

Marc S. Moller, *Partner*



Marc S. Moller

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Office: 750 Third Avenue
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Peer Review Ratings:

AV rating from Martindale-Hubbell.

Listed in New York Super Lawyers.

Listed in New York Best Lawyer.

Listed in The Best Lawyers in America.

Listed in The International Who's Who of Aviation Lawyers 2014.

Admitted to Bar:

New York

United States Supreme Court

United States Courts of Appeals for the Second, Third, Fourth, Fifth, Sixth, Tenth and Eleventh Circuits

United States District Courts for the Southern and Eastern District of New York

Marc S. Moller is a trial and appellate lawyer who has been a partner in the law firm of **Kreindler & Kreindler LLP** for more than twenty-five years. For most of his professional career he has represented plaintiffs in commercial aviation accident, mass disaster and other wrongful death and personal injury cases and won awards for them either through trial or settlement, many of which set records for recoveries in the jurisdiction in which the actions were filed. Mr. Moller is a Fellow of the American College of Trial Lawyers, has been appointed Lead Counsel or Chairman of the Plaintiffs' Steering Committees in numerous mass disaster cases and served as Special Trial Counsel. Mr. Moller's extensive aviation litigation experience has led to awards and settlements in cases involving virtually every type of commercial and general aviation aircraft, corporate jet and charter aircraft, helicopters and military aircraft in operation today. His services also have been sought as a consultant to counsel in litigation brought outside of the United States when the United States jurisdiction requirements cannot be satisfied.

Mr. Moller is presently the Plaintiffs' Liaison Counsel in tort litigation pending in the United States District Court for the Southern District of New York arising from the September 11, 2001 terrorist attacks. By virtue of his involvement in 9/11 related litigation he has gained a unique perspective into the legal and practical issues the threat of terrorism presents to the aviation industry.

As Lead Counsel for plaintiffs, Mr. Moller has been responsible, among other things, for conducting pre-trial discovery, trial of the plaintiffs' cases, the cross-examination of critical defense witnesses and experts, and negotiating settlements. To enhance the likelihood of litigation success he has developed innovative dynamic computer generated demonstrative evidence to promote jury understanding of technical issues related to liability and damages the firm have been privileged to represent.

Marc S. Moller *(continued)*

In addition to aviation related matters, Mr. Moller has represented clients in a variety of complex cases involving securities and class actions, business and commercial torts as well as pharmaceuticals, and consumer goods. A November, 2005 appellate court decision won by Mr. Moller affirmed the highest pain and suffering award in a personal injury case in New York. In the landmark *In re Sabin Oral Polio Virus Vaccine Litigation* Mr. Moller was successful in recovering substantial damages for children and adults who contacted polio from the Sabin live oral polio vaccine. The trial and appellate court victory in *In re Sabin* established the liability of the United States Government for regulatory violations and has become one of the most cited cases defining the scope of “discretionary function” exception to the U.S. Government’s tort liability.

Mr. Moller’s services are also sought as an arbitrator and as a mediator. He is a frequent lecturer in the United States and abroad and has authored numerous articles on matters relating to aviation and product liability issues, discovery and trial preparation, trial techniques, aviation safety, air traffic controller liability, as well as litigation and settlement strategies, generally. He has served as the Chairman of the Aviation and Space Law Committee of the Tort and Insurance Practice Section of the American Bar Association, as well as the Aviation Committee of the New York State Bar Association, and has held a broad range of leadership positions in many organizations devoted to law, civic and charitable pursuits.

The American Bar Association designated Mr. Moller as its representative to the drafting committee on Apportionment of Tort Responsibility legislation proposed by the National Conference of Commissioners on Uniform State Laws. In October of 2003, he was appointed to a Task Force organized by the Tort Trial and Insurance Section of the American Bar Association to study and report on issues relating to “contingent fees.”

After graduating from Cornell Law School (J.D. 1963), he was admitted to the Bar of the State of New York in 1964. He is a member in good standing of the Bar of the United States Supreme Court, United States Courts of Appeals and has been routinely admitted pro hac vice to trial and appellate courts throughout the United States.