



## DALLAS

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## PRACTICE AREAS

Litigation & Dispute Resolution  
Product Liability & Tort Litigation  
Contaminants & Toxic Tort  
Environmental Litigation  
Odor Nuisance  
PFAS (per- and polyfluoroalkyl  
substances)

## COURT MEMBERSHIPS

- Texas
- California
- Illinois
- New York
- North Carolina
- Virginia
- U.S. Court of Appeals for the  
Fourth Circuit
- U.S. Court of Appeals for the Fifth  
Circuit

# Robert E. Thackston

Partner | [robert.thackston@lathropgpm.com](mailto:robert.thackston@lathropgpm.com)

Splitting his time between developing litigation strategies and trying high-stakes cases, Robert Thackston represents prominent individuals and Fortune 500 companies around the world, regularly getting called on to handle their most challenging litigation. He has defended manufacturers of products and equipment from a variety of industries, including automotive, industrial, energy, construction and consumer goods. His clients have included numerous large manufacturing companies, one of the largest meat-processing companies in the country, an American multinational toy and board game company, a multinational hospitality company, major automotive companies and charitable institutions.

Robert has extensive experience in state and federal courts across the country. He represents corporate clients in complex litigation - from product liability and mass torts to environmental and commercial disputes - including breach of contract, fraud, theft of intellectual property and RICO claims. He has handled cases involving alleged exposures to asbestos, talc, silica, benzene, PCBs, dioxins, metals, agricultural wastes and various other chemicals.

A sample of Robert's experience includes:

- Successfully defended Murphy-Brown d/b/a Smithfield Foods Hog Production Division in a month-long nuisance trial in North Carolina federal court. Changed the result from three prior verdicts by revealing plaintiffs' lawyers tactic of targeting Eastern North Carolina farms by scripting testimony from neighbors who never had a problem before the lawyers came to their town. (December 2018)

## EDUCATION

University of North Carolina  
School of Law, J.D., *with honors*,  
1987

- North Carolina Law Review

University of North Carolina at  
Chapel Hill, B.S., 1984

- Phi Beta Kappa
- Johnston Scholar

- Successfully defended an international industrial manufacturer in a wrongful death suit involving load rigging. Plaintiff, one of our client's employees, was struck with a 1,200-pound door while attempting to unload it from a truck at one of our client's plants. After extensive discovery and expert testimony related to crane and rigging, regulatory compliance, and economics, we settled the case on favorable terms for our client. (June 2017)
- Without calling any defense witnesses, received a verdict for only two percent of liability for a manufacturer of fluid-sealing devices in a mesothelioma death case in San Francisco County Superior Court. (2017)
- Secured a unanimous defense verdict for a fluid-sealing device company after a two-week wrongful death jury trial involving mesothelioma in California federal court. Plaintiff's counsel, who described this as their firm's best case against the company, sought \$13 million in compensatory damages, as well as punitive damages. (2015)
- Obtained dismissal for a supplier of gasket and packing products after a four-month lung cancer trial involving allegations of toxic work exposures at oil refineries in Abadan and Tehran, Iran. (2014)
- Secured a defense verdict for a manufacturer of fluid-sealing devices in a \$20 million pleural mesothelioma case after a two-month trial in Los Angeles, California. (2014)
- Instrumental in combating plaintiffs' use of junk science and catchphrases such as "no safe level" and "every exposure contributes" - including challenging the lack of scientific causation proof in *Butler v. Reichhold*, which led to plaintiffs' causation expert's opinions being excluded and Georgia's adoption of the *Daubert* standard for asbestos causation. (2011)
- Successfully represented over 20 landowners in a nuisance suit regarding noise from a Texas motocross track. The track closed after a trial on temporary injunction and intense public debate. (2011)
- \$6.5 million jury verdict for a large automobile manufacturer client after a four-week trial in Michigan federal court regarding trade secret information being divulged to a competitor to help them enter the NASCAR Craftsman Truck Series. (2005)
- Successfully petitioned the Texas Supreme Court to create the Asbestos and Silica Multi-District Litigation Courts, resulting in a complete halting of new claim filings and the reduction of defense costs to virtually zero for firm clients.

Outside the courtroom, Robert helps clients reduce legal expenses, avoid litigation and resolve unavoidable cases short of trial. He has helped clients avoid lawsuits with risk management advice on warnings, warranties, regulations and post-sale responsibilities.

Robert is dedicated to the professional development of the next generation of legal service providers. He believes in mentoring young attorneys to become skilled in all aspects of their practice, especially in the areas of leadership and professionalism. He created Thackston Farm, a retreat in East Texas, to host group meetings and educational training for geographically dispersed team members to develop consistent strategies and build chemistry.

Prior to joining Lathrop Gage LLP (one of the two firms that combined to form Lathrop GPM), Robert opened the Dallas, Los Angeles and San Francisco offices of Hawkins Parnell Thackston & Young and served as chairman of their executive committee, and was a shareholder at Jenkins & Gilchrist in Dallas, Texas.

A native of North Carolina, Robert began his law practice at McGuireWoods in Richmond, Virginia, after receiving his JD with honors from the University of North Carolina School of Law in 1987.

