

# COVINGTON



## Raymond B. Biagini

### Partner

Covington & Burling LLP  
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### Practices

- Government Contracts
  - Congressional Relations
- Litigation
  - Product Liability & Mass Tort Defense
- Environmental
- Insurance Coverage - Policyholders
- Communications & Media
  - Telecommunications

### Industries

- Aerospace, Defense and National Security
- Transportation

### Education

- Notre Dame Law School, J.D., 1979
- University of Notre Dame, B.A., 1976
  - *magna cum laude*
  - Phi Beta Kappa

### Bar Admissions

- District of Columbia
- Pennsylvania
- Supreme Court of Pennsylvania
- Supreme Court of Virginia
- U.S. Court of Appeals for the

A distinguished counselor and litigator, Raymond Biagini has risen to national prominence in a number of high-profile tort cases, defending commercial and government contractors in:

- the *Exxon Valdez* litigation;
- the Cell Phone Radiation Hazards lawsuits;
- the "Fen-Phen" litigation;
- the nationwide Repetitive Stress Injury suits;
- claims arising out of "friendly fire" accidents during Operation Desert Storm; and
- "war crimes" allegations filed against manufacturers of military weapons systems sold to Israel.

Mr. Biagini is also widely recognized for his expertise in defending "contractors on the battlefield" in tort litigation, and he has established ground-breaking legal principles at the federal appellate level which immunize defense contractors from tort liability arising out of combatant scenarios.

Mr. Biagini also has an extensive product liability prevention practice, counseling companies on mechanisms for reducing their tort exposure for products and services sold to government and commercial entities. He is significantly involved in counseling companies selling "homeland security" products and services, such as chemical/biological detection devices, perimeter security systems, biometric identity products, and airport security systems. Mr. Biagini conceptualized and authored key provisions of the SAFETY Act, a new federal statute that is part of the Homeland Security Act of 2002. The SAFETY Act protects companies from tort lawsuits arising out of the sale of homeland security products

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Federal Circuit

- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Federal Claims
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, District of Maryland

and services.

Mr. Biagini has represented some of the world's largest aerospace, defense and pharmaceutical companies, including Kellogg Brown & Root, Lockheed Martin, BAE SYSTEMS, Boeing, Textron, SAIC, Teledyne, Eon Labs, Unisys, and Philips Electronics. He is a frequent public speaker on risk mitigation techniques.

## Representative Matters

- Kellogg Brown & Root: Served as National Counsel for KBR's "Contractor on the Battlefield" tort suits arising out of Operation Iraqi Freedom and KBR's contracts with the Department of Defense to provide logistical support for the war efforts in Iraq and Afghanistan.
- Lockheed Martin, Teledyne, SAIC, Unisys, BAE SYSTEMS: Provided product liability prevention counseling relating to the launch of "anti-terror" products/services to the government and commercial markets.
- Philips Electronics North America: Served as national coordinating counsel for all cases regarding cell phone suits which allege that plaintiffs suffered biological injury, including brain cancer, from the radio frequency radiation emitted from cell phones.
- Hughes Aircraft: Defended missile manufacturer against wrongful death allegations arising out of an explosion in the first "friendly fire" lawsuit emerging out of Desert Storm.
- Unisys: Represented company in environmental insurance claims which exceeded more than \$100 million in environmental remediation's costs from its former insurers. Also, represented company in mass tort repetitive stress injury cases. Finally, defended the company as the manufacturer of the steering system in a multi-billion dollar oil spill suit on the Exxon Valdez.
- Eon Labs Manufacturing, Inc.: Served as national coordinating counsel for this manufacturer of diet drugs in the mass tort "fen/phen" litigation involving more than 6,000 cases. Representation includes national coordination of expert and scientific discovery in federal multi-district litigation and 46 states.
- General Dynamics, Raytheon, Johns Hopkins APL, Unisys, FMC: Defended these military contractors in a multiple party arrangement in lawsuits arising out of the USS Stark

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incident in the Persian Gulf where 46 Navy sailors were killed after an attack by Iraqi fighter aircraft and the USS Vincennes shootdown of the Iranian Airbus in the Persian Gulf, killing 290 Iranian civilians.

- Teledyne: Defended this company in a wrongful death action in federal court in Puerto Rico arising out of an explosion that occurred during a refueling of a Navy drone aircraft.
- Lockheed Martin: Successfully resolved wrongful death/federal court lawsuit involving crash of F-22 fighter aircraft during training exercise in Alaska.

## Honors and Rankings

- *Chambers USA*, Government Contracts (2014-2015)
- *The Washington Business Journal*, Finalist in its "Top Washington Lawyers" for Government Contracts (2007)

## Memberships and Affiliations

- U.S. Chamber of Commerce's Cybersecurity Working Group
- American Bar Association (Insurance and Indemnification Committee of the Public Contract Law Section)
- The District of Columbia Bar

## Publications

- "Unmanned Aircraft Opportunities and Risks," *LJN's Product Liability Law & Strategy* (December 2014), Co-Author