company and helped erase on appeal a record $122 million verdict. (Selected by *National Law Journal* as one of the Top 10 Verdicts of 2002 and featured in *American Lawyer*.)
- Lead counsel in successful post-trial Hammond punitive damages hearing on record $100 million award.
- Helped reverse record eight-figure jury award in commercial fraud case.

**Examples of experience with regulatory agencies and company audits:**

- Successfully represented *Fortune* 50 company in investigation by the Consumer Product Safety Commission (CPSC) involving 10 million

products.

- Successfully represented *Fortune* 5 client in investigation by the National Highway Traffic Safety Administration (NHTSA) involving over thirty million automobiles.
- Conducted internal audits analyzing product liability risks for *Fortune* 100 companies and various foreign corporations involving, for example, chemical production techniques, radar navigation systems for aircraft and the proposed purchase agreement of a nuclear facility.
- Defense counsel in FDA enforcement action against medical device manufacturer following recall and multiple lawsuits nationwide.

## NEWS & INSIGHTS

**NEWS**

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| *05 Mar 2013* | **Seventy-seven King & Spalding Lawyers Recognized in 2013 Edition of Georgia Super Lawyers Magazine** |
| *01 Dec 2012* | **L'expansion fulgurante de King & Spalding** |
| *23 Aug 2012* | **King & Spalding Lawyers Earn 232 Listings in 2013 Best Lawyers in America Guide** |
| *13 Jul 2012* | **Global 20: King & Spalding** |
| *23 Apr 2012* | **Suzanne Rab Wins 2012 Burton Award for Legal Writing** |
| *27 Feb 2012* | **Super Lawyers Magazine Counts 84 King & Spalding Lawyers Among Georgia's Finest** |
| *17 Feb 2012* | **King & Spalding Reports Another Fat Year** |
| *31 Aug 2011* | **King & Spalding Lawyers Earn 203 Listings in 2012 Best Lawyers in America Guide** |
| *10 May 2011* | **King & Spalding Opens Moscow Office For Deals, Energy** |
| *28 Feb 2011* | **Eighty-Two King & Spalding Lawyers Counted Amongst Georgia's Best in "Super Lawyers" Magazine** |
| *10 Feb 2011* | **King & Spalding Adds 14 Litigators From Filice Brown** |
| *09 Feb 2011* | **King & Spalding Lands 14-Lawyer Filice Brown Team** |
| *09 Aug 2010* | **King & Spalding to Open Singapore Office Focused on Commercial Arbitration and Energy Transactions** |
| *15 Jun 2010* | **King & Spalding Well-Represented in 2010 Edition of Legal 500: US Guide Recognizes 26 Lawyers, 10 Practice Areas** |
| *11 Jun 2010* | **King & Spalding Wins Chambers USA Award for Excellence in International Arbitration** |
| *17 May 2010* | **King & Spalding Listed in MultiCultural Law's 'Top 100 Law Firms for Diversity'** |
| *16 Mar 2010* | **83 at King & Spalding Recognized As 'Georgia Super Lawyers' and 35 as 'Georgia Rising Stars'** |
| *10 Mar 2010* | **King & Spalding Profile** |
| *20 Jan 2010* | **King & Spalding Marks its 125th Anniversary With Successful Settlement of Pro Bono Civil Rights Case** |
| *03 Nov 2009* | **King & Spalding Names Tim Scott and Fritz Zimmer Managing Partners of its West Coast Offices** |
| *26 Oct 2009* | **Allen Barnes Nominated as Director of Georgia Environmental Protection Division** |
| *07 Oct 2009* | **Muhtar Kent, Chairman & CEO of The Coca-Cola Company, Keynotes King & Spalding Executive Dinner** |
| *23 Sep 2009* | **King & Spalding Opens Paris Office** |
| *29 Jun 2009* | **King & Spalding Lawyers Receive 28 Rankings in 2009 U.S. Edition of Legal 500** |
| *12 Jun 2009* | **King & Spalding Lawyers Earn 120 Spots In Chambers USA 2009 Rankings** |
| *12 Jun 2009* | **King & Spalding Wins Chambers USA Award for Excellence in International Trade for Second Consecutive Year** |
| *06 Mar 2009* | **79 at King & Spalding Recognized As 'Georgia Super Lawyers' and 20 as 'Georgia Rising Stars'** |
| *05 Jan 2009* | **King & Spalding Chairman Robert D. Hays, Jr., Issues Statement in Response to Passing of Judge Griffin B. Bell** |
| *17 Sep 2008* | **116 King & Spalding Lawyers Named in 2009 Best Lawyers in America Guide** |
| *20 Jun 2008* | **King & Spalding Well-represented In 2008 Edition of Legal 500: US** |
| *12 Jun 2008* | **King & Spalding Grows Quickly, with Purpose** |
| *28 Feb 2008* | **Seventy King & Spalding Lawyers Named to 2008 'Georgia Super Lawyers' List** |

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| *22 Oct 2007* | **King & Spalding Hosts Kuwaiti Leaders During Atlanta Visit** |
| *04 Sep 2007* | **102 King & Spalding Lawyers Named in 2008 Best Lawyers in America Guide** |
| *29 May 2007* | **Five King & Spalding Litigation Practice Areas Ranked in The Legal 500 US; 17 Lawyers Named Leaders in Their Fields** |
| *16 Apr 2007* | **King & Spalding's Middle East Expansion Continues Apace With an Affiliated Office in Saudi Arabia** |
| *02 Apr 2007* | **Sixty-Nine King & Spalding Attorneys Named 2007 "Georgia Super Lawyers"** |
| *16 Feb 2007* | **King & Spalding Worldwide Revenues Reach A Record $582 Million** |
| *22 Jan 2007* | **King & Spalding Expands Middle East Platform with Addition of Three Lawyers in Dubai** |
| *14 Dec 2006* | **King & Spalding to Establish Middle East Presence** |
| *08 Dec 2006* | **Georgia Trend Magazine selects Twenty-Four King & Spalding Attorneys To List Of Georgia's "Legal Elite"** |
| *05 Sep 2006* | **103 King & Spalding Lawyers Selected for Best Lawyers in America** |
| *13 Jun 2006* | **King & Spalding Devotes Day To The Homeless and Needy** |
| *12 Jun 2006* | **King & Spalding Establishes A Diversity Fellowship Program** |
| *27 Mar 2006* | **King & Spalding Completes Move to New Headquarters** |
| *08 Mar 2006* | **Seventy-Two King & Spalding Attorneys Named "Georgia Super Lawyers"** |
| *16 Jan 2006* | **Key Appointments Mark Strategic Expansion Of King & Spalding London Office** |
| *05 Dec 2005* | **Robert Hays, Jr., Elected Chairman of King & Spalding; Hays to Succeed Walter Driver, Jr., Effective January 1** |
| *24 Aug 2005* | **King & Spalding Named One of the 10 Top Defense Practices in the Nation** |
| *11 Aug 2005* | **81 King & Spalding Lawyers Selected for Best Lawyers in America** |
| *02 Mar 2005* | **Sixty-One King & Spalding Attorneys Named "Georgia Super Lawyers"** |
| *18 Oct 2004* | **69 King & Spalding Lawyers Selected for Best Lawyers in America** |