



Terry Dee

Partner

Chicago

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Terry is a nationally recognized trial lawyer in product liability, mass torts and healthcare litigation, earning Am Law Daily's "Litigator of the Week" on April 28, 2023. Clients rely on Terry to provide premarket exposure-mitigation strategies and his deep experience with preemption and expert-admissibility challenges. Terry has also successfully litigated disputes in healthcare antitrust, earn-outs, post-closing, breach of contract, and other civil matters in a variety of commercial sectors.

Terry is a partner in the Chicago office and focuses his practice on product liability and product-related class actions, antitrust, and other complex commercial litigation. He has tried cases in federal and state courts throughout the country—including Illinois, Ohio, Washington, District of Columbia, Maryland, Arizona and Missouri—and has handled numerous commercial arbitrations. Terry has served as lead counsel in joint-defense groups in federal multidistrict litigation and multiparty litigation, crafting the national strategy and coordinating the joint defense of those cases. Terry also counsels clients developing products in the health, medical device, and pharmaceutical industry to assess and manage potential risk areas.

Key Matters

Some of the experience represented below may have been handled at a previous firm.

- Served as lead trial counsel for a client and joint defense group of **cell phone manufacturers and service carriers** in more than 80 individual and coordinated actions pending in the Superior Court of the District of Columbia claiming that cell phones caused plaintiffs' brain cancer. Tried a month-long Frye hearing on admissibility of plaintiffs' general causation experts, and successfully argued the interlocutory appeal before the District of Columbia Court of Appeals *en banc*, changing the expert admissibility standard in D.C. from Frye to Federal Rule of Evidence 702. On remand, tried a three-week Rule 702/*Daubert* hearing resulting in an order excluding all of plaintiffs' general causation experts.
- Served as lead trial counsel for client and joint defense group in case filed in the U.S. District Court for the Western District of Louisiana claiming cell phones cause brain cancer. Successfully argued preemption motion to dismiss.
- Served as lead trial counsel for client in litigation with electronic data management software vendor; negotiated favorable settlement.
- Served as lead trial counsel for major law firm client and joint defense group in a *qui tam* action alleging violations of the False Claims Act and Illinois False Claims Act brought in the U.S. District for the Central District of Illinois. Successfully argued motion to dismiss.
- Served as lead trial counsel for a client and joint defense group in a multidistrict litigation (MDL) in the U.S. District Court for the Central District of California in which plaintiffs filed more than 25 consumer-fraud class actions throughout the country alleging that Bluetooth headsets cause hearing loss; successfully settled the action on a class-wide basis and argued the appeal of the settlement before the U.S. Court of Appeals for the Ninth Circuit
- Served as lead trial counsel in a MDL in the U.S. District Court for the Northern District of Illinois in which plaintiffs filed several purported consumer-fraud class actions throughout the country alleging wireless phones do not comply with Federal Communications Commission 911 call processing regulations; also selected as liaison counsel for national defense of more than 15 **wireless industry companies**; successfully argued summary judgment motion leading to the dismissal of all cases.
- Served as lead trial counsel for a client and a joint defense group in MDL in the U.S. District Court for the District of Maryland in which plaintiffs filed several purported consumer-fraud and breach-of-warranty class actions claiming that defendants failed to disclose that cell phones caused adverse health effects; successfully argued for dismissal of the cases based on federal preemption and, in related litigation, successfully argued for the dismissal of a purported class action in the U.S. District Court for the Eastern District of Pennsylvania based on federal preemption, which was upheld by the U.S. Court of Appeals for the Third Circuit.
- Served as lead trial counsel for the **largest privately-owned coal company** in the United States in a multijurisdiction dispute over a competitor's breach of non-disclosure agreement and misappropriation of trade secrets.
- Served as lead trial counsel in a several-week arbitration representing a buyer in post-closing disputes related to breaches of warranties and covenants in the sale of a consumer goods packaging business; a three-arbitrator panel issued an award granting full relief to the client.
- Obtained a complete defense verdict and successfully had a claim expunged from a **major investment bank's** record as a result of a multiday New York Stock Exchange (NYSE) arbitration involving the investment bank and one of its top brokers involving claims of unsuitable investment recommendations, misrepresentations, and failure to supervise.
- Negotiated a post-hearing settlement while serving as lead trial counsel in a preliminary injunction hearing in the U.S. District Court for the Southern District of Ohio in a non-competition, misappropriation of trade secrets case involving the outsourcing industry

- Represented an **industry trade group** in making First Amendment and preemption challenges to the City of San Francisco and City of Berkeley ordinances requiring certain point-of-sale disclosures
- Obtained a complete defense verdict and successfully defended the verdict on appeal for **General Motors** against claims that a defective car roof caused the death of former NFL player Derrick Thomas in a rollover accident
- Served as lead trial counsel for **Group Purchasing Organization** in a health care antitrust suit in U.S. District Court, Southern District of Illinois. Successfully argued motion to dismiss.
- Served as lead trial counsel for **hospital system** in health care antitrust suit in U.S. District Court, Southern District of Illinois. Successfully argued motion for summary judgment before the District Court and the oral argument before the U.S. Court of Appeals for the Seventh Circuit, which affirmed the summary judgment ruling.

