



## Michael B. Victorson

Member

### Charleston Office

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**Michael B. Victorson is a Member in the Manufacturing, Construction, and Energy industry groups, focusing on product liability litigation, including toxic tort and asbestos-related matters. He practices out of the Firm's office in Charleston, West Virginia. He also serves as General Counsel to the Firm.**

Michael is a valued member of the Jackson Kelly team, working mainly in the areas of complex and mass litigation, including class actions, in both state and federal courts. Michael has handled the representation of clients in numerous product liability and toxic tort cases. He served for many years as coordinating/liaison counsel for the defendants in statewide asbestos litigation and has been coordinating counsel for groups of defendants in other matters, including pharmaceutical class actions and silica litigation. He also has been defense liaison counsel in national pharmaceutical litigation consolidated by the Judicial Panel on Multidistrict Litigation in United States District Court.

Coordinating multi-party cases requires a special skill set. Fortunately, Michael is a people person – from problem solving to coordinating to strategizing, he loves that his practice allows him to interact with so many clients and colleagues on a day-to-day basis. Whether he's learning the intricacies of a client's business or reviewing the applicable legal code, Michael makes it look easy thanks to his years of litigation experience. From depositions to preparing to go before the court, Michael is adept at all aspects of litigation.

Additionally, Michael handles other matters in the areas of business litigation, environmental litigation, and the defense of personal injury and wrongful death cases. He has appeared and represented clients in numerous state and federal courts at both the trial and appellate levels. As a testament to his skill, Michael was named in Woodward/White's *Best Lawyers*® as the Charleston, West Virginia Mass Tort Litigation/Class Actions Defendants "Lawyer of the Year" in 2014 and 2018.

Michael is active in the community, having served in leadership positions for the United Way of Kanawha Valley, The Clay Center for the Arts and Sciences, the Federated Jewish Charities of Charleston, Inc., and the B'nai Jacob Synagogue. While some may call him a "foodie," Michael just considers himself a lover of good food. Also interested in travel, he's been all across North America and Europe. One of his favorite stops? The SkyBar in Bangkok, Thailand, made famous in the movie "The Hangover Part II".

## Awards

- Named *The Best Lawyers*® Charleston, WV Litigation - Environmental "Lawyer of the Year" (2024)
- The Best Lawyers® in America for Commercial Litigation, Litigation - Environmental, Mass Tort Litigation / Class Actions - Defendants, Personal Injury Litigation - Defendants (2024)
- Named *The Best Lawyers*® Charleston, WV Personal Injury Litigation - Defendants "Lawyer of the Year" (2021)
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell®

- Named *The Best Lawyers*® Charleston, W.Va. Mass Tort Litigation/Class Actions Defendants "Lawyer of the Year" (2018)
- Named *The Best Lawyers*® Charleston, W.Va. Mass Tort Litigation/Class Actions Defendants "Lawyer of the Year" (2014)
- Listed in the Litigation Section of *Super Lawyers*® Business Edition for Personal Injury Defense: Products (2013-2016)
- Named *The Best Lawyers*® Charleston, W.Va. Mass Tort Litigation "Lawyer of the Year" (2012)
- Selected by his peers for inclusion in *The Best Lawyers in America*© for Commercial Litigation, Litigation - Environmental, Mass Tort Litigation/Class Actions - Defendants and Personal Injury Litigation - Defendants (2006-2024)
- Named in West Virginia *Super Lawyers*® for Personal Injury Defense: Products Liability (2007-2024)
- Fellow, Litigation Counsel of America
- Phi Beta Kappa
- Phi Kappa Phi
- Mountain Honorary
- Patrick Duffy Koontz Scholarship Recipient
- West Virginia University College of Law Moot Court Board Member (1977-1979)
- President, Student Bar Association, West Virginia University College of Law (1978-1979)
- Listed in *Who's Who In American Law*
- Listed in *Who's Who In America*

## Work History

- Jackson Kelly PLLC (1999-Present)
- Robinson & McElwee LLP (1983-1999)
- Love, Wise, Robinson & Woodrow (1979-1983)

## Practices

- Asbestos & Non-Medical Liability Litigation
- Class Action & Complex Litigation
- Commercial Litigation
- Construction Law
- Litigation
- Product Liability Litigation
- Professional Liability, Errors & Omissions

## Industries

- Construction
- Energy
- Manufacturing

## Education

- West Virginia University College of Law (J.D., 1979)
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- West Virginia University (B.A. in Political Science, *magna cum laude*, 1976)

## Admissions

- West Virginia (1979)
- Supreme Court of the United States of America (1992)
- U.S. District Court, Eastern District of Kentucky (1986)
- U.S. Court of Appeals, Fourth Circuit (1980)
- U.S. District Court, Northern District of West Virginia (1979)
- U.S. District Court, Southern District of West Virginia (1979)
- West Virginia Supreme Court of Appeals (1979)

