

David R. Frohn

Partner
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PRACTICE AREAS

Asbestos Litigation
General Liability
Maritime Litigation
National Trial Team
Premises Liability
Products Liability
Professional Liability
Sporting Arms, Ammunition + Outdoor Products Litigation
Toxic Tort Liability

EDUCATION

Loyola University of the South, JD
Georgia Institute of Technology, Bachelor of Aerospace Engineering

BAR ADMISSIONS

Louisiana
Texas
US District Court, Eastern District of Louisiana
US District Court, Middle District of Louisiana
US District Court, Western District of Louisiana
US District Court, Eastern District of Texas
US District Court, Southern District of Texas
US Court of Appeals for the Fifth Circuit
US Supreme Court

Overview

With more than 40 years of jury trial, products liability, and insurance litigation experience, David Frohn focuses his practice on the defense of domestic and international manufacturers of consumer and industrial products. David has extensive experience defending claims involving recreational vehicles and boats; personal watercraft; medical equipment, implants and devices; sporting arms and ammunition; industrial tools and machinery; refinery and chemical plant process vessels; commercial transportation vehicles; and electromechanical fire cause and origin.

Admitted to practice in Louisiana and Texas, David earned his JD from Loyola University of the South School of Law, New Orleans. He holds a Bachelor of Aerospace Engineering from the Daniel Guggenheim School of Aeronautics and Astronautics at the Georgia Institute of Technology (Georgia Tech). He is a Louisiana licensed Professional Mechanical Engineer with work experience as a Quality Control Engineer for the Boeing Company and as a lawyer with Exxon Company, U.S.A. He combines his legal and scientific skills to assure the best possible outcomes for his clients.

For more than 25 years, David has been Board Certified in Civil Trial Law and in Civil Pretrial Practice Law by the National Board of Trial Advocacy. His Diplomate rank with the American Board of Trial Advocates (ABOTA) certifies he has tried more than 100 civil jury trials to verdict as lead trial counsel. An AV rated lawyer by Martindale Hubbell, since 1987, he has also been named both a Louisiana “Super Lawyer” in the field of products liability defense and a “Top Attorney in Louisiana” for personal injury defense/products for the past 15 years. He served as lead counsel on one of the first US Circuit Court decisions in the United States to affirmatively hold that criminal handgun violence is not a liability against gun manufacturers.

Upon Louisiana's reform of its products liability law, he presented a continuing education seminar for fellow attorneys through the Louisiana State University School of Law, Office of Continuing Education to explain how Louisiana's tort reform law defines the rights and liabilities associated with injuries and damages arising from the use of manufactured products. He also presented a CLE seminar through LSU's Center of Continuing

Professional Development on the intricacies and exclusions of the Standard Commercial General Liability Insurance Policy. He co-authored and edits *Louisiana Civil Trial Procedure*, West Group (Lawyers' Cooperative/Thomas Reuters), and served as contributing author for "Exclusions of Improper Expert Testimony," Product Liability Advisory Council, Inc.

David's volunteer service to the Bar included serving as a member of the Louisiana Attorney Disciplinary Board for 11 years, culminating in his service as board chair of this adjudicative body charged by the Supreme Court with responsibility for lawyer discipline statewide. Previously a member of the Louisiana Supreme Court Bar Admissions Committee, he wrote the Louisiana Civil Procedure exam for the Louisiana Bar Examination.

