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Education

- J.D., Notre Dame Law School (1981)
 - cum laude
- B.S., United States Military Academy at West Point (1974)

John M. Fitzpatrick

Partner

John “Fitz” Fitzpatrick’s diverse private practice experience ranges from complex, high-stakes class action and toxic tort lawsuits to product liability cases often involving latent diseases, catastrophic injuries or death. In a distinguished legal career spanning more than four decades, he has tried more than 200 cases to verdict in 40 different states and has delivered complete defense verdicts for his clients in the vast majority of them.

Mr. Fitzpatrick’s clients include Fortune 500 companies as well as major insurance companies, which regularly rely on him to handle trials involving complex liability, medical and damage issues with significant financial and reputational exposure. This includes his unique ability to “parachute” into a trial in last-minute scenarios and quickly rehab or advance cases under difficult circumstances. He also frequently presents to corporate counsel and serves as a thought leader around the country on the topic of best practices in selecting trial lawyers for high-profile cases.

In addition to representing Global 500 companies at trial, Mr. Fitzpatrick brings significant experience as national trial counsel for companies facing personal injury and wrongful death cases across a number of industries as well as entities facing high-value medical malpractice claims. His exemplary trial record regularly results in dispositions that minimize monetary risk and protect the reputational interests of his clients in high-exposure cases.

A former concert pianist and Army Airborne Ranger, Fitzpatrick completed his undergraduate studies at the United States Military Academy at West Point and later earned his law degree from the Notre Dame Law School. He began his legal career in 1981 with the U.S. Army JAG Corps as a prosecutor trying criminal cases in Colorado and eventually became the Eighth Army Division’s Chief Prosecutor in South Korea in 1983 before being selected as the senior medical malpractice attorney for the U.S. Army Tort

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Branch at the Pentagon in 1986.

Mr. Fitzpatrick entered private practice in 1988, and his civilian trial career started when he was selected as the youngest member of a national trial team handling asbestos matters for a high-profile building and remodeling company.

Bar Admissions

- Virginia
- Colorado
- Washington D.C.
- Indiana

Court Admissions

- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the Western District of Virginia
- U.S. District Court for the District of Colorado
- U.S. Court of Appeals for the 10th Circuit

Experience

- Won a jury defense verdict for client in a three-week asbestos trial in federal court in Massachusetts. The plaintiff asked for \$20 million in compensatory damages and \$43 million in punitive damages.
- Won a complete defense jury verdict in federal court in a \$15 million failure-to-warn trial arising out of permanent injuries to a child involved in an accident while riding in client's infant seat.
- Won a unanimous jury defense verdict in federal court in Colorado in a two-week trial involving liability for permanent injuries to a child strapped into client's car seat during an auto accident. Ultimately, the jury agreed with argument that the seat saved the child's life rather than caused the child's injuries.
- During the appeal of an adverse verdict in a multimillion-dollar trial in which jurors were given the wrong instruction, plaintiffs offered to settle 11 mesothelioma cases for six figures total.
- Obtained midtrial settlement — for less than the cost of defense — for a client in a trial that went to an eight-figure verdict against the other defendant.
- Obtained four-figure midtrial settlement for client as plaintiff closed its case in Cook County (Illinois).
- Brought in just three weeks before jury selection, helped client win a complete defense verdict in an asbestos wrongful death trial in Philadelphia.

