

# FormanWatkins

Forman Watkins & Krutz LLP



## Daniel J. Mulholland

### Partner

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An integral part of the growth of FormanWatkins' well-respected reputation, Daniel Mulholland is a smart lawyer with innovative ideas and a passionate work ethic. Treating each case with diligent care, Daniel offers clients the ability to expand their options and find a solution to their problem quickly and permanently. For Daniel, doing a job proficiently for the sake of another's self-interest is not just a unique or original methodology; it's just simply the right thing to do. Daniel knows no other way of doing his job but to focus on the client's goals and offer the most creative and efficient solution possible in an amount of time conducive to the client's wallet. He is a witness to the paradox that traditional issues oftentimes require non-traditional solutions. Respected in the office and among clientele around the nation, Daniel offers sound legal advice and solid relationships with his clients and his coworkers, making him an invaluable asset in the field of litigation.

Daniel has been first chair in a broad range of litigated matters. Daniel was a defense leader in the Silica MDL, which resulted in the historical opinion *In re Silica Prods. Liab. Lit.*, 398 F. Supp. 2d 563 (S.D. Tex. 2005), abruptly terminating mass silica litigation. Daniel was Illinois Central's lead trial lawyer in an unprecedented settlement fraud action against two asbestos plaintiffs' attorneys, *Illinois Central v. Harried* (S.D. Miss.). Daniel has litigated many complex mass tort, MDL, and class actions (including employment, environmental, consumer credit, consumer protection, and products liability claims). Daniel has extensive commercial, professional liability, and insurance coverage litigation experience. Daniel's litigation achievements have been regularly reported in the national media, including The New York Times, Fortune Magazine, NPR, The Wall Street Journal, the National Law Journal, Corporate Counsel, and Readers Digest, and led the U.S. Chamber of Commerce to award Forman Watkins with the Institute for Legal Reforms Award for Outstanding Organization. Since 2010, Daniel has been recognized in *The Best Lawyers in America* for Mass Tort Litigation/Class Actions – Defendants.

## Education

- University of Mississippi School of Law, J.D., *magna cum laude*
- University of Mississippi, B.A., *summa cum laude*

## Bar Admissions

- Mississippi, 1985
- Michigan, 2008
- Arkansas, 2016
- Louisiana, 2019

## Important Litigation Involvement

- Forman Watkins & Krutz was presented with the U.S. Chamber of Commerce Institute for Legal Reforms 2010 Award for Outstanding Organization. The Chamber recognized Forman Watkins' ongoing work to expose screening fraud in mass tort cases nationwide. These efforts included Mr. Mulholland's work on the Defendants' Steering Committee in the federal silica MDL, which produced the historical 2005 decision by Judge Janis Jack leading to the dismissal of more than 20,000 silica claims based on fraudulent action by plaintiffs and their attorneys (In Re Silica Products Liab. Litig., 398 F.Supp.2d 563); and Mr. Mulholland's service as lead trial counsel in a federal court (Illinois Central Railroad vs. Willie R. Harried, Warren Turner, Jr., William S. Guy, and Thomas Brock) resulting in a jury verdict finding asbestos plaintiffs' attorneys William Guy and Thomas Brock committed fraud in the filing of asbestos lawsuits. This litigation was widely reported in the national media, including The New York Times, Fortune Magazine, NPR, The Wall Street Journal, the National Law Journal, Corporate Counsel, and Reader's Digest.
- Successfully arbitrated a national forest products company's multi-million dollar construction dispute with a contractor arising out of two large scale plant expansion projects in Alabama and Arkansas. The disputes involved warranty, contract, and payment claims. The first arbitration resulted in an award of damages and attorney fees for the company, and a rejection of the contractor's claims for payment. This victory resulted in an also immediate resolution of the second arbitration.
- Represented three professional medical associations in the Orthopedic Bone Screw Litigation MDL in Philadelphia.
- Represented defendants in Stacey Pickering, in his capacity as Auditor for the State of Mississippi vs. The Langston Law Firm, Joseph C. Langston, Timothy R. Balducci and the State of Mississippi; Civil Action No. 251-07-1258CIV. The Mississippi Auditor sued our clients, seeking the return of \$14,000,000 in attorneys' fees that our clients earned for successfully prosecuting a lawsuit on behalf of the State of Mississippi against MCI. That settlement resulted in MCI paying the State of Mississippi over \$100,000,000. After a hard fought battle, our clients won a summary judgment.
- Represented TIN, Inc., a subsidiary of International Paper Company and operator of the Bogalusa, Louisiana Paper Mill in connection with property damage and personal injury actions by hundreds of plaintiffs in Louisiana and Mississippi state and federal courts. These actions arose out of an August 11, 2011 spill from the Bogalusa, Louisiana paper mill into the Pearl River, which depleted oxygen levels in the river and resulted in a significant fish kill. Cumulatively, plaintiffs sought tens of millions of dollars in damages. After a year of intense litigation, the parties reached a class action settlement.
- Represented TIN, Inc., a subsidiary of International Paper Company, in connection with a lawsuit filed by the District Attorney for Washington Parish, Louisiana, arising out of an August 2011 incident in which TIN's Bogalusa Paper Mill released weak black liquor into the Pearl River, resulting in a significant fish kill. The District Attorneys lawsuit sought to impose civil penalties in excess of \$250 million on TIN for the fish kill. TIN

