



## Frank H. Gassler

Shareholder / Board Member

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Frank H. Gassler's diverse practice encompasses all types of personal injury, wrongful death and property damage products liability litigation. In the course of his career, he has defended numerous products, including paints and coatings, household and industrial chemicals, solvents, agricultural pesticides, electronic devices, tools, automotive and aircraft components, heavy equipment, pharmaceuticals, medical devices, sports equipment, toys, electrical and plumbing supplies, pool equipment, smoke detectors and alarms, motorcycles, bicycles and lawnmowers.

Mr. Gassler has also handled a variety of construction defect litigation cases, including "sick building" and mold cases, involving heating ventilation and air conditioning systems, roofing systems, construction materials, cladding, windows, water intrusion, and building design.

In addition, Mr. Gassler routinely represents lawyers, accountants, real estate agents, architects, engineers, appraisers, and other professionals in professional liability or "malpractice" cases.

### U.S. Law Firm Group Litigation Committee

### Presentations and Publications

#### Presentations

- "Professional Malpractice and Economic Loss: Why Choice of Law Really Does Matter", Speaker, Annual Meeting of the Federation of Defense & Corporate Counsel (FDCC), Colonial Williamsburg, July 2011
- "Chinese Toxic Products from Toys to Pet Foods to Drywall," Speaker, Annual Meeting of the Federation of Defense & Corporate Counsel (FDCC), Hot Springs, Virginia, July 2009. Presentation co-authored by Nava Ben-Avraham, Terry Ford, Jeffrey James, Michele Johnson and Petra Justice.

### Practice Areas

Professional Malpractice  
Construction Litigation  
Products Liability  
Toxic Tort / Mold /  
Asbestos / Benzene  
Commercial Litigation

### Education

J.D., The Columbia  
University Law School,  
1976 (Articles Editor,  
*Columbia Human Rights  
Law Review*, 1975-1976)  
B.A., *cum laude*, Villanova  
University, 1973

### Bar Admissions

Florida

### Court Admissions

Florida State Courts  
United States Supreme  
Court  
U.S. Court of Appeals,  
Eleventh Circuit  
U.S. District Court,  
Middle District of Florida

U.S. District Court,  
Northern District of  
Florida

U.S. District Court,  
Southern District of  
Florida

- "Through the Looking Glass - Turning the Toxic Tort World on Its Head to Prove Causation. How Far Will the Courts Go in Requiring Specific Proof of Exposure to Establish Substantial Factor in Latent Injury Cases?," Speaker, FDCC Toxic Tort & Environmental Law Section Winter Meeting, Grand Bahama Island, Bahamas, February 2008
- "The 2007 Products Liability Year-in-Review: Cases You Have to Know, For Better or Worse," 2008 ABA Section of Litigation, Environmental, Mass Torts and Products Liability Litigation Committees Joint CLE Seminar, Snowmass, Colorado, January 2008
- "Discovery of Electronically Stored Information in State Courts," FDCC Corporate Counsel Symposium, Chicago, Illinois, September 2007
- "Discovery of Electronically Stored Information," Tampa Bay Inns of Court, February 2007
- "High-Tech Courtroom Demonstration: Do's and Don'ts," ABA Section of Litigation Products Liability Breakfast Meeting, Los Angeles, California, April 2006
- Environmental, Products Liability & Mass Torts Litigation Committees Joint CLE Seminar, Committee Co-Chair, Vail, Colorado, January 2005
- "The Fundamentals of E-Discovery," FDCC Corporate Counsel Symposium, Industries On The Defense, Milwaukee, Wisconsin, September 2004
- "Electronic Discovery - New Issues for Risk Management," ABA National Legal Malpractice Conference, Miami, Florida, April 2004
- "Responding to Discovery in the 21st Century: Retrieval and Production of Documents and Data in Electronic Format," Excess/Surplus Lines Association, Inc. 33rd Annual Conference, Rancho Bernardo, California, September 14-17, 2003
- "Responding to Discovery in the 21st Century: Retrieval of Electronic Documents," FDLA Florida Liability Claims Conference, Maitland, Florida, June 5-7, 2003
- "Responding to Requests for Electronic Documents and Data Bases: An Inside and Outside Perspective," ABA Annual Meeting, Section of Litigation, Houston, Texas, April 9-12, 2003
- "Looking for Legionella," FDCC Annual Meeting, Sun Valley, Idaho,

July 21-28, 2002

- "Defending the Products Liability Case," Products Liability Seminar sponsored by the Hillsborough County Bar Association, May 24, 2002
- "Dealing With Discovery in the Too Much Information Age," Federation of Defense and Corporate Counsel Winter Meeting, Shifting Sands of the Legal Profession, Boca Raton, Florida, March 2002

### Publications

- "Spoliation: Sword or Shield?" Co-Authored with Jeff James and John O'Flanagan, *DRI Product Liability Conference Manual*, February 2004. Reprinted in *Australian Product Liability Report*, Vol. 15, No. 3 and 4, April 2004 and May 2004
- "State Variations on the Daubert Theme: Florida," 2000 FICC Mid-Winter Meeting, Orlando, Florida, Published, *FICC "Quarterly,"* Fall 2000

### Professional Affiliations

- American Bar Association: Litigation Section; Co-Chair, Products Liability Committee, 2002-2005; Vice-Chair, 1996-2002; Co-Chair, Uninsured Manufacturers Subcommittee, 1990-1996; Program Chair and Moderator, Mid-Year Meeting, 2001; Program Chair, Regional Workshop, 1998; Co-Chair, Mid-Year Meeting, 1994; Torts and Insurance Practice Section
- American Board of Trial Advocates: Associate
- Defense Research Institute
- Federal Bar Association
- The Florida Bar: Trial Lawyers Section
- Florida Defense Lawyers Association: Former Chair, Product Liability Law Committee
- Federation of Defense & Corporate Counsel: Florida State Representative; Member, Admissions Committee, 2005-present; Chair, Special Projects Committee, 2005-2006; Vice-Chair, Special Projects Committee, 2007-present; Chair, Membership Development Committee, 2005-present; Member, Corporate Counsel Symposium Committee, 2004-present; Vice-Chair, Marketing, Corporate Counsel Symposium, 2004-2005; Ex-Officio Chair, Toxic Tort & Environmental Law Section, 2005-2007; Chair, Toxic Tort & Environmental Law Section, 2003-2004; Vice-Chair, Strategic Planning Evaluation Committee, 2006-2007; Member,

Products Liability Section; Member, Professional Liability Section

- Hillsborough County Bar Association: Trial Lawyers Section
- Lawyers for Civil Justice: Member, Expert Evidence Committee

#### **Community Involvement**

- 1st U.S. Volunteer Calvary Regiment, Rough Riders Inc.: Past President and current Member of the Board Emeritus
- Beach Park Civic Isles Association: Past President and Board Member
- Knights of Columbus: Past Grand Knight of Council 12165
- Tampa Bay Catholic Lawyers' Guild: Past President
- Villanova University, Tampa Bay Chapter Alumni Association: Former President

#### **Distinctions**

**AV Peer Review Rated** by Martindale-Hubbell

**The Best Lawyers in America**, 2005-2012

**Board Certified** in Civil Trial Law, The Florida Bar

**Florida Legal Elite**, *Florida Trend Magazine*, 2004; 2008; 2010 - 2012;  
ranked in the top 2% of practicing Florida Bar Members

**Florida Super Lawyers**, 2006-2011

**Jerome Michael Jury Trial Award**, The Columbia University Law School,  
1976