



John P. Loring

Partner

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John Loring is the managing partner of the firm's Milwaukee office and cochair of Wilson Elser's e-Discovery Practice. An experienced civil trial attorney, John focuses his practice on nationwide products liability, aviation and commercial litigation matters. This experience includes the successful resolution of matters involving claims of breach of contract and civil rights violations. John counsels clients in all phases of litigation from inception through trial. He has served as lead trial counsel and has experience conducting mediations and arbitrations, as well as drafting motions and appeals. In addition, John has successfully defended numerous actions in state and federal courts throughout the United States.

John's clients use his services to assist with early case assessment and settlement strategies designed to facilitate resolution and curtail the time and expense involved in litigation. Clients appreciate his responsiveness and broad, business-savvy perspective when handling high-exposure cases in venues throughout the country.

Aviation

John is an integral part of the Wilson Elser aviation team and has substantial experience defending large international clients in high-profile cases throughout the United States and internationally. This experience includes handling a products liability case venued in Europe for a U.S.-based military contractor and successfully resolving a case based on the application of the government contractor defense. John also has experience in aviation law, representing airlines, commercial helicopter operators, aircraft parts manufacturers and aircraft service providers. In addition, he has defended numerous wrongful death, personal injury, property, baggage and product liability claims as they relate to the airline industry.

Commercial Litigation

John provides clients with innovative and timely strategic counsel to help them make

Services

- Aviation & Aerospace
- Class Action
- Commercial Litigation
- e-Discovery
- Environmental
- Complex Tort & General Casualty
- Product Liability, Prevention & Government Compliance
- Toxic Tort

better-informed decisions, resolve complex legal challenges, and achieve specific business goals. He draws on the firm's the deep resources and national footprint to handle large, multijurisdictional, and complex cases that often rise to "bet the company" status.

e-Discovery

John has substantial experience managing the collection, review and production of electronically stored information (ESI). He has been called on to take the lead in e-Discovery projects, including working with clients in understanding the scope of their ESI, advising on retention policies, choosing the appropriate e-Discovery vendor to cull and collect data, and using e-Discovery platforms to review documents for production.

Toxic Torts

John serves as lead trial counsel for several Midwest corporations involved in toxic tort cases in Wisconsin, Illinois and California. He has extensive experience representing various product and premises defendants in all aspects of toxic tort litigation, including retention and management of local counsel. John has litigated toxic tort cases to completion in New York, California, Wisconsin, Illinois and Pennsylvania. In an effort to maintain the highest level of knowledge and awareness, John frequently makes presentations and accepts invitations to write articles on important toxic tort issues.

Product Liability

John is experienced in defending a variety of product liability matters, including industrial equipment, consumer household products and construction equipment. Matters have included claims for wrongful death, catastrophic personal injury and breach of warranty. John draws on his substantial courtroom and case management experience to assist clients in reducing risk and avoiding future claims.

Education

- Santa Clara University School of Law (J.D., 2002)
- Marquette University (B.A., 1998)

Bar Admissions

- California
- Wisconsin
- Minnesota

Court Admissions

- U.S. District Court, Northern District of California
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin

Professional Affiliations

- Milwaukee Bar Association
- Defense Research Institute
- Wisconsin Defense Counsel

Awards & Honors

- Selected for inclusion in *The Best Lawyers in America®*, 2024-2026

Representative Matters

Recently retained to act as lead trial counsel for several Wisconsin companies in toxic tort cases venued in Illinois and California.

Obtained a defense verdict in California state court asbestos case for a manufacturer.

Successfully argued a motion for summary judgment in Wisconsin state court on behalf of a manufacturer in a toxic tort case.

Argued and won an appeal before the California Court of Appeals on behalf of a school district regarding the adequacy of an environmental impact statement.

