

Peter L. Ney
Partner

Email: PNey@Rendigs.com

Direct: 513 381 9310

Fax: 513 381 9206



Practice Areas

Commercial Litigation

Personal Injury

Product Liability

Education

- University of Cincinnati College of Law (J.D., 1987)
- University of Notre Dame (B.S., 1983)

Overview

Pete's practice focuses primarily on the areas of complex and product liability litigation. He has active and extensive pretrial, trial, and appellate experience with a concentration on products liability, high exposure and complex matters, commercial litigation, and insurance matters in numerous states across the country. Although a vast majority of Pete's work is for defendants, he does have additional experience representing plaintiffs in personal injury, wrongful death and/or insurance matters and has obtained substantial settlements for his clients.

Experience

- Litigation Counsel for international elevator company and its related entities. Has handled or assisted on cases in numerous states. Also consults on general business, contract, workers' compensation, employment, government contracting, and other matters for the companies.
- Litigation Counsel for international passenger boarding bridge company. Has handled or assisted on cases in numerous states. Also consults on general business, contract, government contracting, and other matters for the company.
- Pete concluded a wrongful death elevator case in which Decedent fell from the 11th floor down an old freight elevator hoistway. Although his client had a maintenance contract on the passenger elevators only, it had surveyed the freight elevator prior to submitting the maintenance proposal. Among other things, Plaintiff claimed that the client voluntarily assumed a duty to discover a door condition that arguably led to the accident. After much discovery, Pete filed a Motion for Summary Judgment which was granted and appealed. He also filed a declaratory judgment action requesting insurance coverage under the building owner's policy, and that Motion was granted and appealed as well. While both cases were on appeal, the case was settled with all claims against Pete's client being dismissed and the client recouping nearly all of its defense fees and expenses.
- Lead defense counsel for elevator company in multimillion-dollar personal injury/wrongful death/product liability case in Cook County, Illinois. The 11 plaintiffs' claims were settled for very reasonable amounts, and then Pete was able to recoup nearly 60% of the settlement amounts paid from co-defendants in the case.
- In a relatively straight forward personal injury case, Pete represented an elevator company and the primary issue in dispute became the enforceability of defense, indemnity and other insurance provisions in the maintenance and repair contract between the elevator company and the building owner. The provisions were enforced against the owner, the underlying case was settled with the owner paying the plaintiff's settlement and a portion of the

elevator company's defense fees and expenses, and the maintenance and repair contract was modified and then extended ten years.

- Pursued and obtained approximately \$2.6 million dollars in OH under-insured motorist benefits for an individual who was involved in an automobile accident and suffered a spinal cord injury. Insurance questions were ultimately resolved by the Ohio Supreme Court, and the case was thereafter settled.
- Represented an estate in a very contentious estate and trust matter involving three siblings. Through extensive negotiations and other work with the parties, all claims were avoided and all issues were amicably resolved.
- Lead defense counsel for elevator company in multimillion-dollar trial of a personal injury/product liability case in Madison County, IL. The 23 plaintiffs' claims were settled and defendants proceeded with a contribution action. After an extended trial, the jury assessed 5 percent of the liability to Pete's client.
- Pursued and obtained approximately \$1.5 million in OH under-insured motorist benefits for clients who lost two family members in a TN traffic accident caused by a drunk driver.
- Co-counsel for local contracting company with respect to civil and criminal matters involving billing disputes with certain OH municipalities. The disputes were resolved with no damages paid and grand jury's decision to not bring criminal charges.
- Co-counsel for pharmacy in Boone County, KY case involving numerous parties and claims of wrongful death, personal injuries, vehicular negligence, product liability, insurance coverage, and medical, nursing and pharmaceutical negligence. The claims against Pete's client's were settled for significantly less than its proportionate share of liability after the case went to trial against the physicians only.
- Represented two OH families facing hundreds of thousands of dollars in medical expenses in separate cases against insurance carriers who declined coverage for those expenses. Both cases were settled with all medical expenses being compromised and paid, all legal fees and expenses paid, and Plaintiffs receiving additional compensation.
- Co-counsel for restaurant in knife attack/inadequate security case. A verdict was directed in favor of Pete's client at close of Plaintiff's case, and that decision was upheld on appeal.
- Co-counsel for regional towboat and barge company in shoreline erosion case. A defense verdict was obtained

in Campbell County, KY.

