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PRACTICE AREAS
Appellate
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Health Care Litigation & Qui Tam
Investigations
Litigation
Logistics
Medical Malpractice

INDUSTRIES
Health Care
Logistics & Supply Chain

LICENSED IN
Georgia

EDUCATION

Mercer University Walter F. George School of Law: J.D., 1976

Duke University: B.A., 1973

AFFILIATIONS

Brunswick Bar Association: President, 1984

American Bar Association

EXPERIENCE

Randy Jordan is a partner in HunterMaclean's litigation practice group.

He is a uniquely experienced trial attorney, having tried well over one hundred jury cases in state and federal courts across the country. For over thirty years, Randy has defended some of America's largest railroads in a wide array of business and tort matters, including the defense of hundreds of asbestos and other toxic exposure claims. In recent years, Randy has served as lead trial counsel for a major medical supply and distribution company in its opioid litigation. Randy frequently appears in state and federal appellate courts throughout the Southeast and is a frequent speaker on issues relating to the transportation industry.

Randy is admitted to practice in the U.S. District Court for the Southern District of Georgia, the Eleventh Circuit Court of Appeals, and the U.S. Supreme Court.

REPRESENTATIVE ENGAGEMENTS

- As co-lead trial counsel, obtained a complete defense verdict on behalf of McKesson Corporation in a first-of-its kind personal injury lawsuit brought by 21 plaintiffs, who were children of opioid abusers. Plaintiffs claimed that their parents' opioid abuse and addiction caused them a lifetime of mental harm and sought hundreds of millions of dollars in damages from a Glynn County, Georgia jury in a 5 1/2-week trial brought under the provisions of the Georgia Drug Dealers' Liability Act and Georgia RICO statutes. After nearly two days of deliberations, the 12-person jury exonerated McKesson from all liability in Poppell, et al. v. McKesson, et al., Superior Court of Glynn County, Civil Action No. CE19-00472. On appeal by Plaintiffs, the Supreme Court of Georgia unanimously affirmed the defense verdict.

- Obtained defense verdict in Maryland trial court for Class 1 railroad in FELA case brought by living, former railroad employee suffering from malignant mesothelioma who alleged that asbestos exposure while employed by the railroad caused his cancer. Argued successfully for affirmance of defense verdict in the Maryland Court of Special Appeals. Plummer v. CSXT, Circuit Court of Maryland for Alleghany County, C07-29379-F.

- Obtained favorable settlement during trial of FELA case alleging asbestos-related malignant mesothelioma contracted as a result of an employee's railroad employment. Preissler v. CSXT, Case No. 24-X-12-000958, in the Circuit Court for Baltimore City, Maryland.

- Obtained dismissals or favorable settlements in 350 toxic exposure cases

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National Association of Railroad Trial Counsel

Defense Research Institute

State Bar of Georgia

COMMUNITY WORK

Sea island Property Owners' Association: Past President (twice)

Glynn County Heart Association: Past President

Christ Church Episcopal

RECOGNITION

Best Lawyers in America®

Super Lawyers®

Martindale-Hubbell®: AV Preeminent® Rating

against a Class 1 railroad when cases remanded en masse from the Federal MDL to U.S. District Courts throughout the Southeast.

- Argued for and obtained favorable language regarding the scope of a railroad's duty to non-employees alleging toxic exposures from railroad in Supreme Court of Alabama. 23 So 3d 625, 635 (Ala. 2009) (Murdock, J., concurring).

- On behalf of a Class 1 railroad defendant, and on a certified question from the U.S. Court of Appeals for the Eleventh Circuit, obtained unanimous ruling from the Supreme Court of Georgia that an employer owed no duty to third-party, non-employees who came into contact with its employees' asbestos-tainted work clothing away from the workplace. Williams, et al, v. CSX Transportation, 278 Ga. 888, 608 S.E. 2d 208, and subsequent summary judgment for the defendant in the U.S. District Court for the Southern District of Georgia.

- Served as lead trial counsel in more than 3,500 separate toxic exposure-related FELA personal injury lawsuits against Class 1 railroads filed in federal and state courts throughout the mid-Atlantic and southern states.

