



Richard H. "Dick" Willis

Partner

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Richard H. "Dick" Willis is a trial lawyer with over 40 years of experience representing a variety of product manufacturers and business clients in products liability litigation, mass torts, environmental litigation, and various types of commercial litigation, before juries and administrative tribunals, and before various appellate courts. He is a Fellow of the American College of Trial Lawyers and is the current President of the South Carolina Chapter of the American Board of Trial Advocates.

Dick has served as lead counsel in trials involving a wide variety of products and subjects, including the chemical industry, petroleum companies, automotive manufacturers, recreational vehicles, pulp and paper manufacturers, tire manufacturers, manufacturers and retailers of consumer products, drug and medical device companies, building and construction products, material handling equipment, trucks and heavy vehicles, construction equipment, industrial systems, HVAC manufacturers, communications systems and waste treatment and disposal products.

Dick is listed in *South Carolina Super Lawyers* (2009-2020). He earned the Chapter Service Award from the American Board of Trial Advocates in 2019. In 2015, he received the Trial and Appellate Advocacy Award from the South Carolina Bar, and the Leadership in Law Award from *South Carolina Lawyers Weekly*. He holds an A+ rating from Martindale Hubble and is listed in *Who's Who in American Law*.

Dick has tried over 40 jury trials to verdict in eleven states and has argued appeals in the 3rd, 4th and 11th Circuits and before the South Carolina Supreme Court and Court of Appeals. He is admitted to practice in all state and federal courts in South Carolina and Georgia.

Dick is an Adjunct Professor at the University of South Carolina School of Law, teaching Trial Advocacy. He is a certified mediator and arbitrator in South Carolina. He is a regular writer and speaker on trial

advocacy and product liability issues and is a recipient of the prestigious Burton Award for Excellence in Legal Writing.

Dick earned his Juris Doctor from the University of South Carolina School of Law in 1981. He earned his Bachelor of Arts degree in English from The University of the South, Sewanee, in 1978.

Practice Areas

- Litigation
- Complex Business Litigation
- Product Liability / Mass Tort Litigation
- Environment & Natural Resources
- Insurance Coverage Litigation
- Manufacturing

Experience

While most clients generally prefer to avoid trials, the ability to present a credible trial threat is an important component of any corporate risk management program. Dick is an experienced trial lawyer. He is frequently called on late in the life of a case and in difficult jurisdictions to take on a matter for trial that cannot be resolved.

Representative experiences include the following:

Products Liability Defense

- Southeast Regional Counsel for major tire manufacturer in product liability litigation ? multiple cases in Florida, Georgia, South and North Carolina, Virginia.
- South Carolina counsel for materials handling equipment manufacturer (forklifts, etc.) in various product liability and personal injury claims.
- Trial and appellate counsel for automotive manufacturers (multiple) in catastrophic injury product liability crashworthiness litigation.
- Regional counsel for outdoor power equipment manufacturer, personal injury cases (Georgia, South Carolina, Alabama).
- South Carolina counsel to major truck manufacturer, product liability, crashworthiness and fire litigation.
- Breach of express and implied warranty claims, heavy construction equipment manufacturer (tractors, backhoes, drilling equipment).
- Defense of medical device manufacturer against allegations of product failure of spinal surgical equipment.

- Represented kerosene heater manufacturer in personal injury and property damage fire claims.
- Represented national polyurethane foam furniture manufacturer in litigation over firefighter deaths in large warehouse fire in Charleston, SC.
- Trial counsel for international component part manufacturer in automotive products liability cases in SC, Georgia, Florida, Tennessee.
- South Carolina counsel in building fire cases involving lighting strikes to flexible natural gas supply lines.
- South Carolina counsel for major off-road recreational vehicle manufacturer, defense of products liability claims.

Environmental Litigation

- Lead trial counsel for industrial fabric manufacturer in purported class action alleging property devaluation due to PCB releases to soil and surface water by former plant owner/operator.
- CERCLA Private Party cost recovery litigation, lead counsel, multiple cases and claims, South Carolina, Georgia, Florida, North Carolina, Alabama, Pennsylvania.
- Lead trial counsel in environmental cost recovery litigation on behalf of major pulp and paper manufacturer to recover fire related damages arising from an industrial accident.
- Lead counsel in administrative enforcement and permitting hearings for commercial RCRA waste treatment and disposal facility in SC.
- Various environmental and industrial hygiene related matters (nearby resident toxic tort claims) representing metals recovery operation in SC.
- Team counsel, statewide class action representing major petrochemical company involving leaking underground storage tanks, petroleum related groundwater contamination claims.