- Won a jury verdict in Cook County (Illinois) for a client in an asbestos duty-to-warn case involving power plant land turbines.
- Won a defense jury verdict for client, the sole remaining defendant at trial after other defendants settled. A jury deliberated for just 20 minutes before deciding client was not liable for the plaintiff's mesothelioma.
- Negotiated five-figure settlement for client during Phase 2 of a reverse bifurcated trial in which the plaintiff won Phase 1 but was awarded only 4.2% of demand. The settlement was less than 1% of the demand in Phase 2.
- Won defense verdicts in simultaneous trials for client in Los Angeles and Iowa City, Iowa.
- Won a defense verdict after five weeks of trial in Massachusetts in a living mesothelioma case, the first asbestos case tried to verdict in Boston in 10 years.
- Obtained the first defense verdict for client in an asbestos personal injury case in California.
- Won the first asbestos wrongful death defense verdict for client in Madison County (Illinois), which was cited as one of the top "judicial hellholes" for corporate America in a Wall Street Journal
- Tried an asbestos wrongful death case to a hung jury in Cleveland. The plaintiff never retried the case.
- Obtained judgment notwithstanding verdict in a \$9 million mesothelioma trial in California.
- Secured a "walk away" dismissal of a multimillion-dollar underinsured-motorist lawsuit for bad faith and punitive damages. One month before trial, the plaintiffs agreed to drop the lawsuit, and the client paid nothing.
- Won a complete defense verdict for a client in an insurance bad faith case brought in the United States District Court for the District of Colorado.
- Defended the appeal to the Tenth Circuit of a 2010 jury verdict won for a client in a high-profile whistleblower case. Law Week Colorado called the underlying trial court victory one of the "Top Defense Verdicts of 2010."
- Successfully defended a financial services firm in a five-day trial in Richmond, Virginia, involving claims of breach of contract, fraud and unjust enrichment.
- Won a complete defense verdict and dismissal of punitive damages claims for a Wyoming hospital and codefendant physicians facing non-negotiable \$19 million negligence claims brought by a plaintiff who suffered a stroke following emergency room treatment for a head wound.
- Won a defense decision for a Philadelphia psychiatric hospital in a two-day medical malpractice arbitration involving the death of a patient killed in an auto accident hours after being discharged.
- Won a defense verdict for a Florida hospital in a three-week medical malpractice trial. The case involved a baby who suffered cerebral palsy after a rare delivery complication. The plaintiff sued the hospital for \$7 million, claiming complications could have been avoided had a C-section been performed. He helped successfully argue the complication was unpredictable and unpreventable, and the doctors actually saved the mother and child.
- Won a defense verdict for a Washington, D.C., hospital in a \$40 million medical malpractice

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lawsuit that involved a baby born with severe brain damage.

- Affirmed on appeal to the D.C. Court of Appeals on a unanimous defense jury verdict for a hospital after a three-week trial. The plaintiffs alleged the doctor provided less than the standard of care, resulting in an infant's cerebral palsy, but legal arguments established the child's condition was attributable to his 14-week premature birth.
- Represented a hospital in a four-week trial in California involving special damages in excess of \$10 million in claims relating to the care of an adult male with brain damage. The jury returned a verdict of \$6 million, but also found the plaintiff 75% contributory negligent. After the setoff from settling the defendant, client owed only \$37,000.
- Won a defense verdict in a medical malpractice case in Florida involving permanent brain injury to a well-known plaintiff's lawyer after being part of a team asked to take over the case two weeks into trial and after both local and regional defense counsel recommended settling the case for \$12-\$15 million.
- Obtained a defense verdict in a New Hampshire trial involving the death of a 63-year-old man following complications from gallbladder surgery with just two weeks' notice after demonstrating that an empty oxygen tank, which the decedent used for supplemental oxygen shortly before his cardiac arrest, did not cause his death. Ultimately, the jury agreed.
- Successfully defended a spine surgeon in a two-week trial in South Carolina brought by a paralyzed plaintiff who blamed the surgeon for not recognizing the early signs of paralysis.
- Hired a month before trial, won a defense verdict in Texas for an oil and gas company in a \$20 million personal injury case.
- Served as lead trial counsel to a leading Las Vegas transportation company for the defense of high-stakes motor vehicle accidents.
- Won dismissal for a trucking company in a case involving catastrophic injuries after helping discover that the plaintiff had lied in his initial discovery responses and had failed to disclose critical medical records. The case was dismissed with prejudice on the eve of trial due to the discovery violation.
- Won a defense verdict in federal court in Spokane, Washington, for client in a \$12 million personal injury case involving an explosive collision between two tractor-trailers.
- Won a jury defense verdict in Louisiana in a premises liability case in which a sign in a client's store fell and injured a child.
- Won a defense verdict for client in liability case stemming from an automobile accident involving a delivery driver.
- Won a defense verdict for client in a liability case involving traumatic brain injury and over \$3.5 million in damages following an accident involving a delivery vehicle.

