



Kurt B. Gerstner
Shareholder

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Mr. Gerstner is a trial lawyer and a shareholder in the Boston office of Campbell Campbell Edwards & Conroy, a nationally recognized law firm dedicated to the litigation of complex, high stakes cases throughout the United States. Mr. Gerstner graduated from the University of Rochester and earned his law degree *cum laude* from Boston College Law School. During law school, he was Executive Editor of Matthew Bender's UNIFORM COMMERCIAL CODE REPORTER-DIGEST. Immediately following law school, he was in private practice at one of the largest law firms in New Mexico, where he was a member of the New Mexico Medical-Legal Review Commission. His practice there involved general litigation, including the defense of medical malpractice, products liability, insurance and commercial litigation cases.

Mr. Gerstner's practice at Campbell Campbell Edwards & Conroy encompasses a wide range of commercial and personal injury litigation. He has represented clients in disputes that have included contracts, intellectual property and fidelity & surety bonds, as well as professional malpractice, products liability, toxic torts and aviation. He also advises clients about managing risk. He has lectured extensively on a variety of legal subjects throughout the United States and in Korea, including employment law, intellectual property, lender liability, liquor and hazing liability, products liability and risk management.

He is admitted to the bars of New Mexico, Massachusetts, New York and the District of Columbia. He is also admitted to practice in the U.S. Courts of Appeals for the First and Tenth Circuits and in the U.S. District Courts for the Districts of New Mexico, Massachusetts, Connecticut and Vermont, Eastern, Southern and Northern Districts of New York and the Eastern District of Michigan. Mr. Gerstner co-authored an *amicus curiae* brief in the Arkansas Supreme Court on behalf of the Product Liability Advisory Council, Inc., advocating the limitation of the liability of manufacturers of firearms and other products.

Mr. Gerstner is a member of the American Bar Association and its Construction Industry

Boston, MA

Portland, ME

Bedford, NH

Providence, RI

Hartford, CT

Mt. Laurel, NJ

Philadelphia, PA

Wayne, PA

Forum, Business Law Section, Business and Corporate Litigation Committee, Tort Trial & Insurance Practice Section (“TIPS”) and Fidelity and Surety Law Committee. He has held various offices in the Defense Research Institute’s Commercial Litigation Committee and is a member of its Intellectual Property Law and Class Action Subcommittees, as well as a member of DRI’s Aerospace Law and Construction Law Committees. He is a member of the International Association of Defense Counsel and its Product Liability, Drug, Device and Biotechnology, Business Litigation and Aviation and Space Law Committees. Mr. Gerstner is also a member of the Massachusetts Bar Association and Massachusetts Defense Lawyers Association. He is a past President of the Korea-New England Alliance. He is also the Chairman of the Legal Affairs Committee of the Sigma Chi International Fraternity and the founder and current President of the Sigma Chi Bar Association.

CURRICULUM VITAE

Professional:

Shareholder. Trial counsel, Campbell Campbell Edwards & Conroy, a nationally recognized law firm dedicated to the litigation of complex, high stakes cases throughout the United States. Mr. Gerstner's practice focuses on aviation, commercial litigation, construction, environmental, fidelity & surety, general personal injury, insurance, intellectual property, professional malpractice, products liability and toxic tort litigation. For a variety of clients he provides risk management consulting. He has lectured extensively throughout the United States and in Korea on legal topics that include taking discovery abroad, construction law, lender liability, employment law, intellectual property, liquor and hazing liability, products liability and risk management.

Previous Associations

1984-1988	Peabody & Arnold Boston, Massachusetts
1982-1983	Modrall, Sperling, Roehl, Harris & Sisk Albuquerque, New Mexico

Education:

1979	B.A., University of Rochester
1982	J.D., <i>cum laude</i> , Boston College Law School
1981-1982	Executive Editor, Uniform Commercial Code Reporter Digest

Bar Admissions:

1982	New Mexico, U.S. District Court, District of New Mexico and U.S. Court of Appeals, Tenth Circuit
1983	Massachusetts
1985	U.S. District Court, District of Massachusetts and U.S. Court of Appeals, First Circuit
1994	District of Columbia
1995	New York
1997	U.S. District Court, District of Connecticut and U.S. District Court, Northern District of New York
2003	U.S. District Court, Southern and Eastern Districts of New York
2005	U.S. District Court, District of Vermont
2006	U.S. District Court, Eastern District of Michigan

Mr. Gerstner has been specially admitted to handle particular cases in 15 additional states.

Professional Associations:

American Bar Association

- Member, Construction Industry Forum
- Member, Business Law Section
 - Member, Business and Corporate Litigation Committee
- Member, Tort Trial & Insurance Practice Section (TIPS)
 - Member, Fidelity and Surety Law Committee

Defense Research Institute

- Aerospace Law Committee
- Commercial Litigation Committee
 - Intellectual Property Subcommittee
 - Class Action Subcommittee
- Construction Law Committee

International Association of Defense Counsel

- Aviation and Space Law Committee
- Business Litigation Committee
- Drug, Device and Biotechnology Committee
- Product Liability Committee

Korea-New England Alliance

- President, 1993-1996

Massachusetts Bar Association

Massachusetts Defense Lawyers Association

Sigma Chi International Fraternity

- Chairman, Legal Affairs Committee, 2009-

Sigma Chi Bar Association

- Founder
- President, 2009-

Publications:

