

Rasch Brown, III



member

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Legal Secretary

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education

The University of Alabama School of Law (J.D., 1985)

- *National Moot Court Team*

University of Alabama (B.S., 1981)

- *Alabama Debate Team*

admissions

Louisiana

Texas

U.S. Supreme Court

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court for the Eastern District of Louisiana

U.S. District Court for the Middle District of Louisiana

U.S. District Court for the Western District of Louisiana

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Northern District of Texas

In an age when many litigators seldom see the inside of a courtroom, I have tried scores of cases to verdict throughout the southeastern United States. My experience ranges from the complex to the mundane, and opposing counsel knows I am a formidable opponent. My willingness and ability to take a suit to trial provide credibility both to clients and adversaries during settlement negotiations. I have focused on the art of advocacy from an early age—competitively debating in high school and college—and I have honed my skills to provide clients with the highest caliber representation.

Francis “Rasch” H. Brown is an experienced trial lawyer who advises clients throughout the United States on tort litigation and commercial disputes, with an emphasis on products liability defense. He understands the nuances of each matter and quickly and clearly summarizes the merits of each matter for his clients. He has tried many products liability cases to

U.S. District Court for the Southern District of Texas

honors

- *Martindale-Hubbell AV*® Preeminent™ Peer Review Rated Lawyer
- *New Orleans CityBusiness* Leadership in Law, 2019
- *The Best Lawyers in America*® (Product Liability Litigation – Defendants), 2021 – present
- 500 Leading Litigators in America, Lawdragon, 2023

affiliations

Professional

- American Bar Association
- American College of Trial Lawyers, Fellow
- Defense Research Institute, Center for Law and Public Policy, Third-Party Funding Working Group, Member
- Federalist Society

Community

- St. Charles Avenue Presbyterian Church, active member (past Clerk of Session, 2016)
- University of Alabama Alumni Association, active member (past President of the New Orleans Chapter and past Regional Vice President)

conclusion, obtaining defense verdicts in Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas.

Rasch is a Fellow of the American College of Trial Lawyers, a prestigious, invitation-only organization of litigators in North America that is dedicated to maintaining and improving the standards of trial practice, professionalism, ethics, and the administration of justice.

Highly regarded for his ability to clearly distill and communicate scientific and technical information to judges and juries, Rasch draws on his familiarity with safety management procedures and protocol. He has successfully defended manufacturers of:

- Chemicals and petrochemicals
- Construction and consumer building products, including ladders and woodworking power tools
- Consumer products such as washers, dryers, and water heaters
- Exercise and recreational equipment such as bicycles
- Industrial equipment, including cranes and other heavy equipment
- Motor vehicles and parts such as tires and airbags
- Oil production equipment including valves, actuators, and controllers

Manufacturers regularly seek Rasch’s advice on product safety issues related to product warnings and product recalls. Other cases he frequently defends involve:

- Catastrophic personal injuries
- Explosions
- Fire origin and related property damage

Applying his courtroom experience, Rasch also serves as lead counsel in commercial disputes involving claims for:

- Breach of contract
- Fraud
- Indemnification
- Negligent misrepresentation
- Unfair trade practices

His employment-related defense work includes suits involving:

- Claims of discrimination based on age, sex, and race
- Employment contracts
- Misappropriation of trade secrets
- Wrongful termination

Representative Experience

Obtained a defense verdict on behalf of a Fortune 20 company accused of racial discrimination, drawing national attention and media coverage in Law 360 and Bloomberg News.

Obtained a defense verdict in a suit in which French Quarter property owners sought \$32 million in damages from a bar owner for allegedly causing the plaintiff's property to decrease in value, for nuisance, and for mental distress from years of excessive noise.

Represented a crane manufacturer in a case in which a welder's foot was partially amputated while working on the crane. A mistrial was declared due to alleged juror misconduct. The manufacturer later settled the case for \$67,000 and chose to forego a confidentiality provision in the release.

Obtained a defense verdict in a jury trial on behalf of the manufacturer of a desuperheater that allegedly malfunctioned, causing an explosion at a chemical plant.

Obtained a defense verdict in a jury trial on behalf of a ladder manufacturer, in which the plaintiff (a dentist) had an \$8 million wage-loss claim.

Tried a case on behalf of a crane manufacturer arising from the removal of a boom extension from a 90-ton crane. The jury assigned 75% of the fault for the accident to the plaintiff and his employer and 25% of the fault to the crane manufacturer.

Served as local counsel for a surgical center sued by a doctor for personal injuries and securities fraud. The securities fraud allegations were dismissed prior to trial, and a bench trial resulted in a judgment in favor of the surgical center on the doctor's personal injury claim.

Obtained a summary judgment for a distributor in a Florida case alleging the distributor acted negligently with respect to the recall of a defective solenoid valve that caused an explosion at an ice-making facility, resulting in \$2 million in damages.

Obtained summary judgment on behalf of the manufacturer of an actuator that exploded due to overpressurization and severely injured three gas-pipeline company employees.

Represented individuals and their current employer in a suit by the individuals' former employer for breach of their employment agreements and misappropriation of trade secrets.

Represented a manufacturer in multiple suits arising out of an explosion at a gas compressor station that resulted in four deaths.

presentations

"Voir Dire and Jury Selection in Employment Cases," ABA/EEO Committee for Liaison with EEOC, OFCCP, and DOJ, New Orleans, LA, July 17, 2019

"Defending Suits Backed by Third-Party Funding," International Association of Defense Counsel (IADC) webinar, August 23, 2017

"Products Liability - Where We've Been and Where We're Going," Client CLE Presentation, July 13, 2017

published articles

"Third-Party Litigation Funding: Civil Justice and the Need for Transparency," White Paper, DRI Center for Law and Public Policy, Third-Party Litigation Funding Working Group, October 2018

"Defending Against Personal Injury Claims Supported by Litigation Funding," *The Voice*, a publication of the DRI, September 13, 2017

"Recent Developments in Traumatic Brain Injury Litigation," ABA Health Law Litigation Newsletter, September 12, 2016

"Accident Demonstrations at Videotaped Discovery Depositions: Practical Considerations for Attorneys and Experts," *Westlaw Journal Automotive*, 32 No. 19, March 12, 2013