



## Craig A. Livingston

Shareholder

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Craig is a nationally recognized product liability trial lawyer who represents domestic and international manufacturers and distributors in matters throughout the country. Craig is a long-standing Sustaining Member of the Product Liability Advisory Council and has, for over two decades, served as national coordinating counsel and national trial counsel for a number of manufacturers and distributors. Craig has appeared in more than 20 states for clients as local, regional or national counsel. He also works closely with clients on risk management strategies, including issues surrounding product warnings and instructions. Craig has tried many high-exposure cases to verdict in both state and federal courts involving a wide-range of products. He is an authority on firearms litigation and is frequently called upon to brief and argue the federal Protection of Lawful Commerce in Arms Act in state and federal courts. Craig is regularly a featured speaker for defense lawyer groups on such issues as product liability defense strategies, catastrophic injury and wrongful death and trial tactics. Craig is a 5.0 (A-V Preeminent) rated attorney by Martindale-Hubbell and has been selected as a Northern California Super Lawyer since 2007.

### EMPLOYMENT

#### SHAREHOLDER

**Livingston Law Firm**  
**A Professional Corporation**

AUGUST 2003-PRESENT

*Walnut Creek, California*

General civil trial practice with particular expertise in product liability defense, including firearms, consumer products, construction equipment, medical devices and pharmaceuticals, and commercial litigation. Serves as national coordinating and trial counsel for several national and international manufacturers. Frequent lecturer and author in the areas of civil trials, damages, expert witnesses, and product liability litigation. Advisor to manufacturers on risk management issues, including on-product warnings and instruction manuals.

#### PARTNER

**Schnader Harrison Segal & Lewis LLP**

MAY 1999-JULY 2003

*San Francisco, California*

Co-chair of the firm's 30-lawyer Product Liability and Mass Tort Practice Group. Maintained active civil trial practice with emphasis on product liability, aviation and general liability matters. Obtained defense verdicts for an aerial work platform manufacturer in a wrongful death action and a vertical access ladder manufacturer in a spinal cord injury action.

PARTNER  
ASSOCIATE

**Bronson, Bronson & McKinnon**

OCTOBER 1997-APRIL 1999  
OCTOBER 1990-SEPTEMBER 1997  
*San Francisco, California*

General civil trial practice. Obtained defense verdicts for an international firearms manufacturer in a highly publicized wrongful death action arising out of an accidental shooting of a teenage boy and an aircraft manufacturer in a wrongful death action arising out of a multiple fatality air crash. Served as national coordinating counsel for aerial work platform manufacturer.

## **PUBLISHED OPINIONS**

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*Adames v. Sheahan* (2007) 378 Ill.App.3d 502

*Adames v. Sheahan* (2009) 233 Ill.2d 276 cert. denied sub nom. *Adames v. Beretta U.S.A. Corp.* (2009) 175 L.Ed. 634

*Delana v. CED Sales, Inc. d/b/a Odessa Gun & Pawn* (2016) 486 S.W.3d 316 (Missouri Supreme Court)

## **PROFESSIONAL ASSOCIATIONS**

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Sustaining Member – Product Liability Advisory Council; International Association of Defense Counsel; Defense Research Institute; Contra Costa County Bar Association.

## **PROFESSIONAL ACTIVITIES**

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Consultant to the Legislative and Legal Affairs Committee of the Sporting Arms and Ammunition Manufacturers' Institute; Settlement Mentor, Contra Costa Superior Court.

## **PUBLICATIONS**

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- *Ch-Ch-Ch-Changes: Strategies for Successfully Moving to Change Venue Based on Inconvenience* (Coauthor Crystal L. Van Der Putten), ADCNC Defense Comment, Summer 2017
- *Finding Fault with Ault: Why The Exclusion of Subsequent Design Change Evidence In Product Liability Cases Makes Sense, Even In California*, IADC Defense Counsel Journal, July 2011
- *Lessons From Jury Research: The Mythical "Safe Company" Standard And How Product Liability Defendants Can Measure Up*, IADC Product Liability Committee Newsletter, 2003
- *Defending America's Manufacturers: Challenges, Rewards and Successful Strategies*, Inside the Minds: Leading Product Liability Lawyers – Industry Insiders on the Art & Science Behind A Successful Product Liability Practice, Aspatore Books, 2003 (contributing author)
- *Firearms Litigation in 2002 and Beyond*, VerdictSearch Products Liability Report, 2003
- *National Coordinating Counsel: Controlling Product Liability Exposure and Defense Costs*, For the Defense, Defense Research Institute, 2001 (Recipient of the 2002 G. Duffield Smith Outstanding Publication Award from DRI)
- *Admissibility of Evidence of the Absence of Prior Similar Accidents in Product Liability Cases*, CEB Program Handbook, California Continuing Education of the Bar, 2000

## **SPEAKING ENGAGEMENTS**

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- *The "Safe Company" Trial Theme*, Product Liability Advisory Council Fall Conference, 2015
- *Effective Use of CACI Product Liability Instructions: Using Lemons to Make Lemonade*, Association of Defense Counsel of Northern California and Nevada Annual Meeting, 2013
- *California Update: Product Liability Law*, National Business Institute, 2012
- *Preparing and Trying the Personal Injury Case*, National Business Institute, 2009
- *Effective In-House Witness Preparation: Understanding, Promoting and Implementing Meaningful Corporate "Buy-In,"* Product Liability Advisory Council Fall Conference, 2007

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- *Personal Injury Case Management for Seasoned Litigators*, National Business Institute, 2007
- *The Psychology of In-house Expert Witness Preparation and Testimony and The “Safe Company” Theme*, Product Liability Advisory Council Spring Conference, 2006
- *Damages in California Civil Trial Practice*, National Business Institute, 2003
- *Handling A Product Liability Case*, California Continuing Education of the Bar, 2002
- *Defying Gravity in the Courtroom: Preparing and Trying the Aerial Device Case*, DRI Product Liability Conference, 2002
- *Advanced Course of Study: Product Liability Litigation*, California Continuing Education of the Bar, 2000.

## BAR ADMISSIONS

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- United States Supreme Court - 2009
- State Bar of California - 1990
- U.S. Court of Appeals, Ninth Circuit - 1990
- U.S. District Court
  - Northern District CA - 1990
  - Eastern District CA - 1994
  - Central District CA - 1999
  - Southern District CA - 2008

## EDUCATION

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JURIS DOCTOR

MAY 1990

***University of San Francisco School of Law***

*San Francisco, California*

*University of San Francisco Law Review, Articles Editor*

BACHELOR OF ARTS, LAW AND SOCIETY

JUNE 1982

***University of California, Santa Barbara***

*Santa Barbara, California*

## PERSONAL

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A Bay Area native, Craig spent five years in municipal law enforcement before attending law school. He is passionate about his cooking (he makes a fantastic porcini mushroom risotto and truly authentic seafood gumbo), vegetable gardening and wine-making (with the attendant wine consumption), and he enjoys traveling, hiking and golf (though his index does not reflect it).