## Presentations

- "Combating 'No Safe Level' and Other Attempts to Change Science and History," Advanced Trial Tactics Seminar, CLE Series, Montalba, Texas (February 2017)
- "Advanced Cross Examination Techniques for Plaintiff's Experts in Asbestos Cases," Advanced Trial Tactics Seminar, CLE Series, Montalba, Texas (January 2015)
- "Combating Plaintiffs Use of Phantom Impeachment at Trial," CLE Series, Montalba, Texas (May 2014)
- "The Emerging Lung Cancer Case: An Analysis of Surging Filing Trends, Asbestos Trust Issues and the Modern Causation Case," Perrin Conferences, Asbestos Litigation Conference, Beverly Hills, California (March 2014)
- "Cross Examining the Plaintiffs' Expert Witness on Damages," Defense Research Institute Damages Seminar, Las Vegas, Nevada (March 2004)

- "Defending Retailers in Asbestos Litigation," Defense Research Institute Asbestos Medicine Seminar, Miami, Florida (November 2003)
- "Cross Examining Plaintiffs' Industrial Hygiene Experts," Defense Research Institute Conference on Asbestos Litigation, Miami, Florida (November 2000)

## Publications

- Co-Author, "Cosmetics Manufacturers Should Watch Out for PFAS Developments," Happi, April 29, 2021

## In The News

- Happi Magazine Features Article by Ally Cunningham, Julia Gowin and Robert Thackston  
April 29, 2021
- Law360 Quotes Robert Thackston on the Increase of Lawsuits Involving "Forever Chemicals"  
February 12, 2020
- Texas Lawyer Article Highlights Lathrop Gage's New Dallas Office, Toxic and Mass Tort Team Expansion  
January 17, 2019

## News Releases

- Six Lathrop GPM Attorneys Named Lawyer of the Year, 95 Ranked as The Best Lawyers in America®  
August 18, 2022
- Seven Lathrop GPM Attorneys Named Lawyer of the Year, 100 Ranked as The Best Lawyers in America®  
August 19, 2021
- Lathrop GPM Insurance Recovery Practice Receives National Benchmark Litigation Honors; Nine Attorneys Named Benchmark Litigation Stars  
November 6, 2020
- Partner Robert Thackston Named a Texas Trailblazer  
October 5, 2020
- Lathrop GPM Attorneys Named to The Best Lawyers in America®, Lawyer of the Year, and Ones to Watch for 2021  
August 20, 2020
- Seven Lathrop Gage Attorneys Named Benchmark Litigation Stars  
October 8, 2019

- Best Lawyers in America 2020 Names 72 Lathrop Gage Attorneys; 13 Lawyers of the Year  
August 15, 2019
- Lathrop Gage's Dallas Office Adds to Toxic and Mass Tort; Product Liability Litigation Team  
April 24, 2019
- Lathrop Gage Opens Dallas, Diversifies Los Angeles, Expands Tort Team  
January 17, 2019

## Honors

- *American Bar Foundation*, Fellow
- Named to *Texas Lawyer's* 2020 "Texas Trailblazers"
- Named to *Benchmark Litigation's* "Litigation Stars," 2020-2022
- Selected among *The Best Lawyers in America*®, 2020-2023
- Martindale-Hubbell® "AV Preeminent" Rating
- *Super Lawyers*, 2007-2009

## Trials

- *McGowan, et al., v. Murphy-Brown LLC*
- *Gillis v. Murphy-Brown, LLC d/b/a Smithfield Foods Hog Production Division*
- *Danny Shaw and Shirley Shaw v. John Crane Inc., et al.*
- *Castillo v. Cleaver Brooks, Inc., et al.*
- *White v. Alcoa Inc., et al.*
- *Gabrielli v. Alcoa Inc.*
- *Susan Hill, Individually and as Personal Representative of The Estate of Charles Tyrone Hill v. Air & Liquid Systems, et al.*
- *Kordestani v. 3M Company, et al.*
- *Schildknecht v. Air & Liquid Systems Corporation, et al.*
- *Schott, et al. v. Alfa Laval, Inc., et al.*
- *Keeney, et al. v. A.W. Chesterton Company, et al.*
- *Charles E. Morrison v. Alfa Laval, Inc.*
- *Matthew Swalling v. Reichhold Chemicals, Inc., et al.*
- *Robert Niebauer, et al. v. 3M Company*

- *Donna Walmach v. Warren Pump*
- *Hughie Robinson v. Sears, Roebuck & Co., et al.*
- *DaimlerChrysler v. Bill Davis Racing, Inc.*
- *Alvin Jensen v. Warren Pump*
- *Richard Cunningham v. Warren Pumps, Inc., et al.*
- *Harvey Gudmundson v. Warren Pump*
- *Jim Henry v. Warren Pump*
- *Kenneth Hicks v. Doe Auto Manufacturer*
- *Louis Hicks v. Doe Auto Manufacturer*
- *Barletta v. A.W. Chesterton*
- *Savatore Polito and Constance Polito v. Anchor Packing Company*
- *Thomas Collins v. Doe Auto Manufacturer*
- *James Lansford & Leta Lansford v. Doe Auto Manufacturer, et al.*
- *Vaughn v. AC&S, Inc., et al.*
- *Bando v. Aces*
- *Hermasillo v. OCF*
- *Williams v. W.R. Grace, et al.*
- *Cole v. OCF, et al.*
- *Dascho v. Keene, et al.*