



J. Lee Gray

Partner

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Lee Gray relies on two decades of experience to help manufacturers and food & beverage producers with a variety of product-related issues, including regulatory compliance, product recalls, product liability litigation, class actions, and resolving commercial disputes.

Lee represents clients in trials, arbitrations, preliminary injunction hearings, administrative hearings, and in dealing with governmental agencies including the FDA, USDA, and CPSC.

Regulatory compliance and recalls. Lee advises food, beverage, nutritional supplement, cosmetic, and consumer product manufactures to help them comply with regulatory requirements, including those concerning product claims, labeling, manufacturing practices, and site inspections. Lee advises clients on other product liability issues, including product warnings, liability disclaimers, and warranties. Lee also works closely with manufacturing clients regarding product recalls to protect product customers while maintaining brand integrity and goodwill, ensure best practices, and avoid regulatory fines and liability.

Product litigation. Lee defends all types of manufacturers and food & beverage producers in product liability and class action cases involving a wide range of products—including medical devices, pharmaceuticals, food & beverage, consumer products, and component parts. He also helps these clients resolve disputes with suppliers, competitors, or customers in a wide range of commercial and business tort contexts.

EXPERIENCE

Lee helps product manufacturers and food & beverage producers every day to address and solve a wide variety of complex legal issues involving:

- Product liability litigation
- Product recalls
- Regulatory compliance
 - Food & beverage product labeling
 - Conducting and reporting product recalls
- Commercial disputes and litigation
- Mediation
- Arbitration
- Preliminary injunctions

PRACTICES

Advertising, Marketing, and Sponsorships
 Commercial Litigation
 Alternative Dispute Resolution
 Class Actions
 IP Litigation
 Product Liability
 Advertising, Labeling, and Consumer Class Actions

EDUCATION

Cumberland School of Law, Samford University, J.D., 1996
American Journal of Trial Advocacy, Member, Associate Editor

Auburn University, B.A., 1993
 Major in Political Science
 Minors in Engineering and Physics

BAR ADMISSIONS

Colorado
 Pennsylvania

- Product labeling and warnings

CLIENT RESULTS

Successfully defend or resolve multiple cases for global medical device manufacturer in state and federal courts regarding various medical devices, including hip and knee replacements, spinal products, pain pumps, and biological devices.

Advised manufacturers through timely and effective product recall campaigns administered by the FDA (food products) and the CPSC (consumer products).

Successfully defended large plastic resin manufacturer in product liability lawsuits throughout numerous jurisdictions concerning high temperature plastic vent pipe used on high-efficiency, gas-fired appliances.

Prosecuted individual cases and class actions in several state and federal courts for homeowners with defective in-floor hydronic radiant heating hose, obtaining over \$30 million in jury verdicts and a \$325 million national class action settlement.

Successfully litigated and resolved numerous mass-tort, product liability suits on behalf of a pharmaceutical manufacturer related to weight-loss drugs.

Obtained preliminary and permanent injunctions to allow client to assume management of limited partnership.

Successfully defended company against temporary restraining order and permanent injunction for concerning trade secrets and non-competition agreement.

Successfully prosecuted complaints against political committees for failure to disclose coordinated campaign expenses.

PUBLICATIONS

"FDA Increases Scrutiny of Nutritional Supplement Companies," *Holland & Hart Food For Thought*, 03/05/2019

"Food for Thought Quarterly Newsletter—Issue 6," *Holland & Hart Food & Beverage Newsletter*, Co-Author, 10/01/2018

"Food for Thought Quarterly Newsletter—Issue 5," *Holland & Hart Food & Beverage Newsletter*, Co-Author, 06/01/2018

"Food for Thought Quarterly Newsletter—Issue 3," *Holland & Hart Food & Beverage Newsletter*, Co-Author, 01/01/2018

"Packaging Compliance Field Guide—Pro Tips for Food Entrepreneurs," Co-Author, 2017

"Claim Maintenance Fees – Mining Law of 1872," *Holland & Hart News Update*, Co-Author, 06/05/2017

"Managing Recall Evidence in the World of Runaway Punitive Damages," *DRI, For The Defense*, Co-Author, 04/14/2017

SPEAKING ENGAGEMENTS

"GMO Final Rule: What Every Company Needs to Know," *7th Annual Food & Beverage Litigation, Compliance & Regulatory Exchange*, October 2019

"The Food Court: Trends and Updates in Food Litigation for 2019," *The Knowledge Group Webinar, Faculty*, May 2019

"Regulatory Roundtable - Perspectives from the Government," *Momentum Events 6th Annual Food & Beverage Exchange, Moderator*, October 2018

"The Food Court: Trends and Updates in Food Litigation for 2018," *The Knowledge Group Webinar, Faculty*, July 2018

"[Applying the Rules of Evidence: What Every Attorney Needs to Know](#)," *National Business Institute CLE Seminar, Faculty*, Denver, CO, May 2013

PROFESSIONAL AND CIVIC AFFILIATIONS

- American Bar Association, Litigation Section, Member
- Colorado Bar Association, Member
- Denver Bar Association, Member
- Arapahoe County Bar Association, Member
- Faculty of Federal Advocates, Member
- Colorado Common Cause, Board of Directors, 2003–2010
- Denver Children's Home, Board of Directors, 2009–2018