

Michael L. Cioffi | Partner
Mass Torts & Complex Disputes

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CHAIR, CINCINNATI OFFICE

Michael is experienced in the overall management and practice of complex commercial tort and environmental litigation including:

- Litigation involving complex tort contract and trade disputes
- Defending clients against lawsuits brought by the government pursuant to a variety of state and federal environmental programs, including CERCLA, RCRA, and TSCA
- Representing clients in connection with private party cost recovery actions, alleged violations of the Clean Water Act, and internal environmental audits and investigations
- Representing policyholders in state and federal courts in some of the largest, most complex environmental insurance coverage litigations, as well as policyholders in their pursuit of insurance coverage for products, first party property, intellectual property, and director & officer liability losses
- Representing clients in mass tort litigation, including lawsuits relating to alleged exposure to products, chemicals, and/or alleged hazardous materials

Before joining Blank Rome, Michael was VP & Assistant General Counsel of American Financial Group, a Partner at Frost & Jacobs, a local Cincinnati law firm, and an Assistant Attorney General for the State of Ohio.

Outside The Firm

Michael serves as a member of the Board of Trustees of the Cincinnati Opera,

Board of Trustees of the Cincinnati Symphony Orchestra and also serves on the Board of Visitors and the communications committee for the University of Cincinnati, College of Law. He is a strong supporter and active in a variety of civic and charitable organizations throughout the region, including the UC Foundation, YWCA Career Women of Achievement, Tender Mercies, Inc., Contemporary Arts Center, Cincinnati Art Museum, and fundraiser for the Juvenile Diabetes Research Foundation, American Cancer Society and Big Brothers/Big Sisters.

Select Engagements

Lead Counsel/First Chair Responsibility:

- *In Re: Chiquita Brands International, Inc. Alien Tort Statute and Shareholder Derivative Litigation*, Case No. 08-MD-01916 (Mass Tort Claim by 7,500 individual plaintiffs seeking more than \$18 billion in damages).
- *In Re: Northern Ohio Maritime Asbestos Litigation*, Case No. 1:10-CV-1, United States District Court, Northern District of Ohio (Mass Tort Claim by 800 individual plaintiffs seeking more than \$300 million in damages).
- *American Premier Underwriters v. General Electric*, Case No. 1:05-CV-437, United States District Court, Southern District of Ohio, 2012 (CERCLA cost recovery action against General Electric involving approximately \$100 million).
- *United States v. Donovan*, Case No. 1:13-CR-92, United States District Court, Southern District of Ohio (Representation of an attorney charged with obstruction of justice. Jury verdict acquitting on all counts.).
- *Lincoln Memorial University, Duncan School of Law v. ABA*, Case No. 3:11-CV-608, United States District Court, Middle District of Tennessee, 2012 (representation of a law school challenging the ABA's denial of accreditation).
- *United States v. Lay*, Case No. 08-3892, United States Court of Appeals for the Sixth Circuit, 2010 (Investment Advisor Fraud case).
- *Paradise Farms vs. Chiquita*, Case No. 1:02-CV-714, United States District Court, Southern District of Ohio, 2007 (representation of Chiquita in complex international trade and contract dispute).
- *Maas vs. Penn Central Corporation*, Case No. 2006-T-0067, Trumbull County, Ohio, 2007 (representation of railroad in complex class action litigation).
- *Service Corporation International vs. Great American Insurance Company*, 265 F. App'x 892 (11th Cir, 2008) (representation of an insurance company in coverage dispute involving wrongful burial and grave desecration at several cemeteries).

Lead counsel for various clients at a number of Superfund and other environmental sites, including:

- Paoli Railyard
- Douglasville Disposal
- Conrail Railyard (Elkhart)

- Marathon Battery Company Superfund Site

Admissions

- Supreme Court of the United States
- United States Court of Appeals for the Third Circuit
- United States Court of Appeals for the Eleventh Circuit
- Ohio
- U.S. District Court - Northern District of Ohio
- U.S. District Court - Southern District of Ohio
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Sixth Circuit
- Supreme Court of Ohio
- U.S. Bankruptcy Court - Northern District of Ohio

Memberships

- American Bar Association
- Cincinnati Bar Association
- Federal Bar Association
- Ohio State Bar Association

Education

- University of Notre Dame, BA, magna cum laude
- University of Cincinnati College of Law, JD

Recognitions

- AV Preeminent®, listed in Martindale-Hubbell®
- 2012–2024, Commercial Litigation, listed in *Best Lawyers in America*®
- 2007, Cincinnati "Super Lawyer" in General Litigation, listed in *Super Lawyers*

Professional Activities

Publications

- *Sixth Circuit Federal Practice Manual*, Co-Author
- *Ohio Pretrial Litigation*, Author

Teaching Appointments

- Adjunct Professor of Law at the University of Cincinnati, College of Law, where he teaches The Law in Literature and Philosophy, as well as Pretrial Litigation, Trial Practice and Evidence.