Memberships and Affiliations

- American Board of Trial Advocates

- The Network of Trial Law Firms
- Defense Research Institute

Professional Honors

- Litigation: Product Liability Ranked Attorney (USA Nationwide), Chambers USA, 2008-present
- Litigation: Toxic Torts Ranked Attorney (USA Nationwide), Chambers USA, 2015-present
- Litigation: Commercial Litigation Ranked Attorney (Colorado), Chambers USA, 2008-present
- Best Lawyers in America, Mass Tort/Class Action Litigation, 2007-present
 - Mass Tort/Class Action Litigation Lawyer of the Year, 2013, 2019, 2024, 2025
- Best Lawyers in America, Product Liability Litigation – Defendants, 2007-present
 - Product Liability Litigation – Defendants Lawyer of the Year, 2025
 - Product Liability Litigation – Defendants Lawyer of the Year, 2020, 2025
- Best Lawyers in America, Medical Malpractice Defense Law, 2007-present
- Best Lawyers in America, Professional Malpractice Law, 2007-present
- Best Lawyers in America, Personal Injury Litigation, 2007-present
- Litigation Star, Benchmark Litigation, 2020-present
- Colorado Super Lawyers, Thomson Reuters, 2006-2007, 2009-present
- Virginia Super Lawyers, Thomson Reuters, 2006-2007
- The Legal 500, 2010, 2012-2013, 2015
- Client Service All-Star, BTI Consulting, 2016, 2020
- Lawyer of the Year, Law Week Colorado, 2008
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Presentations and Publications

- “Navy Claims and Documents,” The Defense Asbestos Litigation Seminar, June 2015
- “Don’t Be Afraid of the Courtroom – Defend Good Medicine,” The Endurance 2015 Healthcare Summit, May 2015
- “Managing and Negotiating Catastrophic Emergency Department Claims,” The AEIX (Premier Insurance) Best Practices in Emergency Medicine and Managing ED Claims Conference, April 2015
- “Defense of Lung Cancer Cases – Is Asbestos Really a Cause Regardless of Smoking History?,” The first Asbestos Litigation Strategies ExecuSummit Seminar, December 2014
- “Taking Down Plaintiff’s Expert,” The AEGIS 2014 Claims Seminar, October 2014
- “Lung Cancer Closing Arguments: Actual Lung Cancer Closing Presented Out of the Presence of Each Other,” The DALs Conference, June 2014
- “Diffusing Sympathy, Exposing Fraud in Experts – Turning the Plaintiffs’ Reptile Theory on its

- Tail – and Win for the Defense,” The ABPLA Conference, May 2014
- “Diffuse Sympathy and Win Your Case by Crushing the Plaintiff’s Expert’s Credibility,” The DRI Conference, April 2014
 - “Manufactured Litigation and Other Frauds Trial Lawyers and In-House Counsel Face,” The Network of Trial Law Firms seminar, November 2013
 - “Digging Deep to Attack Bias of the Plaintiffs’ Experts,” The DRI Product Liability Conference, April 11
 - “The Navy’s Got Your Back,” The DRI Asbestos Medicine Seminar, November 2011
 - “Navy Case Update: Death on the High Seas Act and Doctrine of Uniformity,” Asbestos Litigation Conference: A National Overview and Outlook, September 2011
 - “A Trial Lawyer’s Guide to the Universe,” Meeting of the Network of Trial Law Firms, November 2010
 - “U.S. Navy Ship and Shipyard Asbestos Cases,” National Asbestos Litigation Conference, September 2010
 - “Does Every Fiber Really Contribute?,” DRI Asbestos Medicine Seminar, November 2009
 - “The Post-OSHA Warnings Case,” DRI Asbestos Medicine Seminar, November 2009
 - “Selecting Outside Trial Counsel,” Association of Corporate Counsel Colorado Chapter, March 2007
 - “Tough Cases, Tough Defenses and Great Results,” The Network of Trial Law Firms, June 2004