## Professional Organizations

- American Bar Foundation (Fellow)
- Appointed to Select Committee to review West Virginia Rules of Civil Procedure by the West Virginia Supreme Court of Appeals (2013)
- West Virginia State Bar
- West Virginia Bar Association
- Kanawha County Bar Association
- American Bar Association
- International Association of Defense Counsel, Member, Toxic and Hazardous Substance Committee, Vice Chair (2010-2011)
- Defense Research Institute
- Defense Trial Counsel of West Virginia (Charter Member), Member of Board of Governors (1992-1998), Chair of Product Liability Committee (2003-2009)
- Litigation Counsel of America
- International Association of Jewish Lawyers and Jurists
- West Virginia University College of Law Visiting Committee, Member (1996-2000)
- ALFA International (American Law Firm Association), Member, Board of Directors (1998-1999)
- West Virginia State Bar, Member, Natural Resources, Energy & Environmental Law Committee

## Speaking Engagements & Publications

### Speaking Engagements

- Speaker at Annual Meeting of the West Virginia Bar Association at The Homestead, "Millennials, Marketing and Metrics: New Rules for a New Generation," (Aug. 2016)
- Speaker and Panel Member at IADC/FDCC Joint Law Firm Management Conference in Chicago, Illinois on "Metrics, What You Don't Know Can Hurt You," (May 2015)

- Speaker at Annual Meeting of the International Association of Defense Counsel (IADC) in Asheville, North Carolina, on Relations among Clients, Carriers, National Coordinating Counsel, Trial Counsel and Local Counsel in Mass Litigation (July 2012)
- Speaker at meeting of Defense Trial Counsel of West Virginia Product Liability Committee, "Does Jurisdiction Follow the Product?," Goodyear Dunlop Tires Operations, S.A. v. Brown, 131 S. Ct. 2846 (2011) (Sept. 15, 2011)
- Speaker and panel member of PESI, "West Virginia Evidence Workshop," Charleston, W.Va. (April 20, 2007)
- Speaker and panel member at PESI, "West Virginia Evidence Workshop," Charleston, W.Va. (April 28, 2006)
- Speaker, West Virginia Continuing Legal Education Seminar on West Virginia Civil Procedure, "Rule 26 and the Scope of Discovery: Let's Read the Rule," Charleston, W.Va. (June 2005)
- Speaker, Mealey's National Asbestos Conference on Current Issues in Asbestos Litigation, Philadelphia, Pennsylvania (Sept. 2002)
- Speaker, The West Virginia State Bar Annual Meeting on "Pro Hac Vice Admissions, Multijurisdictional Practice and the Unauthorized Practice of Law," (May 2002)
- Speaker on self-critical analysis privilege at seminar on Product Liability issues sponsored by ALFA International (American Law Firm Association) in Rancho Mirage, California (March 1998)
- Speaker on toxic tort and environmental litigation at programs sponsored by Eastern Mineral Law Foundation, Cambridge Institute and Federal Publications, Inc.
- Instructor, "Introduction to Law and Legal Research," West Virginia University College of Law (1978-1979)

### Writings and Publications

- "Recent Developments in the Learned Intermediary Doctrine," *Rx for the Defense*, DRI Drug and Medical Device Committee (Winter 2007)
- "Non-Testifying Consultants Can Help in Case Preparation," *XIII Product Liability Law and Strategy*, No. 8, Leader's (Feb. 1995)
- West Virginia Section, *Survey of State Class Action Law*, American Bar Association, Section of Litigation, Class Actions and Derivative Suits Committee (1999, 2002, 2003, 2004)
- West Virginia Section, *State-by-State Survey of the Statutes of Limitation and Repose Applicable to Pharmaceutical and Medical Device Litigation*, American Bar Association, Section of Litigation, Products Liability Litigation Committee (1997)
- "How to Interpret Insurance and Indemnification Provisions in Mining Contracts," co-author, 14 *Energy Mineral Law Foundation* par.7.03 (1993)
- "Clean Air Act Supersedes Request for Injunctive Relief for Nuisance," *5 Hazardous Waste and Toxic Torts, Law and Strategy*, No. 11 (April 1990)
- "Torts: Parent's Recovery for Loss of Society and Companionship of Child," 80 *W. Va. Law Review* 340 (1978)
- *West Virginia University Law Review*, Associate Editor (1978-1979)

### Community

- Anti-Defamation League (ADL), Cleveland Regional Board, Member (2020-Present)
- Eberly College of Arts and Sciences at West Virginia University, Visiting Committee, Member (2017-Present)
- West Virginia University College of Law, Visiting Committee, Member (1996-2000)
- Clay Center Museum of Art Collectors Club, President (2009-2011), Vice President (2007-2009), Member, Board of Directors (2002-2012)
- Clay Center for the Arts and Sciences, Member, Board of Directors (2009-2011)
- Medical Eye Bank of West Virginia, Treasurer and Member, Board of Directors, Chairman of the Board (2017-2019)
- Federated Jewish Charities of Charleston, Inc., President (2004-2007), Member, Board of Trustees (1994-2010)
- B'nai Jacob Synagogue, President (2001-2003), Member, Board of Trustees
- United Way of the Kanawha Valley, Chairman, Lawyers Division (1988-1990), Chairman, Professional Division (1992-1993), Member, Admissions Committee (1990-1992)

- Appeal Board for Southern District of West Virginia, U.S. Selective Service System, Member, Former Chairman