- Co-counsel for municipality in a property development dispute, wherein a shopping mall developer claimed their constitutional rights were violated and their property was taken when the municipality rejected development plans. Pete's Motion for Summary Judgment was granted, and that decision was affirmed on appeal.
- Motions for Summary Judgment filed in numerous elevator and escalator cases have been granted. Of those decisions that were appealed, every appellate decision affirmed the granting of summary judgment.
- Has handled or assisted on numerous product liability cases involving products such as elevator, escalator, powerwalk, chair lift, hydraulic coupler, forklift, dialysis control unit, PCA pump, bicycle, furnace, hot water heater, stairwell, prosthetic leg, elevated assembly line, construction crane, mole trap, swimming pool raft, manufactured housing unit, paint product, table lamp, all-terrain forklift, pressure relief valve, electric dryer, electric dehumidifier, passenger boarding bridge, butter flavoring, bathtub chair, garbage truck, and winch.
- Regularly utilizes mediation, arbitration and other ADR techniques to resolve cases. In potentially high exposure cases, Pete has conducted mock trials and utilized the services of focus groups.
- Assists individuals with their personal legal needs including those involving estate planning, probate and real estate matters. Pete focuses much of this work on assisting individuals with disabilities.

Honors/Distinctions

- Received AV Preeminent peer rating by Martindale-Hubbell - a reflection of having achieved the highest level of professional skill and integrity a lawyer can earn
- Selected and listed as one of Ohio's Super Lawyers - Product Liability (2007, 2009-2021)
- Selected as Super Lawyers Business Edition, Litigation (2012), Personal Injury Defense: Products (2013-2019)
- Selected by peers as a Best Lawyer in Product Liability Litigation - Defense by The Best Lawyers in America® (2015-2020)
- Selected and listed as one of Ohio's Corporate Super Lawyers (2009-2014)
- Selected and listed as one of Cincy Magazine's Leading Lawyers: Product Liability, Personal Injury (2006-2010, 2012-2020)

- Inducted into the Cincinnati Academy of Leadership for Lawyers (1999)

Admissions

- State of Ohio
- Commonwealth of Kentucky
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Eastern District of Kentucky
- U.S. District Court, Western District of Kentucky
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Northern District of Indiana
- United States District Court, Western District of Michigan
- U.S. District Court of Appeals for the Sixth Circuit

Professional Affiliations

- Ohio State Bar Association
- Kentucky Bar Association
- Cincinnati Bar Association (Past Member, Unauthorized Practice of Law Committee and Tort and Insurance Law Committee)
- Northern Kentucky Bar Association
- Ohio Association of Civil Trial Attorneys
- Defense Research Institute
- Association of Defense Trial Attorneys (ADTA)
- National Institute for Trial Advocacy/Cincinnati Bar Association, Trial Advocacy Institute, Instructor
- Hamilton County Court of Common Pleas (Past Arbitrator)
- Northern Kentucky Counties (Past Arbitrator)
- University of Cincinnati College of Law (Past Member, Alumni Board)

Community Involvement

- St. Xavier High School Rugby Club Parents Board (President 2017-2019, Member 2015-2017)
- St. Xavier High School Athletics Boosters Board (2016-2017)

- Down Syndrome Association of Greater Cincinnati (Advisory Board and Past Board of Directors)
- Hamilton County Republican Club (Member, Judicial Candidate Nominating Committee)
- St. Gertrude Church and City of Madeira (Past Coach, Various Sports)
- University of Cincinnati College of Law Moot Court Program (1989-2013 Judge)
- Mercy Montessori Parents Association (Past Co-President and Board of Directors)
- City of Madeira (Past Board of Directors and Parks and Recreation Commission)