



## Eric W.F. Niederer

Partner

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Eric Niederer handles health care liability/licensure investigations, product liability/CPSC Recall, toxic tort/asbestos/lead paint, food contamination/pharmaceutical/FDA Recall, medical device, vaping/lithium ion battery, wrongful death, commercial loss/unfair trade practices/unfair trade secrets, e-discovery/cyber, transportation, catastrophic loss and high-exposure matters in state and federal courts. He also handles and has been peer-reviewed published regarding PFAS litigation. Eric is acting national litigation coordinating counsel for several clients and has coordinated international litigation including cross-border recall litigation. He acts as national monitoring counsel for high-exposure matters; provides risk management, consultation, and emergency response services; and is routinely admitted across the United States as national trial counsel.

Eric has written various publications and consulted and lectured on a variety of topics, including negotiation strategy, substantive law, civil procedure and specific topics, at conferences and to claims handlers, attorneys and physicians. Eric routinely handles catastrophic loss and wrongful death matters in a myriad of actions with direct day-to-day development, implementation and handling of the overall litigation strategy and activities in a variety of low-exposure to high-exposure cases up to and through trial, including appellate practice. Eric's knowledge, abilities and effective representation have been recognized by industry leaders and organizations through speaking engagements, consulting, publications, awards and distinctions.

### **Catastrophic Loss / Wrongful Death**

Throughout Eric's career he has handled a variety of personal injury and economic loss actions with claimed losses in excess of tens of millions of dollars. He tried jury cases to conclusion, such as brain injury and other cases with demands in millions of dollars. He is routinely retained as national trial counsel and consults/monitors on large exposure matters.

### **Services**

- Asia
- Accountants
- Asbestos & Talc
- Canada
- e-Discovery
- Complex Tort & General Casualty
- Cybersecurity & Data Privacy
- Environmental
- Germany
- Medical Malpractice & Health Care
- National Trial Team
- Product Liability, Prevention & Government Compliance
- Professional Liability & Services
- Transportation

### **Professional Liability / Licensure**

Eric has defended nearly all types of allied health care providers, specialists and hospitalists, as well as hospitals, nursing homes, assisted-living facilities and other medical facilities in a wide variety of health care liability cases and before the Department of Public Health. He also represents medical professionals, accountants and others in actions against professional licenses in state and federal courts and before ethics committees of professional organizations and licensing boards.

- Toxic Tort
- Life Sciences

### **Product Liability**

Eric has represented national and international manufacturers, distributors, retailers, and product owners in product liability, food contamination, vaping/lithium ion battery, and commercial loss actions, including recall litigation in state and federal courts. Eric also handles and has been peer-review published regarding PFAS litigation. He has represented medical device manufacturers, distributors and retailers and pharmaceutical companies in various matters, including FDA and CPSC recall litigation. During his career, he has worked with national coordinating counsel for one of the largest international tool manufacturers in the world and assisted in the development of national and Canadian litigation guidelines.

### **Transportation**

Eric represents companies and individuals in transportation/FMCSA actions across the United States for U.S. and international clients. He is a member of the emergency response team traveling across the country to respond to catastrophic losses and assist in investigation, documentation and preservation. Eric is a former driver who operated a variety of construction, commercial and military vehicles.

### **Toxic Tort / Asbestos / Lead Paint**

Eric is experienced in the area of toxic torts, including matters relating to asbestos, lead paint and other environmental toxin exposures. He represents manufacturers and distributors as well as premises owners.

### **e-Discovery / Cyber**

Eric consults on and handles a variety e-discovery and cyber issues, including litigated matters. He actively engages in risk management, identification, preservation, production and litigation of e-discovery and cyber matters.

### **Commercial / Unfair Trade Practices**

Eric handles commercial and business loss, unfair trade practices, unfair trade secret and tortious interference litigation. He represents corporate designers, manufacturers, distributors and retailers in a variety of claims.