- Obtained orders excluding plaintiffs' industrial hygiene experts, their data, and their exposure simulations in toxic exposure cases in the U.S. District Court for the Southern District of Georgia (Lear, et al., v. CSX Transportation, Civil Action No. 591-015) and in the Circuit Court for Duval County, Florida (Tyre, et al, v. CSX Transportation, Case Number 16-2001-CA-8235).

- Obtained reversal of a Tennessee jury's adverse verdict on inadequate jury charge grounds in the Supreme Court of the United States. Hensley v. CSX Transportation, 556 U.S. 838 (2009).

- Participated in the design and execution of a comprehensive industrial hygiene study of the potential for asbestos exposure during routine diesel locomotive maintenance. See "Characterizing and Communicating Risk with Exposure Reconstruction and Bayesian Analysis: Historical Locomotive Maintenance/Repair Associated with Asbestos Woven Tape Pipe Lagging," Boelter, et al, Risk Analysis, Vol. 36, No. 2, 2016.

- Obtained a defense verdict for a Class 1 railroad in FELA case alleging that a long-term, living employee developed lung cancer from toxic exposures while employed by the railroad. Dickens v. CSX Transportation, Superior Court of Nash County, North Carolina, CA 01CVS1785.

- Obtained a defense verdict in FELA lung cancer death case brought against a Class 1 railroad by the estate of a former employee who alleged toxic exposures during his railroad employment caused his cancer. Beverly Birkle,

Ind. and as Representative of the Estate of Thomas Birkle, v. BNSF Railway, in the Circuit Court of Tarrant County Texas, Case No. 342-272324-14.

- Favorable settlement obtained on behalf of Class 1 railroad following successful ***Daubert*** challenge to plaintiff's medical experts in lung cancer, wrongful death case brought by widow of former twenty-eight-year railroad employee in Tennessee Circuit Court. Alley v. CSX Transportation, Circuit Court of Davidson County, Docket No. 11C3609.

- Favorable post-trial settlement obtained in wrongful death action alleging former employee's malignant mesothelioma and death were caused by exposures at a Class 1 railroad. McElwain v. Union Pacific Railroad, Superior Court of Los Angeles County, California, McElwain v. Union Pacific, Case No. BC546962.

- Defense verdict obtained on behalf of Class 1 railroad in the Superior Court for New Hanover County, North Carolina, in FELA case brought by former railroad employee alleging on-the-job toxic exposures caused his lung disease. Bobby G. Hickman v. CSX Transportation, Superior Court of New Hanover County, North Carolina, Case No. CVO1724.

- Defense verdict obtained on behalf of Class 1 railroad in Augusta, Georgia, in FELA case brought by forty-two-year railroad employee alleging on-the-job toxic exposures caused him lung injury. Leslie Towns v. CSX Transportation, Superior Court of Richmond County, Georgia, Case No. 97-RCCV-422.

- Obtained defense verdict in FELA case alleging plaintiff's esophageal cancer was caused by toxic exposures working for a Class 1 railroad. Clyde Varnadore v. CSX Transportation, Circuit Court of Duval County, Florida, Case No. 2-07566 CA.

- Co-authored Amicus Brief on cancer issues to the U.S. Supreme Court on behalf of the Association of American Railroads in Norfolk & Western R. Co. v. Ayers, 538 U.S. 135 (2003).

- Obtained summary judgment for a Class 1 railroad on causation issues in a mesothelioma case brought under the FELA by a former railroad employee in the U.S. District Court for the Southern District of Georgia (CV298-1). Argued for and obtained affirmance of summary judgment in the U.S. Court of Appeals for the Eleventh Circuit. Betty Whitt v. CSX Transportation (U.S.D.C. SD Ga. CV 298-1).

- In Federal MDL Docket No. 875, argued for and obtained summary judgment on causation grounds in FELA case against a Class 1 railroad where the plaintiff contended his lung disease was caused by toxic exposures

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working for the railroad. Case subsequently dismissed by the District Court. Carter, et al, v. CSX Transportation, 2012 WL 1231840.