Peter Marlette

He | Him | His

Partner

Buffalo

P: 716.858.3763

pmarlette@barclaydamon.com

Education

- Georgetown University Law Center, JD
- Dartmouth College, BA

Practices & Industries

- Commercial Litigation
- Mass & Toxic Torts
- Torts & Products Liability Defense

Admitted to Practice

- New York

Court Admissions

- US District Court for the Northern District of New York
- US District Court for the Western District of New York

Biography

Peter's legal practice focuses on the defense of high-exposure products liability and toxic-substance litigation. He counsels businesses on products-liability issues and product recalls. Peter also represents corporations in large commercial litigation and arbitrations across the United States and around the world.

Peter formerly served as managing director of Barclay Damon's Buffalo and Toronto offices and served on the firm's Management Committee. Prior to the merger that formed Barclay Damon, he served as managing partner of Damon Morey LLP. Peter's many leadership positions in the community include an appointment by NYS Governor Andrew Cuomo to serve as Erie County Fiscal Stability Authority director and vice chair.

Bar Associations

- American Bar Association
- Bar Association of Erie County
- New York State Bar Association

Selected Memberships & Affiliations

- Litigation Council of America, Fellow
- ALFA International, Former Board of Directors Vice Chair
- ALFA International, Great Lakes Practices Group, Former Chair
- Managing Partner Forum, Advisory Board

Representative Experience

- Served as lead attorney in a major international arbitration involving cellular-telephone contracts in Sweden, Russia, and

several former Soviet Union republics with claims of over $125 million in damages. After 10 days of arbitration, a three-person panel returned a unanimous no-cause decision in favor of the Swedish corporation that Peter represented.

- Successfully tried several asbestos cases to verdict and served as lead trial counsel throughout the United States, including in cases in New York, Massachusetts, New Jersey, Florida, and Minnesota.
- National counsel for an international manufacturer of lifting devices in leading the coordination and strategy for its asbestos litigation throughout the United States.
- Successfully tried a high-exposure head injury case in which the plaintiff's economist alleged damages in excess of $25 million.
- Successfully counseled an international manufacturer of security devices, an international manufacturer of electrical products, and several food manufacturers and distributors on product recalls and withdrawals.
- Defended complex mass tort cases through trial that involved deceased plaintiffs. Through intensive investigation, successfully refuted the plaintiffs' witnesses' testimony, resulting in the dismissal of the case against the client.
- Successfully obtained summary judgment dismissal of the action with prejudice. After the client, a distributor of automotive products and solvents, made a prima facie showing of entitlement to summary judgment based on indemnity agreements and pass-through liability theory of defense, the plaintiff failed to demonstrate that the client had any independent liability for which it was not entitled to indemnification from the product manufacturer(s).

Prior Experience

- Damon Morey LLP, Managing Partner

Selected Community Activities

- Evans Scholarship Foundation, Director
- Kaleida Health System, Quality Committee Member
- Buffalo Renaissance Foundation, Former Board of Directors President
- Kaleida Health Foundation, Former Board of Directors Chair

Selected Honors

- *The Best Lawyers in America*®: Mass Tort Litigation/Class Actions – Defendants, 2012–2024; Product Liability Litigation – Defendants, 2015–2024; Buffalo "Lawyer of the Year": Mass Tort Litigation/Class Actions – Defendants, 2019
- Selected to *Super Lawyers* Upstate New York: Personal Injury – Products: Defense, 2007–2023; Top 50 Upstate New York Lawyers, 2019
- *Buffalo Business First*, Legal Elite Leaders of Western New York, 2013–2020; Western New York Power 250, 2013–2022
- *Daily Record,* Power 50 Law List, 2021

Selected Media

- *Buffalo Business First*, "Corey Auerbach Takes Over as Managing Director at Barclay Damon"
- *Managing Partner Forum*, “Make Mid-Sized the Right Size”