### **Education**

- Seton Hall University School of Law (J.D., 2001)
- University of Connecticut (B.A., 1995)

### **Bar Admissions**

- Connecticut

## **Court Admissions**

- U.S. District Court, District of Connecticut

## **Professional Affiliations**

- Connecticut Bar Association; Professional Discipline Committee; Diversity Committee
- Connecticut Defense Lawyers Association; Board of Directors, officer and chair of various committees
- Connecticut Society for Healthcare Risk Managers; Board of Directors, past president and chair of various committees
- Legislative Committee; chair, Bylaws Committee
- American Society of Healthcare Risk Management
- American Inns of Court

## **Awards & Honors**

- Selected for inclusion in *The Best Lawyers in America®*, 2024-2026
- Selected for inclusion in Connecticut Super Lawyers, 2016–2018
- Connecticut Society for Healthcare Risk Managers, President's Award, 2014
- Selected as a Connecticut Super Lawyers *Rising Star*, 2010–2013
- Connecticut Law Tribune's "New Leaders in the Law," 2012
- Selected as one of Fairfield County's "40 under 40" by the Fairfield County Business Journal and its business chamber cosponsors, 2011

# **Client Wins**

## **Niederer and Miller Prevail in U.S. District Court in Discrimination Matter**

Through persistent and strategic motion practice, Eric Niederer (Partner-Stamford, CT) and Casey Miller (Associate-Stamford, CT) obtained a complete and final resolution in a matter before the U.S. District Court, District of Connecticut.

Plaintiff alleged sex, race, color, and disability discrimination against our insured, a nonprofit domestic violence services organization, and other defendants.

Over the course of the litigation, Plaintiff engaged in a pattern of noncompliance with the Court's orders and the requirements of the Federal Rules of Civil Procedure. The Court further found that the plaintiff's noncompliance had been both prolonged and willful, extending back to the July 2025 court-ordered deadlines, and that Plaintiff had actively refused to comply with her discovery obligations to any extent.

The dismissal with prejudice eliminated the burden of prolonged and meritless litigation and barred Plaintiff from reasserting these claims in any future proceeding.

#### **Niederer and Miller's Motion to Compel Arbitration Granted**

Eric Niederer (Partner-Stamford, CT) and Casey Miller (Associate, Stamford, CT) prevailed on a motion to compel arbitration in Danbury Superior Court, Danbury, Connecticut, for Wilson Elser's multinational technology company client. The plaintiff alleged he was injured in a two-vehicle collision involving a co-defendant driver and claimed our client was vicariously liable for the driver's alleged negligence. The plaintiff maintained that the driver was our client's employee because he was using the client's app and transporting a passenger acquired through the company's platform at the time of the accident.

Once litigation began, Eric and Casey filed a motion to stay proceedings and compel arbitration pursuant to our client's Terms of Service. After oral argument, the court required additional briefing from Wilson Elser on other motions to compel filed on our client's behalf in the state, as well as arbitration agreements and clickwrap agreements. Following that briefing, the court granted the motion, the judge relying on caselaw cited in Eric and Casey's motion and the applicable agreement between our client and the plaintiff.

#### **Repeat Success: Niederer and Miller Compel Arbitration for Multinational Technology Company Client**

Eric Niederer (Partner-Stamford, CT) and Casey Miller (Associate, Stamford, CT) succeeded on a motion to compel arbitration in Stamford Superior Court, Stamford, Connecticut, for Wilson Elser's multinational technology company client. The plaintiff alleged he was injured in a two-vehicle collision involving a codefendant driver and claimed that our client was vicariously liable for the driver's alleged negligence. The plaintiff maintained that the driver was our client's employee because he was using the client's app and transporting a passenger obtained through the company's platform at the time of the accident.

Once litigation began, Eric and Casey filed a motion to stay proceedings and compel arbitration pursuant to our client's Terms of Service. After oral argument, the court requested the plaintiff's deposition transcript before issuing a ruling. The court granted the motion to stay proceedings and compel arbitration, relying on the plaintiff's deposition testimony in ruling in favor of our client.