

Denis W. Stearns is a principal in Marler Clark.

Mr. Stearns received his undergraduate degree in philosophy from Seattle University, where he graduated with a 4.0 grade point average and delivered the valedictory address.

Mr. Stearns obtained his law degree from the University of Wisconsin Law School, at Madison, where he graduated with honors. While in law school, Mr. Stearns was a well-respected legal writing instructor, and a member of the moot court team that won the Midwestern Regional Championship of the Jessup International Law Moot Court Competition. Mr. Stearns and his team then went on to compete at the International Round of the competition, competing against teams from all over the world.

In his third year at law school, Mr. Stearns was chosen President of his law school's Moot Court Board, while also serving as Articles Editor for the Wisconsin International Law Journal. His law journal article, *Rendered Stateless: The Extraordinary Apprehension of Foreign Nationals and the Politics of Exclusion*, won the Mary Kelly Quackenbush Memorial Award for outstanding contribution to the Wisconsin International Law Journal. When he graduated Mr. Stearns also received the Milwaukee Bar Moot Court Prize, for significant contribution to moot court teams, and the Wisconsin Law Alumni Award for significant contribution to life in the law school.

As a trial attorney, Mr. Stearns has extensive experience with complex litigation, in both state and federal court. He has similar experience in appellate courts, having argued a number of cases before the Washington Court of Appeals, and having also filed briefs before the Washington Supreme Court and the Ninth Circuit Court of Appeals. Most recently, Mr. Stearns filed several important briefs with State Appellate Courts on topics such as insurance bad faith and the State's Public Record Act.

Notably, Mr. Stearns was one of the lead attorneys who represented Foodmaker Inc. in the widespread litigation that arose from the January 1993 Jack in the Box E. coli 0157:H7 outbreak. Mr. Stearns was responsible for designing and implementing a discovery plan that allowed Foodmaker to present a consistent and successful defense in over one hundred lawsuits spread among several states. In this role, Mr. Stearns obtained extensive knowledge and experience in litigation that involves complex manufacturing systems, foodborne illnesses, and issues of quality control. He also became noted for a highly principled, but persistent, approach to the discovery process and is a frequent speaker and guest lecturer on ethics and the law.

Mr. Stearns has written several articles regarding product liability law and subjects related to foodborne illness litigation. He recently wrote a series for the on-line newsletter, ID Access:

- [Product Liability: A Brief History of Its Early Origins](#)
- [Product Liability: How It Turned Strict](#)
- [Chain of Distribution Liability: Tag, You're It](#)
- [Product Distributor Liability: Some Different Scenarios](#)
- [Indemnification, Contribution, and Allocation of Fault: Shifting the Blame](#)
- [Intentional Contamination: Liability for the Criminal Acts of Employees.](#)

Mr. Stearns partnered with Marler Clark epidemiologist Patti Waller to write an article titled, "[Where's the Meat? The Need for Full Public Disclosure in Meat Recalls](#)" on the topic of public disclosure of the names of retail outlets that received potentially contaminated meat during a meat recall for the Journal of Environmental Health's June 2006 issue, and authored "[Intentional Contamination: The Legal Risks and Responsibilities](#)," an article that answers the question of whether a company can be held liable for the criminal acts of an employee who decides, for whatever reason, to contaminate food products that then go on to make a number of people sick.

He wrote a chapter titled, "[A Future Uncertain: Food Irradiation from a Legal Perspective](#)," for the Institute of Food Technologists' book on Food Irradiation Research and Technology and is currently writing a chapter for an IFT book, Microbial Safety of Fresh Produce: Challenges, Perspectives and Strategies.

Other articles Mr. Stearns has written include:

- [An Introduction to Product Liability Law](#)
- [An E. coli O157:H7 Outbreak at a Chain Restaurant: A Case Study on How Easily Legal Liability Can Spread to a Franchisor](#)
- [Why Hepatitis A Vaccinations are Bad for \(My\) Business](#)
- [E. coli Lawsuit Results in a \\$4.75 Million Jury Award For Injured Children: A Case Study In How Not to Learn About Food Safety](#)
- [The Courage to Criticize](#)

In addition to his work for Marler Clark, Mr. Stearns is active in the King County Bar Association pro bono program, Volunteer Attorneys for People with AIDS. Mr. Stearns is also on the Board of Directors for [The Bailey-Boushay House](#), America's first skilled nursing facility that was planned, founded, built and staffed to meet the needs of people living with AIDS.

Mr. Stearns has an AV rating from Martindale-Hubbell.