

### Kim Gustafson Bueno

Kim's docket includes pharmaceutical and medical device products liability, mass tort litigation, legal malpractice, attorney disciplinary matters, and general civil litigation.

Most recently, Kim has focused on representing pharmaceutical and medical device companies in complex mass tort and personal injury actions. Kim regularly takes and defends fact and expert witness depositions. She drafts and argues motions in state and federal courts. She serves as trial counsel in high-profile cases throughout the country.

Kim's past experiences as a Peace Corps Volunteer, social worker, pharmaceutical sales representative, and real estate agent provide her unique insight into a variety of industries. She leverages these experiences to quickly understand her clients' challenges and develop litigation strategies. Clients value Kim's common-sense approach to cases and rely on her to examine key witnesses.

### Representative Matters

#### Pelvic Mesh Litigation

Trial counsel for Ethicon, Inc. and Johnson & Johnson in federal and state litigation involving pelvic mesh products.

Kim recently served as co-lead trial counsel in a three-week trial in Philadelphia, which resulted in defense verdict for her client.

Kim also served as trial counsel in a two-week trial in Dallas County, which resulted in defense verdict for her client.

#### Risperdal Litigation

Trial counsel for Janssen Pharmaceuticals, Inc. and Johnson & Johnson in state and federal litigation involving the



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#### RELATED PRACTICE AREAS:

- Business Torts
- Civil Litigation
- Commercial Litigation
- Personal Injury and Products Liability
- Pharmaceutical and Medical Device
- Professional Malpractice Defense

prescription medication Risperdal.

### **General Litigation**

Along with Steve McConnico and Robyn Hargrove, Kim won an appeal in a Texas state court dispute over waiver of arbitration rights. At the trial court, the plaintiff sought to compel arbitration, and Kim successfully defeated the motion to compel on the basis of waiver. The appeals court affirmed, holding that the plaintiff's attempts to manipulate the judicial process resulted in a waiver of her right to arbitrate.

Kim filed a successful motion to dismiss a legal malpractice lawsuit against her clients in the Northern District of Texas, arguing that the federal court did not have jurisdiction because the causes of action were not retained in plaintiff's bankruptcy plans. Along with Jane Webre, Kim won an appeal of this decision in the Fifth Circuit.

### **Bar Admissions & Activities**

State Bar of Texas

United States District Courts for the Northern, Eastern, Southern, and Western Districts of Texas

United States Court of Appeals for the Fifth Circuit

International Association of Defense Counsel

### **Education**

Southern Methodist University, B.A., Political Science and Journalism, summa cum laude

University of Texas School of Law, J.D., with high honors, Order of the Coif