



## Carl Pesce

Partner

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### PRACTICES

- Products Liability
- Personal Injury Litigation
- Commercial Litigation

### EDUCATION

- Hofstra University School of Law, J.D., 1989, Hofstra Labor Law Journal, Editor-in-Chief, 1988-1989
- State University of New York at Stony Brook, B.A., Liberal Arts, 1986

### ADMISSIONS

- Illinois
- Missouri
- New York
- Illinois USDC, Central District
- Illinois USDC, Northern District
- Illinois USDC, Southern District
- Missouri USDC, Eastern District
- Missouri USDC, Western District
- US Ct Appeals, 7th Circuit (Covers IL, IN, WI)
- US Ct Appeals, 8th Circuit (Covers AR, IA, MN, MO, NE, ND, SD)
- US Supreme Ct
- Wisconsin USDC, Eastern District

Carl has represented corporations in high-stakes litigation on a regional and national basis for over 25 years.

He is the chair of Thompson Coburn's Product Liability Practice and the co-chair of the firm's Pharmaceutical and Medical Device Practice. Carl has served as lead counsel on numerous product cases involving a variety of vehicles, watercrafts, power tools, and other consumer products. As class action counsel, he has represented companies in various jurisdictions. Carl also has extensive commercial litigation experience, including representing utility companies on a variety of issues in state and federal courts.

Carl has defended numerous manufacturers facing product liability claims, including class actions, over alleged product defects. He frequently works with engineering, medical, and other technical experts in different fields to develop effective company defenses, and has handled claims involving recreational products (ATVs, motorcycles, personal watercraft), automotive, seatbelts, fitness equipment, ladders, band saws, electric screwdrivers, and press brakes. He has represented companies in pharmaceutical and medical device litigation.

Whatever the product, Carl works collaboratively with the client to understand every aspect of product design, aggressively investigate alleged defects, and provide a strong, purposeful defense. Carl has also counseled manufacturers and sellers about conducting potential recalls, and assisted clients in both developing an effective recall strategy and working with the appropriate governmental agencies to implement that strategy.

Carl's litigation philosophy includes communicating and partnering with the client to achieve the client's long-term goals efficiently and effectively. He has tried cases to verdict in federal and state courts, advocated for clients before state and federal appellate courts, and represented them in mediations and settlements.

### Publications

- "Preemption prevails in watercraft case under Federal Boat Safety Act"; *Thompson Coburn publication*, March 2016

### Experience

#### REPRESENTATIVE CLIENTS

- Amada North America, Inc.
- American Honda Motor Co., Inc.
- American Water Works Company, Inc.
- Archimica Group Holdings, B.V.
- Charter Communications
- Commercial Metals Company
- Kawasaki Heavy Industries, Ltd.
- Kawasaki Motors Corp. U.S.A.
- Illinois-American Water Company
- Laclede Gas Company
- Missouri-American Water Company
- Suzuki Motor of America, Inc.
- TK Holdings, Inc.
- Yamaha Motor Company, Ltd.
- Yamaha Motor Corporation, U.S.A.

#### EMPLOYMENT

- Thompson Coburn LLP Partner, 1998-Present Associate, 1989-1997
- Justice James A. Gowan, New York State Supreme Court Judicial Intern, Summer 1987

#### AFFILIATIONS

- American Bar Association
- Bar Association of Metropolitan St. Louis
- Defense Research Institute
- Federation of Defense & Corporate Counsel
- The Missouri Bar
- Illinois State Bar Association
- New York Bar Association
- Japanese Chamber of Commerce and Industry of Chicago
- Product Liability Advisory Council, Inc. (PLAC)

- **Robert Peck v. American Honda Motor Co., Inc.**  
(USDC, Northern District of Illinois)
- **Laclede Gas Company v. St. Charles County**  
(USDC, Eastern District of Missouri and Eighth Circuit Court of Appeal)
- **Keith Baxter v. Kawasaki Motors Corp., U.S.A. and Kawasaki Heavy Industries, Inc.**  
(USDC, Northern District of Illinois)
- **St. Charles County v. Laclede Gas Company**  
(Missouri Supreme Court 2011 and 2013 (Listed by Missouri Lawyers Weekly on July 8, 2013 as one of the Missouri Supreme Court's Major Opinions for the first half of 2013))
- **The Estate of Richard M. Metcalfe II, et al. v. Yamaha Motor Corporation, U.S.A., et al.**  
(Superior Court of San Diego County, Central District)
- **Moses.com Securities, Inc. v. Comprehensive Software Systems, Inc., et al.**  
(Eighth Circuit Court of Appeals)
- **Richard K. Folsom, et al. v. Kawasaki Motors Corp., U.S.A., et al**  
(USDC, Middle District of Georgia)
- **Lori A. Rollet v. Emerson Electric Co. d/b/a Emerson Tool company, et al.**  
(Circuit Court of St. Louis County, Missouri)
- **Christopher Arnold v. Amada America, Inc.**  
(USDC, Eastern District of Missouri)
- **Donald Shaffer v. Amada America, Inc.**  
(USDC, Eastern District of Missouri and Eighth Circuit Court of Appeals)
- **Joseph Elzinga v. Charter Communications, LLC**  
(Thirty-Third Circuit Court of Charlevoix, Michigan)
- **Specialty Equipment Companies, Inc. v. True Manufacturing Co., Inc.**  
(USDC, Eastern District of Missouri)