Experience

+ Perkins v. F.I.E. Corp. 743 F.2d 262 (5th Cir., 1984) (Criminal handgun violence not foreseeable misuse of a product)
+ Simon v. Yamaha 1993 Auto Lit.Rptr 18,275; Prod. Safety & Lia. Rptr, Vol. 21, No. 10 (March 5, 1993) (Defense verdict, 3-wheel ATV quad-injury)
+ Schultheiss v. Mobil 1984 AMC 2526, 592 F.Supp. 628 (W.D. La. 1984) (wrongful discharge of Jones Act seaman)
+ Thibodeaux v. Century Mfg. Co. 625 So.2d 351 (La. App., 1993) (Defense verdict, nursing home appliance collapse)Guillory v. Ethicon 411 So.2d 504 (La. App., 1982) (Defense verdict, surgical needle failure)
+ Caldarera v. Eastern Airlines 705 F.2d 778 (5th Cir. 1988) (wrongful death, crash of Eastern flight 66 at JFK in 1975)
+ Clemons v. Revlon 838 F.2d 1389 (5th Cir. 1988) (employer liability for erroneous reporting to IRS)
+ Molett v. Penrod 826 F.2d 1419 (5th Cir. 1987) (wrongful death, chain failure)
+ Lopez v. CBI 546 So.2d 291 (La. App. 1989) (Defense verdict, refinery pressure vessel injury)Arcadian v. CBI (July 18, 1995), Defense ruling (Summary Judgment dismissal, statute of repose; class action settled for $50 million)
+ Felice v. Valleylab 520 So.2d 920 (La. App. 1987) (Personal injury medical malpractice, electrosurgery device)DeSoto v.Cameron 574 So.2nd 547, 1991 (highway/cattle guard design)
+ Duplantis v. Zigler Shipyards 1981 AMC 1993 (WD, La.), vessel ownership pro hac vice)
+ Bussie v. Lowenthal 535 So.2d 378 (La. 1988) (Public official defense to defamation claim)
+ Taylor v. Tanner 442 So.2d 435 (La. 1983) (Uninsured motorist "anti-stacking" statute)
+ Brister v. Century Mfg. Co. 712 So. 2d 177 (La. App., 2d Cir., 4/09/98); (Collapse of nursing home whirlpool bath equipment-defense verdict)
+ Ewing v. Yamaha unpublished verdict, March 4, 1994, no appeal (Admiralty jurisdiction attaches to pleasurecraft use, non-pecuniary

losses not available)
+ Jordan v. Our Lady of Lourdes 97-201 (La. App. 3d Cir. 10/29/97) (Defense verdict affirmed - alleged collapse of x-ray machine onto patient) - unpublished decision
+ Trahan v. Savage Industries, Inc. 96-1239 (La. App. 3d Cir., 3/5/97); 692 So.2d 490 (accidental shotgun discharge injury)
+ Thibodeaux v. Ferrell Gas 729 So. 2nd 1112, 1998 (propane explosion)
+ Edwards v. Daugherty 97-1542 (La. App. 3d Cir. 3/10/99); 729 So.2d 1112 (law enforcement excess liability)
+ Martco v. Wellons 04-0673 (W.D.La., 5/21/07); product liability, breach of contract, insurance coverage, jury trial. See final appeal at 588 F.3d 864 (5 Cir., 2009)
+ Dunham Price v. Freightliner Corp 2001-004109 (14th J.D.C.); truck fleet, product liability, Defense verdict. No appeal, 2007.
+ Sizelove v. Bush (14th J.D.C., Calcasieu Parish) – auto liability, jury trial; defense verdict, no appeal, 2008.
+ Savoy v. Harris 31,676 (18th J.D.C., 4/20/07); insurance broker liability. See final appeal at 20 So.3d 1075 (La App. 1 Cir., 2009).
+ Cazabon v. Cycle Sport 2008-14013 (22nd J.D.C., 5/18/10); bench trial, plaintiff verdict, warranty/defect claims-motorcycle, reversed on appeal. 2011 WL 5402500 (1 Cir., 2011)
+ Dore v. Johnson 08-C-1875 (27th J.D.C., 11/2/11); negligence, auto, 2 spine surgeries, jury trial December, 2011, defense verdict upheld on appeal and by Supreme Court, 2013
+ Gonzalez v. Sea Fox Boat Company, Ltd.; maritime products liability case, defense verdict, 2022
+ Secured a defense verdict from a New Orleans–area jury for a national air conditioner manufacturer and a national retailer in a cause and origin fire case.

Recognition

+ *Thomson Reuters*, Super Lawyers, 2008-2018
+ *Best Lawyers In America*, Product Liability Litigation—Defendants, 2018–2022, 2024-2027; Litigation—Insurance, 2021–2024, 2026–2027; Mass Tort Litigation/Class Actions—Defendants, 2024-2027; Admiralty and Maritime Law, 2025-2027
+ Rated AV© Preeminent by Martindale Hubbell
+ Top Attorney in Louisiana

Involvement

+ Louisiana State Bar Association
+ State Bar of Texas
+ Product Liability Advisory Council, Inc. (PLAC)
+ Diplomate, American Board of Trial Advocates (ABOTA)
+ Proctor in Admiralty, The Maritime Law Association of the United States
+ American Boat & Yacht Council, Inc.
+ National Fire Protection Association
+ Louisiana Engineering Society
+ National Society of Professional Engineers

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