- Shocking News: Absence of a Defibrillator May Lead to Liability for Failure to Treat Victims of Sudden Cardiac Arrest, MEDICAL DEFENSE AND HEALTH LAW COMMITTEE NEWSLETTER (International Association of Defense Counsel), January 2010
- A COMPLEX SOLUTION (a Jerry Taylor mystery), AuthorHouse 2005.
- "False Advertising Claims under the Lanham Act, Intellectual Property Litigation and Insurance (Defense Research Institute), October 2004
- "Defibrillator Liability Revisited," THE RISK MANAGEMENT LETTER, Vol. 24, Issue 1, 2003
- "Developments In Professional Malpractice Litigation Part II: Accountant Auditor Malpractice Litigation," D&O and E&O Liability: The New Environment (Defense Research Institute), June 2003
- "A Cross-Border Perspective: Personal Tort Liability for Directors and Officers," FOR THE DEFENSE (Defense Research Institute), March 2003

“Payment Bonds and Performance Bonds,” Construction Issues In Massachusetts (Lorman Educational Services), August 21, 2002

“Packaging Software Contracts,” FOR THE DEFENSE (Defense Research Institute), June 2002

“Practical Considerations for Defending Suits Involving Violations of Non-Competition Agreements,” The Business Suit (DRI Commercial Litigation Committee), Summer 2001

“Lenders’ and Title Insurers’ Perspectives,” Construction Lien Law In Massachusetts (Lorman Educational Services), March 23, 2001

“Failure to Provide A Defibrillator Could Lead To Premises Liability,” THE RISK MANAGEMENT LETTER, Vol. 21, Issue 6, 2000

“Legal Concerns and Opportunities for Massachusetts Businesses in 1996,” BOSTON BUSINESS JOURNAL

“Responsibility & Liability: Two Other ‘Names of the Game,’” PAINT CHECK, August 1991

Various case digests and comments, UNIFORM COMMERCIAL CODE REPORTER-DIGEST, Matthew Bender Publishing Co., 1981, 1982

Presentations:

“International Discovery: Do You Need It and How Do You Obtain It,” Behind The Curtain: Insight into the Aviation Practice from Go-Team to Trial, Aviation & Space Law Committee, Tort Trial & Insurance Practice Section, American Bar Association, Washington D.C., 2009

“New Reporting Requirements under Medicare Secondary Payer Statute: Settling/Paying Party Beware,” IADC Webinar, 2009

“Consumer Surveys in False Advertising and Trademark Infringement Cases,” DRI Annual Meeting, DRI, Chicago, 2008

“Electronic Presentations Prior to and During Trial,” Kansas Association of Defense Counsel Annual Conference, Kansas City, 2008

“Consumer Confusion under the Lanham Act and the Use of Survey Evidence,” Intellectual Property Litigation, DRI, Chicago, 2008

Program Chair, Damages in Complex Commercial Litigation, DRI, Boston, 2008

“Discovery with an Eye Toward Electronic Trial Presentation,” Linking Technology to Victory, Massachusetts Continuing Legal Education, Boston, 2008

“Where and How to Use Electronic Presentations Prior to and During Trial,” Linking Technology to Victory, Massachusetts Continuing Legal Education, Boston, 2008

Program Chair, Complex Commercial Litigation – Smart Strategies for Hard Cases, DRI, Phoenix, 2007

“Practicing in the District Court,” District Court Survival Guide Seminar, Massachusetts Bar Association, 2006.

“September 11th Litigation after Closure of VCF and Issuance of Kean Commission Report: What’s Left and What’s Next,” DRI Annual Meeting, 2005

“Prosecution and Defense of False Advertising Claims under the Lanham Act,” DRI Intellectual Property and Litigation Seminar, 2004

“Developments in Professional Malpractice Litigation: Accountant/Auditor Malpractice,” DRI, D&O Liability Seminar, 2003

“Payment Bond and Performance Bond Issues,” Lorman Educational Services, 2002

“International Discovery for Commercial Litigation,” DRI Annual Meeting, 2002

“Lenders and Title Insurer Perspectives in Construction Projects,” Lorman Educational Services, 2001

“American Product Liability Law for Korean Companies Doing Business in the United States,” Korea Trade Promotion Center, New York 1990, Los Angeles 1991 and Seoul 1992

“Liquor and Hazing Liability,” Leadership Training Workshops, Sigma Chi Fraternity International 1987-1988; Western Connecticut State University 1989; Boston University 1990, Massachusetts Institute of Technology 1990 and 1991, Northeastern University 1992; Boston College 1995

“Avoiding Lender Liability for Hazardous Waste Cleanup; Training for Commercial Loan Officers,” USTrust, 1991

“Managing Personnel in a Bi-Cultural Environment: Identifying and Resolving Legal Issues,” The Korea Society, New York, 1991

“Training in Lender Liability for Commercial Loan Officers,” Bank of New England 1988 and USTrust, 1989

Description of Practice:

Commercial Litigation: Aviation, Contracts, Construction, Employment, Environmental, Fidelity & Surety, General Business, Intellectual Property, Professional Liability

Personal Injury: Aviation, Insurance Defense, Product Liability, Toxic Torts

Risk Management Consulting