

# FormanWatkins

Forman Watkins & Krutz LLP



## Edwin S. Gault, Jr.

### Partner

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Win represents corporate clients in commercial and catastrophic injury cases in multiple jurisdictions. Within the last year, Win served as lead counsel for:

- › A hospital in a software-related case in Mississippi;
- › A general contractor in a 180-plaintiff case stemming from the I-65/I-20 Interstate reconstruction project in Alabama;
- › A national retailer in Telephone Consumer Protection Act arbitrations in five states;
- › A national retailer in a Fair Credit Reporting Act arbitration in South Carolina;
- › An international oil field service company in two property damage lawsuits stemming from a hydrochloric acid release in Mississippi; and
- › An international oil and gas company in contract claims in seven states.

In addition to commercial matters, Win recently served as lead counsel in products liability and premises liability wrongful death cases in South Carolina, Alabama, Texas and Mississippi.

Based on interviews of clients and other lawyers, Chambers & Partners called Win "confident, decisive, and efficient." A sample of his reported and significant cases is listed below.

## Education

- Mississippi College School of Law, J.D. with distinction
- University of Mississippi, B.A.

## Bar Admissions

- Mississippi, 1995
- Texas, 2005
- Michigan, 2008
- Alabama, 2012
- Illinois, 2014

## Significant Litigation Involvement

- Oral Argument, Fifth Circuit, *Chevron Oronite v. Jacobs Field Services*, 951 F.3d 219 (5<sup>th</sup> Cir. 2020)
- Chemical Spill Trial, Federal Court Mississippi, *Burroughs Diesel v. Baker Hughes*, 2020
- Take nothing defense judgment in three Telephone Consumer Protection Act (TCPA) arbitrations, South Carolina and Mississippi 2019
- Bench Trial verdict for plaintiff, contractual indemnity claim, Louisiana Federal Court, *Chevron v. Jacobs*, 2019
- Take nothing defense judgment in Telephone Consumer Protection Act (TCPA) arbitration, Mississippi 2018
- Oral Argument, Texas Supreme Court, *In re Mahindra USA Inc.*, 549 S.W.3d 541 (Tex. 2018)
- Contractual Indemnity Summary Judgment, Louisiana Federal Court, *Chevron v. Cajun*, 2017
- Products Liability Trial, Lowndes County Alabama 2017, *Albritton v. Pitts Trailers, Inc.*
- Premises Liability Appeal, U.S. Court of Appeals for the Fifth Circuit 2017, *Henderson v. West Jackson Student Housing, LLC*, (shooting of a college student at apartment complex)
- Oil Field Pollution, Ouachita Parish Louisiana 2016, *Spillers v. Chevron USA, Inc. et al*, (dismissal of production company)
- Counseling Malpractice, Alabama Supreme Court 2016, *McElveen v. Family Services Center*
- Products Liability Trial, Hinds County Mississippi Circuit Court 2014, *Walls v. Williams Pyro*
- Oil Field Pollution Trial, Mississippi Oil & Gas Board 2013, *Pace v. Palmer Petroleum*
- Silicosis Appeal, Mississippi Supreme Court 2012, *Kinsey v. Pangborn Corp.*, 78 So.3d 301 (Miss. 2012)
- Silicosis Appeal, Mississippi Supreme Court 2011, *Clark Sand Company, Inc. v. Kelly*, 60 So.3d 149 (Miss. 2011)
- Asbestosis Trial, Wayne County Michigan 2009, *Avram v. McMaster-Carr Supply Company*
- Silicosis Trial, Claiborne County Mississippi 2009, *Westrope v. Pangborn*
- Asbestosis Daubert Hearing, Wayne County Michigan 2008, *Miles v. Sure Seal Products* (dismissals of hundreds of cases)
- Car Wreck, Mississippi Court of Appeals 2009, *Lott v. Purvis*, 2 So.3d 789 (Miss. App. 2009)

- Insurance Coverage, U.S. District Court Mississippi 2008, *Employers Mut. Cas. Co. v. RLI Ins. Co.*, 2008 WL 4330300
- Sanctions for Frivolous Lawsuits, Mississippi Supreme Court 2007, *Choctaw, Inc. v. Campbell-Cherry*, 965 So.2d 1041 (Miss. 2007)
- Products Liability Trial, Adams County Mississippi and Mississippi Supreme Court 2006, *Lift-All Co., Inc. v. Warner*, 943 So.2d 12 (Miss. 2006)
- Silica MDL, U.S. District Court Texas 2005, *In re Silica Products Liability Litigation*, 398 F. Supp. 2d 563 (S.D. Tex. 2005) (Silica MDL)
- Environmental, Mississippi Supreme Court 2001, *Certain Underwriters at Lloyd's of London v. Knotsmann*, 783 So.2d 694 (Miss. 2001)
- Environmental, Mississippi Oil and Gas Board 2001, *Boyles v. Mississippi State Oil and Gas Bd.*, 794 So.2d 149 (Miss. 2001)
- Environmental, Fifth Circuit Court of Appeals 1997, *Madison v. Vintage Petroleum, Inc.*, 114 F.3d 514 (5th Cir. 1997)
- Appointed Criminal Appeal, Fifth Circuit Court of Appeals 1998, *U.S. v. Roberts*, 192 F.3d 127 (5th Cir. 1998)

## Professional Recognition

- Chambers USA Leading Individuals: Litigation - General Commercial
- Martindale-Hubbell® AV Preeminent® Peer Review Rating
- *The Best Lawyers in America*®: Mass Tort Litigation/Class Actions - Defendants, Personal Injury Litigation - Defendants, Product Liability Litigation - Defendants
- Selected to Mid-South Super Lawyers



## Law School Honors & Awards

- Mississippi College Law Review, Articles Editor

- Hearin-Hess Scholar

## Other Office Locations

- Detroit, Michigan
- Houston, Texas

## Practice Areas

- Appellate
- Asbestos
- Asbestos Indemnity Counsel
- Class Actions
- Commercial Litigation
- Environmental Litigation
- Indemnity & Additional Insurance
- National Coordinating Counsel
- Personal Injury
- Premises Liability
- Product Liability
- Professional Liability
- Silica