Marc S. Moller

Of Counsel

Marc Moller is a trial and appellate lawyer who has represented plaintiffs in commercial aviation accidents, mass disaster and other wrongful death and personal injury cases, many of which set records for recoveries in the jurisdiction in which the actions were filed. Throughout his five decades of legal leadership at Kreindler, Marc has been recognized for his excellence by every notable organization within the legal industry. Marc recently transitioned from Partner to of Counsel position at Kreindler where he continues to contribute with his unique extensive institutional history of the firm and the firm's cases. Marc is a Fellow of the American College of Trial Lawyers, served as Special Trial Counsel and has been appointed Lead Counsel or Chairman of the Plaintiffs' Steering Committees in numerous mass disaster cases.

Following the September 11th attack in which four domestic passenger airplanes were hijacked and crashed in a series of coordinated terrorist attacks, Marc was chosen by the federal judge overseeing the subsequent litigation to be the Plaintiffs' Liaison Counsel for the attorneys representing all of the personal injury and wrongful death cases consolidated into the litigation. 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.

> Our pursuit for justice is relentless; we bring the will to win to every case we prosecute.
>
> ~ **Marc Moller** | Of Counsel and Attorney

In the landmark case, ***In re Sabin Oral Polio Virus Vaccine Litigation***, Marc was successful in recovering substantial damages for children and adults who contracted polio after getting the Sabin live oral polio vaccine (the Sabin polio vaccine was taken orally, as opposed to the more famous Salk vaccine which was administered through a series of injections). The result of the case was remarkable in that it established the liability of the U.S. government for mandatory regulatory violations and has become one of the most frequently cited cases defining the scope of the **Discretionary Function Exception** to the government's tort liability.

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> A November 2005 appellate court decision won by Marc affirmed the highest pain and suffering award in a personal injury case in New York.

Marc'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. Marc 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.

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

Practice Focus

Education

- Cornell Law School, Ithaca, NY, J.D. - 1963, Honors: Winner, Cornell Moot Court Competition; Regional Moot Court Competition
- Cornell University, Ithaca, NY, B.A. - 1961

Bar Admissions

- 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 N.Y.

Exemplar Cases Include:

- Ethiopian Airlines Flight 302 crash, Addis Ababa, Ethiopia
- 9/11 Terror Lawsuit Against the Kingdom of Saudi Arabia
- Turkish Airlines Flight 1591 at Amsterdam Airport Schiphol, Amsterdam, Netherlands
- Comair Flight 3407 crash at Buffalo, NY
- Comair Flight 5191 crash at Lexington, KY
- Ruby v. Budget Rent a Car Corporation
- Haughton v. Virgin Records America, Inc.
- American Airlines Flight 965 crash near Cali, Colombia
- Sabin Oral Polio Virus Vaccine Litigation

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