



Kieran O'Brien

Partner

kieran.obrien@dlapiper.com

Melbourne

T: +61 3 9274 5912

M: +61 412 221 597

Kieran has vast experience in class actions/mass torts, product liability/product recalls, complex insurance claims (public liability, professional liability and property damage), commercial litigation.

Kieran regularly advises on mandates that have global reach, working closely with clients and colleagues in the US, Europe and Asia. He assists clients traverse the complexity of cross-border litigation and regulatory action.

Kieran has a particular focus on the Life Sciences, Manufacturing/Industrial, Food and Beverages, Sports and Insurance sectors, and acts for many leading global companies and sporting codes in those sectors.

For instance, Kieran regularly acts for several global life sciences companies (pharmaceuticals and medical devices) in product liability and commercial litigation matters around Australia, and providing litigation and regulatory advice. Recent examples include litigation involving the Parkinson's Disease treatment drug (Cabaser), various medications including the smoking cessation medication Champix, and a variety of medical devices including hernia mesh, contraceptives, spinal implants and cardiac, ventilation and surgical equipment

Kieran has been included in *Best Lawyers in Australia* (a publication of the Australian Financial Review) since 2012 for the practice areas of Insurance, Litigation, Product Liability and Class Action. In 2013, Kieran was recognized as a leading lawyer in the International Who's Who of Insurance & Reinsurance Lawyers.

Kieran also actively participates in DLA Piper's Pro Bono program. He has been a partner champion for the UNICEF Child Rights Project, and has taught Civil Procedure to law students at the University of the South Pacific in Port Vila.

Kieran O'Brien leads the Litigation and Regulatory practice in DLA Piper's Melbourne office, is the International Co-Chair of the DLA Piper Class Actions and Collective Redress Group, and heads DLA Piper's Australian Product Liability practice.

EXPERIENCE

RELATED SERVICES

- Litigation, Arbitration and Investigations
- International Trade, Regulatory and Government Affairs
- Employment
- Insurance and Reinsurance Disputes

RELATED SECTORS

- Life Sciences
- Industrials
- Consumer Goods, Food and Retail
- Media, Sport and Entertainment

- Acting for a global pharmaceutical company in a recently settled Federal Court class action, being a failure to warn case involving over 200 group members alleging side-effects from the consumption of two medications used to treat symptoms for Parkinson's Disease and restless leg syndrome.
- Acting for a global food distribution company in a Federal Court class action.
- Acting for a Victorian Council in a Supreme Court of Victoria class action relating to the Mickleham bushfires in February 2014. Claim recently settled with Court approval.
- Acting for the Australian Football League (AFL) in mass tort litigation arising from the Essendon Football Club supplements saga.
- Successfully acted both at trial and on appeal for the plaintiff in *Amaca Pty Ltd v CSR Ltd & Anor* [2015] VSC 582 and [2016] VSCA 320, a Supreme Court of Victoria group proceeding involving in excess of 200 claims for equitable contribution as a result of a product liability partnership dispute between two asbestos manufacturers in the 1960s-1970s.
- Acting for a global medical device company in litigation relating to the supply of medical equipment.
- Acting for a UK company in litigation arising from the purchase/acquisition of a water products company.
- Acting for a Korean company in relation to a substantial claim for losses arising from the supply of allegedly non-compliant component parts for motor vehicles that led to a global product recall.
- Acting for two global Swedish companies (hygiene products and furniture) in product related litigation and advisory work.
- Successfully acted for the defendant solicitor in a professional negligence claim (and awarded indemnity costs): *Taseska v Carus & Anor* [2019] VSC 342.

CREDENTIALS

Professional Qualifications

- Barrister and Solicitor of the High Court of Australia, 2005
- Solicitor of the Supreme Court of Victoria, 1994

Recognitions

- *Best Lawyers* - Recognised by *Best Lawyers*™ in Australia since 2012 in the areas of Insurance, Litigation, Product Liability and Class Action Law.
- *Leading Lawyer* in the International *Who's Who* of Insurance & Reinsurance Lawyers.
- *Doyle's Guide* for:
 - 'Leading (pre-eminent) Dust Diseases Lawyers & Law Firms - Victoria 2016 onwards.
 - 'Leading (pre-eminent) Public Liability Lawyers - Victoria 2017 onwards.

Memberships

- Law Institute of Victoria
- Australian Insurance Law Association (including past President of the Victorian Branch)

INSIGHTS

Kieran has presented countless seminars both in-house and externally at client and industry events.

Kieran has published numerous articles for internal and external publications, has provided special commentary on both television and radio, and has had an article published in the *Sydney Morning Herald* and *The Age (Melbourne)*.

Publications

Preparing for global class actions arising from COVID-19

28 May 2020

The risk to companies of global and cross-border class action and collective redress proceedings is rising.

Insurance Review May 2016

5 MAY 2016

Welcome to *Insurance Review May 2016*. DLA Piper's annual publication dedicated to the insurance industry. In this issue we look at the following topics:

Events

Previous

Preparing for global class actions arising from COVID-19

16 June 2020 | 9:00 - 10:30 a.m. ET (Session one) | 8:00 - 9:30 p.m. ET (Session two)
Webinar
