

Philly Trial Atty Joins Kline & Specter To Chair Mass Torts

By James Boyle

Law360 (November 29, 2021, 3:19 PM EST) -- A Philadelphia-area attorney's desire to spend more time in the courtroom led him to leave his own firm and move his practice to Kline & Specter PC, one of the largest plaintiffs' firms in the state.

Tobi Millrood has joined Kline & Specter as a partner and chair of its mass tort department, where he will use his more than 25 years of experience as a personal injury attorney specializing in multidistrict litigation to contribute to the firm. Millrood told Law360 Pulse on Monday that he valued his 13 years as a name partner at Pogust Millrood in Conshohocken, Pennsylvania, but it was time to move on.

"We had a great run for 13 years, and I am enormously grateful for everything," Millrood said. "My passion is really in the courtroom as a trial lawyer. It's like being in my home stadium when I am trying a case. Prior to the pandemic, a lot of the mass tort work I did, while it was incredibly gratifying, ended without the opportunity to try the cases in the courtroom."

Millrood says he still enjoys a personal and professional friendship with his former partner, Harris Pogust, who has refocused his practice as a chairman of PGMBM, a firm specializing in large group litigation.

As chair of Kline & Specter's mass tort department, Millrood will take over the duties from Lee Balefsky, who will become senior counsel at the firm. Millrood said it was conversations over the last several months with Balefsky about his future plans that led to the move.

"We've known each other for a long time, our careers have kind of run parallel to another," Millrood said. "I have an unbelievable amount of respect for Lee, and I know I have big shoes to fill. We got to talking a while back about his career winding down and moving to senior status. I asked who he would like to see replace him, and organically it got around to him asking if I would be interested."

The conversation brought in the firm's name partners Thomas Kline and Shanin Specter, which is when Millrood realized they had a shared vision of the mass tort practice. The combination of Millrood's track record of leadership in MDL cases and Kline & Specter's infrastructure was the perfect fit, Millrood said.

"I'm not looking to revolutionize things at the firm," Millrood said. "It's hard to argue with that success record. This is an opportunity to continue my MDL master work and try cases. I can't think of a better place with a better track record of excellence."

Millrood has focused on the plaintiffs' side of civil litigation as early as law school, earning his degree at the University of Tulsa College of Law in 1994. His previous work includes a partnership at Baroway Topaz Kessler Meltzer & Check in the Philadelphia suburbs from 2001 to December 2007. Millrood left in January 2008 to form his own firm with Pogust.

"It just runs through my blood," Millrood said. "I have a lot of compassion for injured individuals. It's like Rocky, taking on the big industry companies who too often put profits before safety."

Millrood has spent more than two decades litigating pharmaceutical, medical device and complex personal injury cases throughout the country. He is credited as the first attorney to file a hormone therapy lawsuit against major pharmaceutical companies.

Millrood also served on the plaintiffs' executive committee of the Prempro MDL, where he tried four hormone therapy cases and won jury verdicts in all four, including those of \$72.6 million and \$34.3 million. He also served in numerous court-appointed leadership positions in other pharmaceutical and medical device cases, including co-lead counsel in In re: Zofran (Ondansetron) Products Liability Litigation MDL 2657, and as co-lead counsel in In re: Zimmer Nexgen Knee Products Liability Litigation, MDL 2272.

The mass tort and MDL field has matured over the years, Millrood said, but there is still plenty of room to grow.

"There are a lot of pluses and minuses in the big plaintiffs committees game," Millrood said. "It's important to really consider whether a large litigation will benefit the injured victim. I believe each person harmed should be looked at individually. They each deserve an opportunity to try the case in court and achieve justice."

--Editing by Stephen Berg.