Commercial Litigation

- Defense of commercial litigation representing large manufacturer and supplier of medical PPE.
- Internal investigation and defense of commercial bank regarding municipal bond pricing.
- Southeast regional counsel for national roofing products manufacturer; enforcement of arbitration clauses and arbitration of construction disputes.
- South Carolina counsel (trials and appeals) for large multi-business forest products manufacturer, various claims (industrial accidents, contract disputes, land use disputes).
- Represented manufacturer/supplier of commercial doors in claims of failure of fire door closure mechanisms in commercial buildings and hotel chains due to defective springs from Chinese supplier.
- Arbitration of cost sharing dispute between Fortune 500 chemical manufacturers over construction and operation of joint waste water treatment system.
- Defense of engineer/supplier of municipal wastewater treatment system relating to equipment performance.
- Breach of contractual guarantees relating to commercial roofing systems, representing roof

material supplier.

General Litigation

- South Carolina counsel for national franchise food and beverage chain, dram shop litigation, premises liability, personal injury claims.
- Defense of manufacturer of recycled plastic reusable bags in ?SLAPP suit? Lanham Act false advertising and unfair trade practices case brought by large manufacturer of single-use disposable plastic bags.
- Represented residential real estate developer in premises liability litigation, wrongful death claim.

Toxic Torts / Mass Torts

- Team counsel (?virtual law firm?) for national railroad common carrier arising from catastrophic derailment accident and chlorine release in SC (class actions, personal injury and property damage claims).
- South Carolina counsel for cable and wire manufacturer (asbestos litigation).
- South Carolina counsel for national supplier of fire protection gear and materials (multi-district litigation).
- Represented specialty fertilizer, herbicide and insecticide manufacturer in warehouse fire and explosion, multiple claims.

Pro Bono

- Represented the estate of a deceased baseball player on behalf of African-American baseball players in successful effort to persuade MLB to include former Negro League players in MLB pension plan.
- Lead counsel in effort to purchase neighborhood golf course and negotiation of 1,500 home HOA agreement on behalf of investor group to own and operate same.
- Section 1983 litigation (court appointed) - excessive force, 4th Amendment cases.
- Volunteer Mediator, Midlands Mediation Services.

Mediations

- Wrongful death (trucking accident)
- Catastrophic injury (motorcycle accident)
- Trade secrets misappropriation
- Enforcement of non-compete agreement
- Commercial litigation (land use dispute)
- Commercial litigation (minority shareholder corporate governance dispute)
- Environmental CERCLA cost recovery disputes

- Landlord tenant disputes
- Wrongful discharge (employment)
- Construction litigation
- Personal injury (chemical exposure)
- Fire loss (products liability)
- Medical malpractice claims
- Pharmaceutical products liability cases
- Dram shop litigation

Education

- University of South Carolina School of Law (J.D.), 1981
- The University of the South, Sewanee (B.A.), 1978

Professional Affiliations

- American College of Trial Lawyers - Trial Competition Committee, Fellow (2019)
- American Board of Trial Advocates - SC Chapter - President-Elect (2021); Board of Directors (2017-2019), Treasurer (2019)
- South Carolina Defense Trial Attorneys Association - Board of Directors (2015-2021)
- South Carolina Bar - Mediation and Arbitration Certificates, Trial and Appellate Advocacy Section
- Georgia Defense Lawyers Association - Trial Academy Faculty (1994-2020)
- Defense Research Institute - Environmental Litigation Committee, Trial Tactics Committee
- John Belton O'Neal Inn of Court - Board of Directors (2017-2019), Program Chair (2018)
- International Association of Defense Counsel
- University of South Carolina School of Law - Adjunct Professor (2003-2021)
- The International Association of Defense Counsel (IADC) - Product Liability Committee
- Richland County Bar Association

Awards

- American Board of Trial Advocates - Chapter Service Award (2019)
- South Carolina Bar - Trial and Appellate Advocacy Award (2015)
- *South Carolina Lawyers Weekly* - Leadership in Law Award (2015)
- Burton Award - Excellence in Legal Writing (2012)
- *South Carolina Super Lawyers* (2009-2020)