

Megan B. Gramke

Partner



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Practices/Industries

- Product Liability
- Pharmaceutical, Medical Device & Mass Tort Litigation
- Insurance Coverage Litigation
- eDiscovery

Education

Ohio University
(B.S.J., *magna cum laude*,
2001) Dean's List

Institute of Touraine
(Study Abroad Program in
France, 2000)

University of Cincinnati
College of Law
(J.D., 2005)
Law Review (Associate
Member 2003-2004, Articles
Editor 2004-2005), Dean's
List Recipient, Ernest Karam
Book Award for Advocacy,
Order of The Coif

Overview

In her litigation practice, Megan represents medical device, pharmaceutical, and other manufacturers on a local and national level in product liability cases. Her experience includes defense of claims pertaining to a wide variety of medical devices and pharmaceutical products, including antidepressants, cancer medications, cardiac drugs, and dietary supplements. She is also well-versed in insurance coverage litigation, including high-exposure matters involving alleged mass tort and environmental pollution and has represented insurance companies in declaratory judgment and bad faith actions.

Megan uses her extensive litigation experience to bring a litigator's point of view to eDiscovery matters. Her practical, hands-on experience in complex litigation, including product liability defense and insurance coverage cases, allows her to see the bigger picture and develop unique strategies for how to use eDiscovery functions to achieve clients' goals. Megan has efficiently and effectively managed the eDiscovery aspects of numerous cases across many areas of law, helping clients to succeed in complex litigation. Honored for her achievements, Megan has been consistently recognized by Ohio Super Lawyers as a "Rising Star."

Experience

Product Liability

- Obtained summary judgment, drafting all briefings and conducting oral argument, on behalf of a defendant in an alleged manufacturing defect case in federal district court.
- Successfully excluded plaintiffs' expert witnesses and obtained summary judgment in alleged failure-to-warn cases.
- Obtained summary judgment in an alleged product liability wrongful death case in California state court.
- Successfully obtained dismissal on behalf of a client in an alleged negligence case.

Insurance Coverage Litigation

- Obtained summary judgment in an action seeking reformation of 11 commercial general liability policies totaling \$160 million in coverage, involving an underlying \$350 million pollution liability judgment in South America.
- Recovered more than \$80,000 in sanctions and attorneys' fees related to a discovery dispute regarding depositions of foreign witnesses in a coverage action.
- Represented an insurance carrier in a dispute regarding alleged premises liability involving a residential apartment complex.
- Defended an insurance carrier in direct actions filed by a state attorney general regarding alleged theft by local government officials.

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Experience (Cont)

Insurance Coverage Litigation (Cont)

- Provided numerous coverage opinions to policy holders and insurers regarding claims related to environmental contamination, public nuisance, securities, personal injury, bodily injury, and property damage.

eDiscovery

- Leads eDiscovery strategy in cases of all sizes, from small document productions to cases involving millions of records and terabytes of data.
- Provides counsel on all aspects of eDiscovery to a wide range of clients.
- Experience in all phases of eDiscovery including counseling clients on data preservation, initial assessments of data issues in new litigations, selection and retention of eDiscovery vendors, negotiations with opposing counsel regarding collection and production of electronically stored information, and arguing in courts regarding discovery disputes.
- Manages complex eDiscovery projects, including collection, processing, and review of data, management of document review teams, and production of documents.

Publications

- “Chipping Away at the Public Nuisance Doctrine,” Co-Author, For the Defense (December 2007)
- “Separation of Powers, Paternity Disputes, and the Child’s Best Interest: The Unconstitutionality of Ohio Revised Code Section 3119.961,” 73 U. Cin. L. Rev. 747 (Winter 2004)

Presentations

- “Liability for What’s Not on the Label: Litigation Trends Regarding Trace Contaminants After the Glyphosate Verdicts,” Co-Presenter, Food Law SLG Breakout at DRI Product Liability Seminar (February 2020)

Involvement

Professional Affiliations

- Defense Research Institute (*Member*)
- The Sedona Conference (*Member*)
- Relativity Cincinnati Users Group (*Steering Committee Member*)
- Cincinnati Bar Association (*Member, Young Lawyers Section; Co-Chair, Young Lawyers Section Public Relations Committee, 2008-2010*)

Community Involvement

- Dress for Success Cincinnati, Fashion Show Fundraiser Planning Committee (*Co-Chair, 2020; Committee Member, 2017-2019*)
- Portaluca Boutique, supporting Dress for Success Cincinnati (*Board of Directors, 2015-present*)
- Oakley Community Council (*Member*)

Honors & Distinctions

- Cincinnati Academy of Leadership for Lawyers (Class of 2019)

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Honors & Distinctions (Cont)

- Named to the Ohio Super Lawyers Rising Stars list (2013-2019)

Admissions

- State of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Northern District of Indiana