



Gardner M. Duvall

SENIOR COUNSEL

gduvall@whitefordlaw.com

BALTIMORE

T: 410.347.9417

BIOGRAPHY

As a seasoned litigator, Mr. Duvall has an extensive breadth of experience. While he is best known for the defense of product liability cases, Mr. Duvall has substantial achievements in other practices as well. His work in business litigation has recovered nearly a quarter of a billion dollars for his clients, chiefly in insurance coverage disputes. He has litigated numerous class and mass actions, including both personal injury and consumer suits. Mr. Duvall also has a substantial practice concerning fiduciary liability, especially in the field of estates and trusts. His appellate work has established new law, including Maryland's stringent standards for imposing punitive damages. Mr. Duvall also counsels clients in proactive steps to avoid liability in all of these realms.

RECOGNITIONS

- *Chambers USA*, Insurance, Maryland (2018–Present)
- *The Best Lawyers in America*®, Commercial Litigation and Insurance Law (2011–2027); Insurance Law, Baltimore "Lawyer of the Year" (2017, 2023)
- *Maryland Super Lawyers*®, Business Litigation (2012–2021)

PRACTICES & INDUSTRIES

[Product Design, Manufacturing and Distribution](#)

[Insurance](#)

[Products Liability, Toxic Exposure & Environmental Litigation](#)

[Tort & Insurance Litigation](#)

[Mass Tort and Class Action Litigation](#)

[Alternative Dispute Resolution](#)

[Appellate Practice](#)

[Estates, Trusts & Fiduciary Litigation](#)

EDUCATION

University of Maryland School of Law, 1986, J.D., with honors

Tulane University, 1983, B.A., with honors

ADMISSIONS

Maryland

- AV Preeminent®: Martindale-Hubbell® Peer Review Ratings™

MEMBERSHIPS & ACTIVITIES

- Secretary: Lateral Stress Velo Club, Inc. (2000 - Present)
- Former Director: Randonneurs USA (2025)
- Past President: Maryland Defense Counsel (2004-2005)
- Member: Legislative Committee of Maryland Defense Counsel, Legislative Branch Liaison (2006-present); Chair (1999-2001)
- Member: DRI Lawyers Representing Businesses; Chair, Legislation and Rules Committee, Center for Public Policy (2015-present)
- Member: Maryland State Bar Association; Laws Committee and Civil Pattern Jury Instructions Committee

PRODUCTS LIABILITY & ENVIRONMENTAL LITIGATION

- Represents manufacturers and sellers in product defect litigation, especially involving toxic exposure and mass liability claims.

INSURANCE

- Litigates and arbitrates insurance coverage disputes concerning occurrence-based and claims made coverage, especially involving long tail losses. Recoveries and settlements exceed \$200 million.

MASS TORT AND CLASS ACTION LITIGATION

- Defends manufacturers and sellers in mass tort and class action litigation, including first-chair trial of a 10,000-case asbestos mass consolidation. Defends consumer class actions. Provides litigation management services for mass and class action. Prosecuted a class action claim in insurance coverage dispute.

PRODUCT DESIGN, MANUFACTURING AND DISTRIBUTION/PRODUCT SAFETY COUNSELING

- Represents manufacturers and importers regarding safe design and warnings, regulatory compliance, and product recalls.

U.S. Court of Appeals: Second Circuit

U.S. District Court: District of Maryland

U.S. Court of Appeals: Fourth Circuit

RESOURCES

MDC Punitive Damages Brief in Holloway-Johnson

ESTATES & TRUST LITIGATION

- Represents trustees, personal representatives or beneficiaries in litigation over fiduciary duty in the administration of estates and trusts

SPECIAL COUNSEL SERVICES

- Litigates a variety of disputes in bankruptcy cases. Successes include recovering \$20 million in preference actions in *In re Just for Feet, Inc.*, and more than \$100 million in insurance recoveries and pending settlements.

APPELLATE PRACTICE

Notable appeals include:

- *Owens-Illinois v. Zenobia*, 325 Md. 420, 601 A.2d 633, 60 USLW 2620 (1992), establishing punitive damages standard and state-of-the-art as an element of strict products liability
- *Porter Hayden Company v. Bullinger*, 350 Md. 452, 713 A.2d 962 (1998), determining various rules and procedures for settlement set-offs
- *Coleman v. Soccer Association of Columbia*, (Maryland Court of Appeals 2013) retaining Maryland's contributory negligence defense

ALTERNATIVE DISPUTE RESOLUTION

- Numerous mediations, especially involving complex insurance coverage disputes, high-value personal injury claims, and estate and trusts litigation

INSIGHTS

Concept and History of Maryland Punitive Damages Law, Maryland House of Delegates Workgroup (Baltimore, 2016)

Making an Impact on the Law through Lobbying, DRI Annual Meeting (Chicago, 2013)

Litigating Insurance Coverage Claims: From Start to Finish, National Business Institute (Baltimore, 2012)

Product Liability Simplified, American Conference of Independent Laboratories (Crystal City, Virginia, 2012)

Bad Faith 101, National Business Institute (Baltimore, 2011)

Preparing for the CPSC Searchable Database of Harmful Products, International Product Safety & Liability Prevention Association (Washington, DC, 2010)

Plaintiffs' Fault In Product Liability Cases: Why Are They Getting Away With It In Maryland, 30 University of Baltimore Law Review 255 (2001)

Chapter co-author, *Appellate Practice for the Maryland Lawyer* (MICPEL 2018, 2012, 2001, 1994)