

Gary Wolensky

Orange County, California
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Shareholder

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Areas of Practice & Industry Specialties

Products Liability; Litigation; Government, Regulatory & Administrative Law; Automotive Lawyers



Gary Wolensky focuses his practice on the defense of manufacturers and retailers in consumer class actions, product liability, commercial litigation, intellectual property particularly in the automobile, heavy construction equipment, motorcycle, consumer goods, football sporting goods and fitness equipment, pharmaceutical, medical device, and food and amusement park industries. Through the decades, he has been lead trial counsel in numerous major personal injury, product liability, commercial, intellectual property, and class action matters. He currently serves as national, regional and/or local counsel for many international and domestic companies. Further, he handles regulatory matters on a regular basis in front of various federal and state agencies and commissions, including, but not limited to, the CPSC and FDA.

Mr. Wolensky has worked with many top researchers and consultants on head and spinal issues, and has extensive experience with traumatic brain injury litigation and regulatory issues representing helmet manufacturers. His specific experience includes successfully defending complex cases involving traumatic brain injuries including subarachnoid hemorrhages, subdural hematomas, diffuse axonal injuries, carotid artery and vertebral dissections, as well as experience with numerous cases involving spinal injuries that resulted in quadriplegia, tetraplegia, and paraplegia.

Mr. Wolensky's medical background stems from attending first year medical resident courses mandated by a former client. Since then, he has also defended numerous medical device companies that manufacture scores of products including prosthetics, pedicle screws, and replacement knees, hips and shoulders, as well as pharmaceutical manufacturers.

Furthermore, Mr. Wolensky works closely with national industry associations in the development of test standards and medical causation defenses and consults with manufacturers and agencies regarding regulatory compliance, including possible and actual recalls, as well as FTC investigations and potential prosecutions. He has worked with companies of varying sizes in the United States and Asia on the development of product warnings, instructions, instruction manuals, and risk management programs. His experience has taught him that well-crafted warnings, instructions, and marketing and advertising, both in print and social media, can help manufacturers avoid difficult investigations, prosecutions, and litigation.

Mr. Wolensky has been elected for his third term to the Board of Directors of the Product Liability Advisory Council, and currently serves on the steering committee of the Legal Task Force for the Sports and Fitness Industry Association.

Mr. Wolensky was recognized by the *Best Lawyers* in America for eleven years in a row, featured in "Who's Who in American Law" and "Who's Who Legal: Product Liability Defense," received an AV Peer-Review Rating from *Martindale-Hubbell*, and is listed in the Southern California edition of *Super Lawyers Magazine* in 2019. Mr. Wolensky has also been recognized as a leading lawyer by Chambers USA. He has also been named by *Super Lawyers* a Southern California Super Lawyer from 2014-2020.

Memberships/Associations

- Product Liability Advisory Council (PLAC)
- Defense Research Institute (DRI)
- Sporting and Fitness Industry Association, Legal Task Force Member
- American Bar Association

Publications

- Don't Eat That, It's Expired! — Grocery Industry Adopts Standards For "Best if Used By" Labeling, *Law360*, March 15, 2017

Presentations

- Speaker, "Autonomous Vehicle Liabilities: Assessing Litigation Hurdles Due to Lack of Regulatory Oversight," Millennium Knickerbocker Hotel, Chicago, IL, July 18, 2019
- Panelist, "Gary Wolensky, Speaker at the 2019 Emerging Issues In Motor Vehicle Product Liability Litigation Program," Hotel Del Coronado , April 4, 2019
- Speaker, "Defending Traditional Automotive Product Defect Actions in 2018 & Beyond: Spotlight on Roof Strength, Seat Back Deformities and Ejection Mitigation Theories," TheWit Hotel, Chicago, IL, July 20, 2018
- Moderator, "What the Client is Really Looking For (and Why You're Afraid to Ask)," PLAC 2017 Fall Conference, October 18, 2017
- Speaker, "Optimizing your retail sector: Examination & Risk Assessment around Ecommerce and third party market place," April 27, 2017
- Speaker, "Is Repetitive Head Injury Syndrome the Next Mass Toxic Tort?," April 19, 2017
- Speaker, "Hot Topics in Toxic Torts and Environmental Law," April 6, 2017
- Speaker, "Risk Management in Sports: Sports Related Medical Malpractice and Youth and Adult Professional Sports Concussions," February 24, 2017
- Presenter, "Sports-Related Concussion Lawsuits: Litigating in the Tidal Wave of Individual and Class Claims," October 20, 2016

Webinars

- "Speaker, "Webinar: Youth Sports: Concussion Concern, Injury Analysis and Compliance with California's New Concussion Law"," June 8, 2017

Education

Mr. Wolensky earned his J.D. at Villanova University School of Law and his B.A. *magna cum laude* at Villanova University.

Bar Admissions

- California
- New Jersey
- Pennsylvania
- Washington