

MVP: King & Spalding's Ursula Henninger

By Mike Curley

Law360 (December 12, 2019, 2:46 PM EST) -- A string of victories defending RJ Reynolds Tobacco Co. against allegations that the company's cigarettes caused lung disease and cancer helped earn King & Spalding LLP's Ursula Henninger a spot as one of Law360's 2019 Product Liability MVPs.

HER BIGGEST ACCOMPLISHMENT THIS YEAR:

Henninger said reaching a 5-0 winning streak in tobacco litigation, in which she defended RJ Reynolds Tobacco Co., was a highlight of the year, despite the streak ending in November. Among the biggest victories in that streak were three cases with very sympathetic plaintiffs, she said, making it a challenge to separate the facts of the case from the plight of the plaintiffs in the juries' minds.

One of those cases, *Ortiz v. RJ Reynolds Tobacco*, involved children, while another, *Clark v. RJ Reynolds Tobacco*, had the plaintiff tell her life story on the stand, Henninger said. To try the cases, Henninger had to keep jurors focused on the issues in the case and not let them be swayed by their emotions, she added.

In those cases, she said, you have to fight against the jurors' natural instinct to favor the individual "David" over the corporate "Goliath" and get them to focus on whether the company's conduct is directly linked to the plaintiff's injury.

"It's not often that you're able to do that, especially in cases involving personal injury and death," she said.

HER PROUDEST MOMENT THIS YEAR:

Henninger's proudest moment wasn't a particular instance in the courtroom. It was maintaining her team and watching her colleagues blossom and come into their own as lawyers as they worked together on cases, she said.

"My job became easier because they are so much better at their jobs," she said. "I try to spend a lot of



time with associates to tell them why we're doing things, and the associate group that's been working with me now for several years has just done such a fantastic job that they're capable of handling a lot of the issues without supervision."

WHY SHE'S A PRODUCT LIABILITY ATTORNEY:

Henninger always wanted to be a trial lawyer, and it's what she's spent her whole career doing. Product liability law, she said, was a natural fit because of how often those cases go to trial compared with other types of litigation.

The cases are challenging and interesting, Henninger said, as they often present unique claims.

"The combination of wanting to be a trial lawyer and enjoying learning about the products, learning about the companies and how to defend them has been something that's always fascinated me," she said.

WHAT MOTIVATES HER:

Showing that women can do the job successfully and bringing other women into the fold drive Henninger, she said, adding that she's "incredibly happy" for the younger associates she's worked with as she sees them rise in the firm's ranks.

She added that she's driven by "the battle" that takes place when she brings litigation to the courtroom.

"You wouldn't be a trial lawyer if you weren't motivated by going to trial and hopefully becoming victorious," she said. "It's an odd job, most people don't really think about it, but trial lawyers go into a sea of opposition every time we're in trial."

Every case presents a unique set of circumstances and puts her up against talented attorneys on the other side, she said, adding that she enjoys the challenge of finding ways to present her case to the jury.

"It's part acting, part intelligence and part just learning human nature," she said. "It's a very challenging job, but I think the times you are victorious are motivation enough."

HER ADVICE FOR JUNIOR ATTORNEYS:

Henninger said the best thing she can tell young attorneys is to love what they do.

"If you love what you do, you will be motivated to perform at your highest level," she said.

Another important thing, she said, is to find someone to trust, to ask for guidance and advice.

"Everybody needs to know what lies ahead," she said. "You need to be able to ask somebody without them judging you for asking the question."

— As told to Mike Curley

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2019 MVP winners after reviewing nearly 900 submissions.