



## Samuel P. Obschering

Associate

[samuel.obschering@wilsonelser.com](mailto:samuel.obschering@wilsonelser.com)

Milwaukee, WI – 414.260.7690

Samuel Obschering represents businesses and commercial entities in various civil litigation matters. His practice focuses on the defense of claims related to the aviation industry, as well as a broad range of commercial litigation.

Prior to joining Wilson Elser, Samuel worked at an established civil litigation firm in Milwaukee, Wisconsin, where he gained valuable experience defending insurance companies and their insureds against claims involving product liability, premises liability, real estate, construction, and contracts. Previously, Samuel was a Wisconsin Assistant State Public Defender, representing criminal defendants in various proceedings, conducting legal research, and preparing motions and briefs. During law school, Samuel was an intern in the legal department of Illinois Realtors, one of the state's largest trade organizations.

### Aviation & Aerospace

Samuel works extensively with Wilson Elser's Aviation & Aerospace Practice, where he defends clients against claims involving general liability, premises liability, personal injury, and contract liability.

### Commercial Litigation

Samuel has substantial experience handling general commercial litigation, including representing real estate owners and operators in claims related to fire loss and various injuries. He effectively manages cases from inception, including pre-suit investigations involving product liability, construction defect and various third-party liability, as well as ensuring proper evidence handling and preservation.

### Education

- University of Missouri School of Law (J.D., 2021)

### Services

- Commercial Litigation
- Complex Tort & General Casualty
- Aviation & Aerospace

- University of Missouri (B.A. Psychology; B.A. German, 2018)

## **Bar Admissions**

- Wisconsin

## **Court Admissions**

- U.S. District Court, Eastern District of Wisconsin

## **Professional Affiliations**

- State Bar of Wisconsin, Litigation Section; Real Property, Probate & Trust Law Section
- State Bar of Wisconsin Young Lawyers Division

# **Representative Matters**

Effectively manages the cause investigation and evidence preservation at fire loss scenes.

# **Client Wins**

## **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.