- Michael is co-founder and trustee of The Justice Institute for the Legal Profession, a Section 501(c)(3) corporation whose mission is to provide educational programs based on the humanities for lawyers and judges in the United States and Europe. In his capacity as a law professor and faculty member of The Justice Institute, Michael teaches programs and seminars, including lectures for such distinguished groups as all of the Chief Justices for the individual States of the United States, the American Judicature Society and many other groups of Federal and State court judges.

Lectures

- May 2015 – Shakespeare’s *Henry V: Justice v. Mercy – Once More*, Woman’s City Club of Greater Cincinnati, Cincinnati, Ohio
- May 2014 – *Shakespeare’s Last Word: Love, Law and Loyalty in Two Noble Kinsman*, Woman’s City Club of Greater Cincinnati, Cincinnati, Ohio
- May 2013 – *Measuring Law, Justice and Morality in Shakespeare’s Measure For Measure*, Woman’s City Club of Greater Cincinnati, Cincinnati, Ohio
- May 2012 – *Solving Shylock: The Reconciliation of Shakespeare as Anti-semitic and Enlightened Humanist*, Woman’s City Club of Greater Cincinnati, Cincinnati, Ohio
- September 2011 – *Strange Brew: Divine Law, Human Law and Presidential Politics*, Woman’s City Club of Greater Cincinnati, Cincinnati, Ohio
- November 2010 – *Merits and Implications of Mandatory Voting*, Woman’s City Club of Greater Cincinnati, Cincinnati, Ohio
- July 2010 – *Law, Justice & Culture*, Seminar, Tuscany, Italy
- July 2008 – *Law, Justice & Culture*, Seminar, Tuscany, Italy
- October 2008 – *Annual Ohio Justice Institute for the Legal Profession*, Cherry Valley Lodge, Granville, Ohio
- June 2007 – *American Inns of Court*, Seminar, Tuscany, Italy
- November 2007 – *Annual Ohio Justice Institute for the Legal Profession*, Cherry Valley Lodge, Granville, Ohio
- October 2006 – *Annual Ohio Justice Institute for the Legal Profession*, Cherry Valley Lodge, Granville, Ohio
- July 2006 – *Law, Justice & Culture*, Seminar, Tuscany, Italy
- October 2005 – *Annual Ohio Justice Institute for the Legal Profession*, Cherry Valley Lodge, Granville, Ohio
- May-June 2005 – *Law, Justice & Culture*, Seminar, Podere Buonriposo, Tuscany, Italy
- November 2004 – *Annual Ohio Justice Institute for the Legal Profession*, Cherry Valley Lodge, Granville, Ohio
- 2003 – *Annual Ohio Justice Institute for the Legal Profession*, Cherry Valley Lodge, Granville, Ohio
- October 2003 – *Justice Institute for the Legal Profession*, Tennessee Judicial Conference, Paris Landing State Park, Tennessee
- October 2003 – *Justice Institute for the Legal Profession*, Toledo Bar Association Annual Bench-Bar Kickoff Conference, Toledo, Ohio
- February 2003 – *Truth, Justice and the Law*, American Judicature Society, Sant Fe, New Mexico

- January 2003 – *Law, Justice & Judicial Leadership*, Conference of Chief Justices, Williamsburg, Virginia
- January 2003 – *Law, Justice and the Legal Profession*, Cincinnati Bar Association Bench Bar Conference, Cincinnati, Ohio
- 2002 – *Annual Ohio Justice Institute for the Legal Profession*, Cherry Valley Lodge, Granville, Ohio
- July 2002 – *Law, Literature, Ethics and Professionalism*, Federal Bar Association and Office of the United States Attorney, Oxford, Ohio
- June 2001 – *Law, Literature and Ethics*, Ohio Judicial College, Columbus, Ohio
- November 2000 – *Judicial Ethics, Literature and Philosophy*, full day program for Ohio judges, The Supreme Court of Ohio Judicial College
- October 2000 – *Discovery Practice*, The Ohio State Bar Association, Continuing Legal Education Institute
- July 2000 – *The Federal Rules of Evidence Under Siege: A Review and Update*, lecture to Federal District Court Judges and U.S. Attorneys of the Southern District of Ohio
- May 2000 – *Ethics and Literature*, half day presentation to Ohio judges, The Supreme Court of Ohio Judicial College
- January 2000 – *Allocation Theories in Complex Environmental and Toxic Tort Coverage Litigation*, Mealey's National Insurance Law Conference, West Palm Beach, Florida.

Michael has been awarded the Goldman Prize for Teaching Excellence, the Adjunct Faculty Teaching Excellence Award, and the Nicholas Longworth Distinguished Alumni Award at the University of Cincinnati—College of Law.