requested that the District Attorney's case be dismissed on the basis that TIN had settled the civil penalties claim with the Louisiana Department of Wildlife and Fisheries. The trial court refused that request and declared the LDWF-TIN settlement to be void. Forman Watkins filed a successful interlocutory appeal of the trial court ruling to the Louisiana First Circuit Court of Appeal. The First Circuit reversed the trial court and dismissed the District Attorneys lawsuit with prejudice. The District Attorney appealed the First Circuit's judgment to the Louisiana Supreme Court, and Forman Watkins opposed the appeal. The Louisiana Supreme Court affirmed the First Circuits dismissal of the District Attorney's lawsuit.

- Currently representing Google Inc. in Mississippi federal court and the Fifth Circuit Court of Appeals in an action in which Google was granted injunctive relief against the Mississippi Attorney General

## Professional Recognition

- Selected to Mid-South Super Lawyers (2023)
- *The Best Lawyers in America*® (2010-2024): Mass Tort Litigation/Class Actions – Defendants, Personal Injury Litigation - Defendants, Product Liability Litigation - Defendants
- Martindale-Hubbell Distinguished<sup>SM</sup> Peer Review Rating



## Organization/Committee Memberships

- The Mississippi Bar
- American Bar Association
- State Bar of Michigan

## Speaking Engagements

- Fraud in Mass Tort Claim: Verdict Against Plaintiffs' Lawyers in Asbestos Suit Reveals How Defendants Can Fight Back - Webcast Co-Host, April 7, 2010
- U.S. Chamber Institute for Legal Reform's 11th Annual Legal Reform Summit held on October 27, 2010 - Objection!

- Focusing on Fraud and Abuse in Litigation, Panelist
- National Asbestos Conference: Litigation and Trial of MDL Asbestos Claims in Federal Court, February 25, 2011 - Discovery Issues: Bankruptcy Trusts, Transparency Issues and MDL 875

## Law School Honors & Awards

- Dean Robert J. Farley Award for Highest Scholastic Average in Law School Class
- Mississippi Law Journal, Editorial Board Member
- Phi Delta Phi

## Other Office Location

- Detroit, Michigan

## Practice Areas

- Asbestos
- Class Actions
- Hearing Loss
- Insurance Coverage & Bad Faith Defense
- Silica
- Bankruptcy Trust Transparency/Counsel
- Appellate
- Commercial Litigation
- Mass Tort Fraud
- Product Liability
- Professional Liability
- Personal Injury