Client Wins

Loring and Wardzala Secure Affirmance of Dismissal by Wisconsin Court of Appeals in Professional Liability Matter

John Loring (Partner-Milwaukee, WI) and Gavin Wardzala (Associate-Milwaukee, WI), after obtaining dismissal of a negligence action at the circuit court level last year, successfully defended their appraiser client before the Wisconsin Court of Appeals. The case involved negligence claims against the appraiser, who had testified in a prior divorce hearing in which the plaintiff was a party. The court held that the appraiser was entitled to the absolute testimonial privilege because his testimony was relevant to issues before the divorce court. Accordingly, the Wisconsin Court of Appeals affirmed the dismissal, finding that the appraiser was immune from civil liability and that the plaintiff's claims were barred from proceeding. As a result of this successful defense raised at the earliest possible stage of the litigation, the client avoided the need for costly and time-consuming discovery and the retention of subject-matter experts.

Loring, Frank & Obschering Secure Summary Judgment for Airline Client Based on Lack of Evidence

Milwaukee partners John Loring and David Frank, assisted by associate Sam Obschering, secured summary judgment for an airline client and its insurer in the U.S. District Court for the Eastern District of Wisconsin. The plaintiff, a passenger, claimed that an overhead panel fell and struck him in the chest, allegedly causing injuries that required multiple surgeries to repair an implantable cardioverter defibrillator (ICD). The plaintiff asserted that the airline was negligent in maintaining the aircraft and sought to rely on the

doctrine of res ipsa loquitur to meet his burden of proof. On summary judgment the Wilson Elser team argued that the plaintiff could not establish either negligence or causation. The court agreed, emphasizing that the plaintiff had conducted minimal discovery, taken no depositions, and neglected to retain a liability expert. In the court's view, aircraft maintenance is a technical matter requiring expert testimony and "Plaintiff has failed to present any evidence negligence... regardless of the applicable standard of care." The court ruled that res ipsa "cannot excuse plaintiff's lack of evidence here." The court also rejected the plaintiff's request for spoliation sanctions, finding no evidence of bad faith and noting that the plaintiff did not report the injury to the airline and did not seek to inspect the aircraft panel or move for a sanction in discovery. The court ultimately held that plaintiff failed to create a triable issue of fact on breach and granted our motion for summary judgment, dismissing all claims with prejudice and removing the case from the trial calendar.

Wardzala and Loring Secure Dismissal with Winning Arguments on Quasi-Judicial Immunity and Absolute Testimonial Privilege

Gavin Wardzala (Associate-Milwaukee) and John Loring (Partner-Milwaukee) secured dismissal in the Waukesha Circuit Court in a professional negligence suit brought against Wilson Elser's clients, a real estate appraisal services company, and its appraiser/employee. The clients had previously conducted a valuation of marital real estate in the context of a divorce proceeding. The plaintiff in this matter argued that our client's appraiser employee was negligent when he allegedly conducted a "reappraisal" of the residence while preparing to testify at trial. Gavin and John filed a motion to dismiss, arguing that the appraiser was a court-appointed expert entitled to quasi-judicial immunity; our clients were entitled to an absolute testimonial privilege from liability due to the plaintiff's allegations that damages sustained were a direct result of the company employee's testimony; and the doctrine of issue preclusion applied to the family court's determination that the clients were court-appointed, rather than jointly-retained experts. The court concurred with Wilson Elser's position, liberally construing the appointment order in favor of immunity to protect quasi-judicial officials like our clients from the chilling effect of retaliatory litigation, thereby extending quasi-judicial and testimonial immunity and dismissing the complaint.

Loring, Murphy-Petros and Del Gatto Secure Appellate Order that Solidifies Appropriate Rules of Disclosure for Expert Opinions

John Loring (Partner-Milwaukee, WI), Melissa Murphy-Petros (Of Counsel-Chicago, IL) and Brian Del Gatto (Partner-Phoenix, AZ) successfully defended the dismissal of a Canadian manufacturer of farm equipment before the Minnesota Court of Appeals. The plaintiff, a Minnesota dairy farmer, alleged that our client's product was the cause of a decrease in milk production over numerous years. The settlement demand throughout discovery was in excess of \$3 million for the loss of production and untimely death of some of the cows. After having the case dismissed at the trial court by demonstrating the lack of foundational reliability with the plaintiff's expert witness theories regarding causation, the plaintiff appealed and the appellate court issued an order affirming dismissal by the trial court and securing a complete victory for the client. The result here solidifies appropriate rules of disclosure for expert opinions.