



## Stuart A. Miller

Partner

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Stuart Miller draws on more than 25 years of related experience to serve as the counsel of choice for self-insureds, captives, major insurance carriers and their insureds, often written into policies as the preferred national counsel.

Taking on their most challenging matters from cases involving active shooters and alternative forms of deadly force, to transportation incidents resulting in fatalities, and other catastrophic events such as bridge and building collapses, Stu is called in the immediate aftermath of an incident for his skills in developing proactive strategies that can mitigate legal severity while demonstrating compassion for the client and victims.

Stu is Chairman of Wilson Elser's Transportation Practice and serves as a member of the firm's Executive Committee. He also oversees our National Emergency Rapid Response Team, comprising attorneys in or near virtually all major U.S. markets, with several possessing unique backgrounds in law enforcement and related disciplines. Team members typically arrive on-scene within an hour of the firm's retention, in time to interview witnesses and otherwise conduct a thorough and unvarnished investigation. They take proactive measures to preserve crucial evidence, interface with appropriate experts from investigative agencies, and begin to formulate strategies designed to safeguard our clients' financial and reputational standing in the likely event of a lawsuit. Stu's approach is based on legal acumen honed over his career as well as an innately honest and empathetic approach to victims and their families. Stu's mantra, "Do the right thing the right way," helps the insured and insurer achieve the best possible outcome.

Stu, first and foremost, is an accomplished trial attorney. He frequently "parachutes in" to assume unresolved matters from other law firms and succeeds at eliminating or substantially reducing damages awards.

While based and active in the New York Metro region, Stu's practice often extends

### Services

- Complex Tort & General Casualty
- Crisis Management
- National Trial Team
- Product Liability, Prevention & Government Compliance
- Toxic Tort
- Asbestos & Talc
- Environmental
- Transportation

nationally and especially to Florida where he is licensed and serves a growing number of businesses.

### **CRISIS RESPONSE & MANAGEMENT**

Providing swift, comprehensive crisis-management support for clients in the event of catastrophes, Stu assembles the attorneys and support personnel who are best equipped to handle the emerging crisis.

#### *Active Shooter Program*

Increasingly involved in Active Shooter programs in the United States, Stu is a sought-after speaker on that subject and premises security in general, from the workplace to schools and universities to public venues. Stu works with insurers in London and the United States to develop response programs, notably including preventative measures and protection protocols, to guard against active shooter events. He also makes assessments of possible future danger.

#### *Premises Liability*

When a premises liability lawsuit or pre-suit claim is brought – whether arising from negligence, targeted attacks, crimes of passion or crimes of opportunity – Stu ensures his clients are well positioned to mount a strong and vigorous defense.

### **NATIONAL COORDINATING COUNSEL / PROGRAM MANAGEMENT**

Stu works with numerous retailers, hotels, transportation companies and e-commerce enterprises as their national coordinating counsel, managing litigation across a wide array of liability claims. The hallmark of Stu's approach is to ensure implementation of a consistent and client-specific claims strategy that ably supports his clients' business objectives.

Companies address liability claims in many ways – some prefer to litigate, others to settle quickly and still others something in between – and Stu's skill lies in his ability to design management approaches that align with his clients' unique mindsets and execute them across all relevant jurisdictions.

### **CORPORATE INVESTIGATIONS**

Stu works with numerous organizations to conduct unbiased and confidential, attorney-client protected corporate investigations. Stu has investigated alleged wrongdoings by management, employees and third parties. He has investigated claims including fraud, theft, misconduct and misrepresentation, and in doing so has been recognized for his ability to limit financial and reputational harm to his clients.

### **TRANSPORTATION/TRUCKING**

Stu is designated national counsel to major transportation and logistics companies, acting as the gatekeeper and national coordinator of all liability claims. He leads mediations, settlement conferences and trials throughout the United States, working alongside local counsel. Stu also defends several national long-haul and local trucking companies and bus and ambulette companies. Understanding the importance of "boots on the ground" in crisis situations, Stu oversees a 24/7 national emergency response team that responds to catastrophic trucking losses. He is a member of the Trucking Industry Defense

Association.

## **CONSTRUCTION**

Stu oversees several sizeable construction and land development accounts throughout the U.S. where the clients have substantial self-insured retentions. He strategizes with the account risk managers and general counsel on case management and corporate consistency. Stu works closely with the client, brokers, insurers and third-party administrators to reduce indemnity exposure while keeping expenses contained. In New York, Stu is the designated counsel of choice in several owner-controlled insurance programs (OCIPs) and contractor-controlled insurance programs (CCIPs) where he provides sound legal and risk management advice before and after an accident occurs.

## **RETAIL / HOSPITALITY**

With a well-earned reputation for success in retail and restaurant defense, Stu helps to manage and mitigate related risks and proactively resolve litigation. Clients often involve him early in a case, given his remarkable negotiating skills and ability to reach resolutions before litigation might otherwise commence. Stu defends retail and restaurant operations in the areas of personal injury, premises liability, dram shop law, product liability, toxic tort, employment discrimination, intellectual property infringement and myriad other claims. Stu also is called upon to conduct security assessments of insureds before a policy is written, with a view toward pre-loss awareness through on-the-ground conditions.

## **Education**

- Brooklyn Law School (J.D., 1997)
- Hamilton College (B.A., 1994)

## **Bar Admissions**

- New York
- New Jersey
- Florida

## **Court Admissions**

- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, District of New Jersey

## **Professional Affiliations**

- Committee on Character and Fitness for the Ninth Judicial District, 2012 - Present
- Trucking Industry Defense Association (TIDA)
- National Restaurant & Retail Defense Association (NRRDA)

- Propane Gas Defense Association (PGDA), past President
- Claims and Litigation Management Alliance (CLM)
- ClaimsXchange, College Provost
- Town of New Castle, NY, Town Prosecutor, 2014 - present

### **Awards & Honors**

- Selected for inclusion in *The Best Lawyers in America®*, 2026
- Special Master to the New York Appellate Division, Second Department, Appointed 2019-Present
- Selected for inclusion in *New York Metro Super Lawyers®* in the Civil Litigation category, 2018-2023, 2025
- Named to list of "*Forty under Forty*" *Rising Stars* by the Business Council of Westchester, 2011
- Served a four-year appointment to the New York State Character and Fitness Committee by official order of the Appellate Division, Second Department, 2011, 2015, 2018-Present