

# Snell & Wilmer

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## **Randolph T. Moore**

Partner | Orange County

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### **Main Bio**

Randy Moore represents clients in complex product liability, commercial, class action, insurance and admiralty/maritime litigation. His trial and litigation experience includes the defense of product manufacturers in maritime, wrongful death, catastrophic personal injury, general commercial and consumer warranty cases in federal and state courts throughout the United States. Randy also counsels product manufacturers on compliance with state and federal regulations and industry standards, and has advised them on product liability preventative measures, safety recalls, warnings, product operation manuals and warranties. He has developed national and regional litigation programs designed to manage specific litigation claims, and has served as national or regional counsel for manufacturers of automotive products, marine products, and personal protective equipment. Randy also serves as one of the firm's Assistant Loss Prevention Partners, with responsibility for counseling its lawyers on professional liability matters.

Randy is certified as an Admiralty and Maritime Law Specialist by the State Bar of California Board of Legal Specialization. In October 2015, he was appointed to serve a four-year term as a commissioner on the State Bar's Admiralty and Maritime Law Advisory Commission.

### **Representative Litigation**

#### ***Trial & Litigation***

- Marine Products - defense of recreational boat and engine manufacturers in product liability and warranty cases arising under the state law or federal admiralty/maritime law, including claims involving propeller injuries, carbon monoxide poisoning, collisions, steering/throttle controls, explosions/fires, limitation of liability, and seaworthiness
- Consumer/Industrial Products - defense of manufacturers of personal protective equipment, including fall protection equipment, respirators, eye protection, and hearing protection, and various other products, including sporting goods equipment, generators, scaffolds, ladders, and power tools
- Automotive Products - defense of post-collision fire, rollover, restraint system and crashworthiness cases for domestic and foreign automobile manufacturers
- Trucking - defense of post-collision fire, fifth wheel assembly, restraint system, conspicuity, transmission, and braking system cases for truck manufacturers and trucking companies

#### ***Representative Cases***

- As lead trial counsel, Randy defended a recreational boat manufacturer in a multi-million dollar breach of contract/warranty action involving a large yacht.

- Randy defended a recreational boat manufacturer in a commercial dispute relating to the alleged breach of multiple dealership agreements. As lead counsel, he opposed Plaintiff's motion for preliminary injunction, motion to compel arbitration of its multi-million dollar damage claim, and appeal from the order denying arbitration.
- Randy defended several ski boat manufacturers in a nationwide putative class action lawsuit seeking to preclude them from selling boats without certain design features and warning labels. As lead counsel, Randy defeated Plaintiff's request for class certification and ultimately obtained judgments on or involuntary dismissals of all claims.
- Based on an unconventional application of the federal Death on the High Seas Act, Randy obtained summary judgment for a recreational boat manufacturer in a wrongful death action arising out of a boating fatality that occurred on a 14-mile inland Mexican river. He then opposed Plaintiff's appeal of the trial court's ruling before the California Court of Appeal, which found in its published opinion that this body of water constituted the "high seas" under the Act.
- Randy developed, implemented and managed a national counsel program for a global manufacturer of fall protection equipment, which assisted the client in resolving, by motion, trial or settlement, more than 130 cases in more than 30 states over a period of approximately 20 years.
- Randy developed and implemented a national counsel program for a foreign automotive manufacturer for all consumer warranty cases filed against it in the United States. The program provided uniform, efficient, and cost-effective procedures for handling all aspects of the client's defense of warranty claims.

## Education

- Boston College Law School (J.D., cum laude, 1985)
  - Associate Editor, Uniform Commercial Code Reporter
- Rensselaer Polytechnic Institute (M.S., Urban and Environmental Affairs, 1984)
- Boston University (B.A., Economics, magna cum laude, 1980)

## Professional Memberships & Activities

- Maritime Law Association, Associate
  - Marine Insurance and General Average Committee
  - Marine Torts and Casualties Committee
- Federal Bar Association
  - Admiralty Law Section
  - Federal Litigation Section
- Orange County Bar Association
  - Business Litigation Section
  - Tort and Trial Practice Section, Former Chairperson
- American Bar Association
  - Tort, Trial & Insurance Practice Section, Admiralty and Maritime Law Committee
- American Boat and Yacht Council

- Recipient, 2008 ABYC Writer's Award
- Certified ABYC Marine Technician in Standards
- National Marine Manufacturers Association
  - Boating Industry Risk Management Council (2013-present)
- Defense Research Institute
- American Society of Safety Engineers
  - American National Standards Institute (ANSI), Member of ANSI A10.32 - 2012 Subcommittee
  - Certified OSHA Fall Prevention & Protection Competent Person Training (2011)

## Representative Presentations & Publications

- "Legal 101: Primer on Daubert Challenges," Presenter, 2018 ABYC Marine Law Symposium, Charleston, SC (April 10, 2018)
- "The Anatomy of a Boating Accident: Case Study of Sailboat Capsizing," Presenter, 2018 ABYC Marine Law Symposium, Charleston, SC (April 10, 2018)
- "The Anatomy of a Maritime Product Liability Case," Co-presenter, The Admiralty Law Symposium, presented by the Federal Bar Association Admiralty Law Section and the American Bar Association TIPS Admiralty and Maritime Law Committee, San Diego, CA (February 8, 2016)
- "Fair Warning: Strategies for Complying With California's Proposition 65," Co-presenter, International Boatbuilders Exhibition & Conference (September 15, 2015)
- "Navigating Unfamiliar Waters: An Overview of Maritime Tort Law," Presenter, Knox Marine Yacht Claims Conference (February 12, 2015)
- "Consumer Warranty Litigation: Steps to Minimize Exposure," Presenter, United Marine Manufacturers Association (December 13, 2014)
- "Multi-Employer Accident Litigation: Lessons Learned the Hard Way," Presenter, Associated General Contractors of California (October 31, 2013)
- "The Warranty Report: A Survey of Marine-Specific State Warranty Statutes (California)," Contributing Author, National Marine Manufacturers Association Publication (2008-2012 Editions)
- "What Can a Manufacturer Do? Minimizing Warranty Related Costs," The Reference Point (Winter 2008)
- "Seller Beware! What Manufacturers Should Know About Consumer Warranty Law," The Reference Point (Fall 2007)
- "[A Warning About Warnings: What Manufacturers Should Know](#)," The Reference Point (Summer 2007)
- "[Navigating the Unsettled Seas of Product Liability Law](#)," The Reference Point (Spring 2007)

## Professional Recognition & Awards

- The Best Lawyers in America<sup>®</sup>, Product Liability Litigation - Defendants (2016-2020)
- Wiley W. Manuel Award for Pro Bono Services, State Bar of California
- AV Preeminent<sup>®</sup> Peer Review Rating from Martindale-Hubbell<sup>®</sup>

## Community Involvement

- American Cancer Society, Regional Council Member, Orange County Region
  - Corporate Development Advisory Council, Former Chair
  - Orange County Barron's League, Original and Sustaining Member

## **Other Professional Experience**

- Cummins & White, Newport Beach, CA (1987-1989)
- Demler, Armstrong & Rowland, Long Beach, CA (1985-1987)

## **Bar Admissions**

- California

## **Court Admissions**

- Supreme Court of California
- United States District Court, All Districts of California
- United States District Court, District of Arizona
- United States Court of Appeals, Ninth Circuit