

FormanWatkins

Forman Watkins & Krutz LLP



Fred Krutz

Founding Partner

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Standing at the forefront of dedication and hard work in litigation is Fred Krutz. Possessing a quick mind and sharp salesmanship, Fred offers excellent work to all his clients. Having been a leader in his practice for over 30 years, he has maintained a respected name for himself and his firm, but has never grown complacent. Creativity is the pinnacle of his work ethic as he offers case-specific solutions that are catered for each of his clients. Fred believes in the philosophy of "get busy living, or get busy dying." He makes every day count at the office and at home, always ready to put in the work needed to achieve the goals of his clients and his family, and uses his gifts of passion and persuasion to better the lives of those around him. Clients can expect innovation, honesty, and commitment when they hire Fred but, most importantly, a reputation for excellence which, after over 30 years, continues to follow him today.

Education

- University of Mississippi School of Law, J.D., with high honors
- University of Mississippi, B.A.


Bar Admissions

- Mississippi, 1978
- U.S. District Court for Northern and Southern Districts of Mississippi, 1978
- U.S. Court of Appeals for the Fifth Circuit, 1981
- U.S. Court of Appeals for the Third Circuit, 1998
- U.S. Court of Appeals for the Eighth Circuit, 2014
- Arkansas, 2015

Examples of Important Litigation Involvement

- Chairman of the Defendants' Steering Committee in the Silica MDL 1553 in Corpus Christi, Texas, which resulted in a historical order and opinion which led to the dismissal of approximately 25,000 claims (*In Re Silica Products Liab. Litig.*, 398 F.Supp.2d 563) as reported in numerous national media, including the New York Times, Fortune Magazine, NPR, The Wall Street Journal, Houston Chronicle and Reader's Digest. On October 27, 2010, Forman Watkins & Krutz was presented with the U.S. Chamber of Commerce Institute for Legal Reforms 2010 Award for Outstanding Organization. The Chamber recognized Forman Watkins Krutz ongoing work to expose fraud in mass tort cases nationwide.
- Lead counsel for TIN, Inc., a subsidiary of International Paper Company, in connection with a lawsuit filed by the District Attorney for Washington Parish, Louisiana, arising out of an August 2011 incident in which TINs Bogalusa Paper Mill released weak black liquor into the Pearl River, resulting in a significant fish kill. The District Attorneys lawsuit sought to impose civil penalties in excess of \$250 million on TIN for the fish kill. TIN requested that the District Attorneys case be dismissed on the basis that TIN had settled the civil penalties claim with the Louisiana Department of Wildlife and Fisheries. The trial court refused that request and declared the LDWF-TIN settlement to be void. Forman Watkins Krutz filed a successful interlocutory appeal of the trial court ruling to the Louisiana First Circuit Court of Appeal. The First Circuit reversed the trial court and dismissed the District Attorneys lawsuit with prejudice. The District Attorney appealed the First Circuit's judgment to the Louisiana Supreme Court. The Louisiana Supreme Court affirmed the First Circuit's dismissal of the District Attorney's lawsuit.
- Represented Google in an action under 28 U.S.C. 1983 against the Mississippi Attorney General in Mississippi federal court. Google claimed that the Attorney General had violated Google's rights under the First Amendment, the Communications Decency Act, and the Digital Millennium Copyright Act. Google obtained a temporary restraining order and, later a preliminary injunction, enjoining the Attorney General's investigation and threatened prosecution arising out of Google's publication of third party content on the Internet via Google's search engine, YouTube, and advertising sales.
- Currently representing Google in a pending case filed by the Mississippi Attorney General in Lowndes County, Mississippi Chancery Court.
- Currently representing LEONI Wiring Systems in a pending case filed by the Mississippi Attorney General in Madison County, Mississippi Chancery Court.
- Represented TransUnion, one of the three national credit reporting agencies in an investigation and civil lawsuit by the Mississippi Attorney General under the Mississippi Consumer Protection Act.
- Lead trial lawyer in the first silica case tried to verdict in Mississippi. The jury returned a verdict for the defendants, which was the first defense verdict in a mass tort case in Claiborne County, Mississippi. This historical victory was reported by numerous media, including The American Lawyer, NPR, The Clarion Ledger, Fox Business.com, Trial.com, HarrisMartin, Androvett Legal Media & Marketing, and Claimsjournal.com.
- Lead counsel for defendants in Auditor for the State of Mississippi vs. The Langston Law Firm, et al. The Mississippi Auditor sued our clients seeking the return of \$14,000,000 in attorneys' fees that they earned for successfully prosecuting a lawsuit on behalf of Mississippi against MCI. That settlement resulted in MCI paying the State of Mississippi over \$100,000,000.
- Lead counsel in *Robinson v. Mine Safety Appliances Co. et al.* On August 3, 2015, The United States Court of Appeals for the Eighth Circuit, in its unanimous opinion, affirmed summary judgment for our clients.
- Lead trial lawyer in *Lockett v. Precision Packaging, Inc.*, Jefferson County, Arkansas, October 2016. The jury in Pine Bluff, Arkansas, returned a verdict 11-1 for our client.

