



E. Penn Gheen

Shareholder
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Penn Gheen is a litigator representing clients in products liability, professional liability, and medical malpractice, including defense of skilled nursing facilities, hospitals, and other healthcare institutions. He has also handled catastrophic injury cases involving construction, vehicular collision and product failure. He has tried more than 100 jury cases to verdict in both the state and federal courts of Washington and Oregon for the past 37 years.

Penn has defended prominent manufacturers in national litigation involving diet drugs, breast implants, PPA, ephedrine, asbestos, and various medical devices, including a successful class action defense of a hip prosthesis. He has represented major pharmaceutical companies in a variety of cases. He serves as counsel to several national healthcare providers and insurers of health care providers.

His trial experience includes cases where significant damage, personal injuries, and death were at issue arising out of construction accidents, liquor liability and vehicular accidents.

Penn has successfully represented several prominent religious institutions in claims of negligence, sexual improprieties, and personal injury, including two successful First Amendment defenses for religious institutions.

He has also represented numerous insurers in bad-faith and extra-contractual litigation, including class action litigation.

Practice Areas

Asbestos Litigation
Personal & Catastrophic Injury Litigation
Product Liability
Professional Liability / D&O

Industries

Drug, Medical Devices & Biotechnology

Education

Willamette University, College of Law - J.D., *cum laude*, 1975
College of Idaho - B.A., *summa cum laude*, with honors, 1972

Bar Admissions

- Oregon, 1976
- Washington, 1985



Court Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, District of Oregon
- U.S. District Court, Eastern District of Washington
- U.S. District Court, Western District of Washington

Professional and Civic Involvement

- Defense Research Institute (Member, Toxic Torts and Environmental Law Committee)
- Idaho Supreme Court (Judicial Law Clerk, 1975-1976)
- King County Bar Association (Member)
- Oregon State Bar (Member, Uniform Jury Instructions-Civil Committee, 1984-1986)
- Washington Defense Trial Lawyers (Member)
- Washington State Bar Association (Member, Special District Counsel, 1999-2004; Member, Law Examiner's Committee, 1995-1996)

Awards and Honors

- AV® Preeminent™, Peer Review Rated by Martindale-Hubbell
- Selected for inclusion in Washington *Super Lawyers* (2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008 — Civil Litigation Defense)
- Named the *Best Lawyers*® 2021 Seattle, Washington Product Liability Litigation (Defendants) "Lawyer of the Year"
- Selected for inclusion in *The Best Lawyers in America*® (2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012 — Medical Malpractice Law - Defendants; Product Liability Litigation - Defendants)
- Named as a "Local Litigation Star" by *Benchmark Litigation* (2015, 2014, 2013 — Personal Injury, Product Liability)

Publications and Presentations

- Co-Speaker, "Cyberwar, Hacks and Heartbleed: Introduction to Loss Recovery and Insurance Coverage Issues for Data Breaches," Western States Surety Conference (2014)
- Co-Author, "Effective Electronic Discovery: Implementing a Response Plan," Defense Research Institute (DRI), *For the Defense* (2004)
- Speaker, "Condo Wars – Update of Recent Case Developments," Washington State Bar Association, Real Estate Section Annual Meeting (2001)
- Editor, *Willamette Law Journal*, Willamette University,



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College of Law (1975-1975)