Recent Experience

Nabbed Two Big Wins for Motorola in Billion-Dollar Suits Over Cell Phone Safety

Recognitions

- *The Best Lawyers in America*®—Recognized for Mass Tort Litigation / Class Actions - Defendants (2025)
- *Lawdragon's* "500 Leading Litigators in America"—Recognized for Product Liability, Class Action, and Antitrust (2023–2025)
- AM Law Litigation Daily—"Litigator of the Week" (Apr. 28, 2023)
- *The Legal 500 US*—Recognized as a "Key Lawyer" for Dispute Resolution: Product Liability, Mass Tort And Class Action - Defense: Consumer Products (Including Tobacco) (2023–2024)
- *Chambers USA*—Ranked for Dispute Resolution: Product Liability (2021)
- Chicago Bar Foundation—"Distinguished Service Award" (2017–2019)
- Chicago Lawyers' Committee For Civil Rights Under Law—"Pro Bono Attorney of the Year" (2017)
- *Illinois Super Lawyers*—Recognized (2012, 2014–2016)

Activities

- Lawyers' Committee for Civil Rights Under Law, Board of Directors
- American Law Institute, Member
- Upper Illinois River Development Authority, Board of Directors
- LINK Unlimited Scholars, Board of Directors
- Chicago Bar Foundation, President of the Board of Directors 2017–2018; Director 2011–2019

Credentials

EDUCATION

Terry received his J.D. from Washington University School of Law in 1992, where he was an Associate Editor of the

Washington University Law Quarterly, a Member of the Order of the Coif, and winner of the Wiley Rutledge Moot Court Competition. Terry received his B.A. from Wesleyan University in 1987.

ADMISSIONS

- Missouri
- Illinois

CLERKSHIPS

- USDC - Western District of MO for the Honorable Howard F. Sachs

Related Insights & News

- “Mass Tort Management Tactics: Practical Advice for Product Liability In-House Counsel, Part II” Winston & Strawn Product & Mass Torts Summit Series, Moderator, Oct. 23, 2024
- “2024 Annual Ethics Program,” Chicago Federal Bar Association, Panelist, June 5, 2024
- “Mass Tort Management Tactics: Practical Advice for Product Liability In-House Counsel,” Winston & Strawn Product & Mass Torts Summit Series 2024, Moderator, May 9, 2024
- “AI-n’t That a Legal Dilemma: Product Liability, Fraud & Abuse, and Privacy Issues in the Age of AI,” Winston & Strawn Product & Mass Torts Summit 2023, Panelist, June, 2023
- “You Are What You Eat – Or So You Think: The Legal Impact of Humane, Green, and Climate-Friendly Product Advertising,” Illinois State Bar Association and Chicago Bar Association, Mar. 10, 2023
- “AI—Products Liability,” *Bringing Medical Devices to Market* (ABA Health Law Section), Aug. 26, 2021
- “How EPA, FDA, and Federal Regulation Drives Mass Tort Litigation,” Winston & Strawn Product & Mass Torts Summit, June 7, 2022
- “Keys to a Successful Joint Defense Group,” *Today’s General Counsel*, Spring 2019
- “Navigating Uncertainty in a COVID/Post-COVID World Part 1,” Association of Corporate Counsel, Chicago, Webinar Series, Aug. 6, 2020
- “New Technologies and AI: Predicting Risks and Liabilities Associated with 3D Printing, Digital Diagnostic Healthcare Apps and Surgical Robotics,” ACI’s 24th Annual Conference on Drug and Medical Device Litigation, Dec. 2019
- “State of the Union on Preemption,” ACI’s 23rd Annual Conference on Drug & Medical Device Litigation, Nov. 29, 2018
- “AI & the Practice of Medicine,” *This Week in Health Law* Podcast, Nov. 16, 2018
- “Know your Gatekeeper: How to Ensure Admission of Scientific Opinion Evidence in Your Jurisdiction,” American Bar Association Section of Litigation Annual Conference, May 3, 2018
- “Strategies for Opposing Trials with Multiple Plaintiffs,” ACI’s 22nd Annual Conference on Drug & Medical Device Litigation, Dec. 2017

WEBINAR

AI-Enabled Drug Development: Best Practices for Mitigating Risks and Ensuring Good Governance

JANUARY 31, 2025

BLOG

Third-Party Litigation Financing Under the Spotlight: Judicial Conference Subcommittee Formed to Explore Disclosure Rules

OCTOBER 28, 2024

SEMINAR/CLE

Winston's Product & Mass Torts Summit Series 2024

OCTOBER 23, 2024

BLOG

Microplastics Policy: Is Federal Preemption a Viable Defense?

SEPTEMBER 18, 2024

RECOGNITIONS

Winston Attorneys Featured on the 2025 *Lawdragon 500* Leading Litigators in America List

SEPTEMBER 6, 2024

RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2025

AUGUST 15, 2024

BLOG

Deep Learning Meets Deep Pockets: Artificial Intelligence's Impact on Litigation Financing

AUGUST 7, 2024

RECOGNITIONS

Terry Dee Receives Shout Out in Litigator of the Week Column

JULY 26, 2024

BLOG

Microplastics Are the Latest Trend in "Greenwashing" Litigation

JULY 3, 2024

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2024

JUNE 12, 2024

SPEAKING ENGAGEMENT

Terry Dee and Courtney Block Present at the 2024 Annual Ethics Program

JUNE 5, 2024

BLOG

Sixth Circuit Confirms Experts Cannot Infer Causation from Association Based on Single Study to Exclusion of Contrary Studies Without Explanation

MARCH 4, 2024

Capabilities

Litigation/Trials	Product Liability & Mass Torts	Commercial Litigation & Disputes	
Class Actions & Group Litigation	Advertising Litigation	Antitrust/Competition	
Crisis Management	Medical Devices	Health Care	Automotive & Mobility
Technology, Media & Telecommunications	Financial Services	Artificial Intelligence (AI)	