Professional Recognition

- Selected to Mid-South Super Lawyers (2006-2020)
- Selected to Mid-South Super Lawyers, Top 50 in Mississippi (2008-2020)
- Benchmark Litigation Local Litigation Star since 2009: Commercial Litigation
- *The Best Lawyers in America*® since 2007: Commercial Litigation, Litigation   Environmental, Mass Tort Litigation/Class Actions - Defendants, Product Liability Litigation - Defendants
 - 2013 Lawyer of the Year - Jackson, MS - Mass Tort Litigation/Class Actions - Defendants
 - 2014 Lawyer of the Year - Jackson, MS - Litigation - Environmental
 - 2015 Lawyer of the Year - Jackson, MS - Product Liability Litigation - Defendants
 - 2015 Lawyer of the Year - Jackson, MS - Mass Tort Litigation/Class Actions - Defendants
 - 2018 Lawyer of the Year - Jackson, MS - Product Liability Litigation - Defendants
- Chambers USA Leading Individual since 2006: General Commercial Litigation
- Jackson Legal Professionals Association Boss of the Year (2005-2006)
- Martindale-Hubbell® AV Preeminent® Peer Review Rating



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Speaking Engagements

- Mississippi Supreme Court, Mississippi Court of Appeals, and Mississippi College School of Law - Mississippi Class Action Symposium, Panelist
- AEI-Brookings Institute - Toxic Torts Judicial Symposium, Speaker
- Mealey's Silica & Asbestos Claims Conference, Speaker
- DRI Silica & Asbestos Claims Conference, Speaker

- U.S. Chamber of Commerce - Diagnosing for Dollars: The Engine Driving Mass Torts Litigation, Speaker
- Mealey's Mass Medical Screenings Teleconference - Investigations into Fraudulent Asbestos & Silica Claims, Speaker

Publications

- Mealey's Litigation Report: Silica, Commentary - "In the Wake of Silica MDL 1553", Vol. 4, No. 5 (January 2006)
- "Silicosis: Explaining the Inconsistency Between Declining Public Health Statistics and the Epidemic in Litigation" Chest 128, Supple. 4:2145 (2005)
- Federal Jurisdiction - Civil Rights Jurisdiction Under 28 U.S.C. §1349(3) Not Available When Equitable Monetary Relief, Sought Under 42 U.S.C. §1983, Would Stem Directly From Municipal Funds, Miss. L.J., vol. 47 (1976)

Practice Areas

- Asbestos
- Benzene
- Chemical & Mold Exposure
- Environmental Litigation
- Hearing Loss
- Silica
- Mass Tort Fraud
- National Coordinating Counsel
- Appellate
- Commercial Litigation
- Drugs & Medical Devices
- Product Liability
- Class Actions
- Insurance Coverage & Bad Faith Defense
- Personal Injury
- Professional Liability