

Phil Cosgrove

Partner

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Phil is a trial attorney who handles complex civil litigation, with a focus on defending product liability, transportation matters, and toxic tort cases. He has handled and tried numerous civil matters involving catastrophic injuries and a wide spectrum of claims.

Phil serves as trial counsel for major manufacturers and as a regional counsel in automotive product liability cases. He has also served as regional counsel, national counsel, and national discovery counsel in toxic tort cases. Phil has been called upon to handle cases in numerous jurisdictions, including Alaska, California, Hawaii, Illinois, Oregon, Missouri, Nevada, New York, Pennsylvania, Texas, and Washington. He also has extensive experience in all aspects of appellate practice and has volunteered to serve as a Los Angeles Superior Court arbitrator and mediator.

Experience

The following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Representative Matters

- *Hamlett v. Daimler Trucks North America, et al.* (Multnomah County Circuit Court — Portland, Oregon) — Product liability action involving claims of a defective cab structure, lack of crashworthiness and defective restraints — Defense verdict
- *State National Insurance Co. v. Daimler Trucks North America, et al.* (Los Angeles County Superior Court) — Product liability action involving claim of a fire caused by a defective fuel system — Nonsuit
- *Phillips v. Doe Auto Manufacturer* (San Bernardino County Superior Court) — Product liability action involving rollover and roof crush claims — Defense verdict
- *Domel v. Doe Auto Manufacturer* (Los Angeles County Superior Court) — Product liability action involving handling, rollover, and crashworthiness claims — Defense verdict
- *Khoperia v. Doe Auto Manufacturer* (Los Angeles County

Education

Loyola Law School, Los Angeles, JD (1979)

Rutgers University, BA (1977)

Admissions

California

Washington

Supreme Court of the United States

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Southern District of California

U.S. District Court for the Western District of Washington

Practice Areas

[Bad Faith & Extra Contractual Litigation](#)

[Premises Liability](#)

[Products Liability - Consumer & Mechanical](#)

Superior Court) – Product liability action involving claim of burn injuries caused by a defective fuel system — Defense verdict

- *Borgia v. Doe Auto Manufacturer*(Los Angeles County Superior Court) – Product liability action involving claim that van conversion was defective and van was uncrashworthy — obtained verdict on cross-complaint for indemnity against cross-defendant and full recovery for manufacturer
- *Best v. Doe Auto Manufacturer*(Los Angeles County Superior Court) – Product liability action involving claim that seat belt was defective — favorably resolved during jury deliberations
- *McManus v. Doe Auto Manufacturer*(Los Angeles County Superior Court) – Product liability action involving claim that steering gear was defective and van was not crashworthy — Defense verdict
- *Chamberlain v. Doe Auto Manufacturer* (Los Angeles County Superior Court) – Product liability action involving claim seat back was defective — favorably resolved after trial of the special defense on statute of limitations
- *Gerke v. General Motors Corporation and Doe Auto Manufacturer*(Alameda County Superior Court) – Mesothelioma case involving an alleged household exposure to asbestos from friction products — favorable settlement reached after cross-examination of plaintiff's liability experts
- *Darden v. General Motors Corporation*(San Francisco County Superior Court) – Asbestos case involving claimed exposure from friction products — jury's one percent finding of fault was reversed on appeal and judgment notwithstanding the verdict was entered
- *Linares v. General Motors Corporation*(Los Angeles County Superior Court) – Product liability action involving claim fuel system was defective; jury's three percent finding of fault was reversed on appeal and judgment notwithstanding the verdict was entered
- *Vaea v. General Motors Corporation* (San Bernardino County Superior Court) – Product liability action involving rollover claim — Defense verdict
- *Bolanos v. General Motors Corporation*(Los Angeles County Superior Court) – Product liability action involving brake defect claim — Defense verdict
- *Lopez v. General Motors Corporation*(Los Angeles County Superior Court) – Product liability action involving unintended acceleration claim — Defense verdict
- *Richardson v. General Motors Corporation*(Los Angeles County Superior Court) – Asbestos action — Defense verdict
- *Trotta v. General Motors Corporation*(Los Angeles County Superior Court) – Product liability action involving claim of brake and steering defects — Nonsuit
- *Potts v. General Motors Corporation* (Los Angeles County Superior Court) – Product liability action involving claim of brake and steering defects — Defense verdict
- *Eugene Genchev v. Detroit Diesel Corporation* (USDC Southern — San Diego, California) –. Breach of warranty claims relating to the diesel engines in two heavy duty tractors — Defense verdict on express warranty claims, after receiving

Products Liability - Automotive

Toxic Torts/Asbestos

Industries

Automobiles & Other Motor Vehicles

Manufacturing

summary judgment as to negligence, breach of contract, breach of implied warranty, Commercial Code and consequential damages claims

- *Taylor v. Doe Auto Manufacturer*– (Los Angeles Superior Court) – Product liability action involving two wrongful death claims and allegations of a defective fuel system – resolved favorably during trial
- *DeBenedetto v. Cole Trucking*– (Fresno County) – Trucking accident involving claims of negligence and intoxication – plaintiff's verdict for an amount below the statutory offer to compromise
- *Horn v. General Motors Corporation*– (USDC Western — Tacoma, Washington) – Asbestos action resolved for nominal amount during trial
- *Villalobos v. General Motors Corporation*– (Los Angeles County Superior Court) – Directed Verdict for defense
- *Tate v. Doe Auto Manufacturer*– (Los Angeles County Superior Court) – alleged airbag defect causing catastrophic brain injury claim – Mistrial after jury hung 8–4 in favor of no defect finding

Recognitions

The bar rules of some states require that the standards for an attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- [Legal 500 United States](#), Dispute resolution: Product liability, mass tort, and class action – defense: Automotive/Transport (2021–2022)
- “Top Verdicts of 2019,” Los Angeles Daily Journal
- [AV Preeminent® Peer Review](#) Rated by Martindale–Hubbell®
- [Super Lawyers](#), Personal Injury – Products (2010–2023)
- [The Best Lawyers in America®](#), Product Liability Litigation – Defendants (2013–2026)

Professional Activities

- Association of Southern California Defense Counsel
- Product Liability Advisory Council
- State Bar of California
- Washington State Bar Association

Community

- Volunteer, CRASH Settlement Program and Arbitrator – Los Angeles Superior Court