

JOHN E. MUDD

ADDRESS

- P.O. Box 194134, San Juan, PR 00919-413
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PROFILE

- Licensed attorney in private practice since 1983.
- Recognized specialist in Federal practice and mass tort litigation.
- Extensive experience in the preparation and trial of personal injury claims.
- Exceptional knowledge of administrative procedures, rules of evidence, and trial practices.
- Outstanding research skills in Federal, Commonwealth, and State Law.
- Able to communicate clearly and concisely with people of diverse backgrounds and levels of authority.
- Fluid in both the English and Spanish language, some knowledge of the French language.
- Born in Hawaii, December 10, 1957. Married, one daughter.

EXPERIENCE

- President of the Plaintiffs' Steering Committee in the Consumers v. Puerto Rico Water and Sewer Authority litigation, over 1 million consumers
- Executive Member of the Steering Committee in the Consumers v. Puerto Rico Power Authority, over 1.5 million consumers.
- Member of the Criminal Justice Act Appellate Panel, First Circuit.
- Appointed Member of the PSC in the Bausch & Lomb Litigation, MDL-1785.
- Lead Plaintiff's Counsel in Tobacco Class Action in Federal Court in Puerto Rico.
- Lead counsel or sole counsel for the injured plaintiff in at least 25 jury trials with a minimum trial length of three days, plus another 30 non-jury trials of at least two days.
- Since 1983, have prepared and prosecuted to conclusion, either by trial or settlement, over 850 cases, including, but not limited to personal injury, mass tort, criminal, class actions, copyright infringement, construction, mine safety, maritime, aviation, insurance, business, labor, bankruptcy and appeals, both criminal and civil.
- Interviewed witnesses, propounded and responded to interrogatories requested productions and admissions, took and defended depositions, briefed interlocutory motions, filed requested findings and conclusions in non-jury cases, and prepared and argued requested instructions in jury trials.
- Provided continued education to insurance adjusters in damages valuation at the Interamerican University, 1992.
- Invited to provide testimony before the Puerto Rico Senate and House of Representatives on different subjects, including the Bar Association legislation and reciprocity with other states.

- Has taught continued education courses including class actions, federal jurisdiction and intricate federal issues.
- Regular Legal panelist at “El Azote de Luis Davila Colon” WKAQ 580am Univision Radio and appearances in several television, news and radio programs.

- EXPERT WITNESSES:
 - a) Defined case issues and facts, then determined what type of expert witnesses would be needed.
 - b) Located highly competent and persuasive experts in the required fields.
 - c) Consulted with and prepared the experts based on the definition of the issues and the facts.
 - d) Examined and cross-examined all types of fact witnesses and expert witnesses from nearly all areas of medicine and many scientific fields.
 - e) Known, respected, and sought after specialist on Daubert Challenges.

- MANAGEMENT:
 - a) Recruited, supervised, motivated, and evaluated employees, including staff attorneys, clerical staff and paralegals.
 - b) Met deadlines for pretrial procedures, trials, and appellate briefings by effectively utilizing and delegating responsibilities to attorney associates and support staff, such as paralegals and clerical staff in regular and complex litigation.
 - c) Managed a private law practice for more than nine years, including all aspects of administration, accountability for profit and loss, controlling costs, and achieving revenue objectives.

EDUCATION

- GRADUATE SCHOOL 1987
Masters Degree International Relations
Boston University, Boston, Massachusetts

- JURIS DOCTOR 1982
University of Puerto Rico, San Juan, Puerto Rico

- BACHELOR OF ARTS 1979
Political Sciences
University of Puerto Rico, San Juan, Puerto Rico

SIGNIFICANT CASES

- Ortiz Brunet v. El Mundo Broadcasting Corporation, 2006 TSPR 154 (breach of contract)
- Morales-Villalobos v. García-Llorens, 316 F.3d 51 (1st Circuit 2003)(anti-trust)
- Martinez v. Colon, 54 F.3d 980, (1st Circuit), cert. den., 516 U.S. 987(1995)(civil rights)
- Henley Drilling Co. v. McGee, 36 F.3d 143 (1st Circuit 1994)(maritime)
- Hodge v. American Home Assurance Co., 25 F.3d 1037 (1st Cir. 1994)(insurance)
- United Structures of America, Inc. v. G.R.G. Engineering, S.E., 9 F.3d 996 (1st Circuit 1993)(surety law)

- *Rojas-Hernandez v. Puerto Rico Electrical Power Authority*, 925 F.2d 492 (1st Cir. 1991) (federal jurisdiction and abstention)
- *Gonzalez v. Cruz*, 926 F.2d 1, (1st Cir. 1991)(federal jurisdiction and abstention)
- *IN RE San Juan Dupont Plaza Hotel Fire Litigation*, 888 F.2d 940 (1st Cir. 1989)(11th amendment)
- *U.S. v. Ramirez*, 884 F.2d 1524 (1st Circuit 1989)(double jeopardy)
- *Pandolfi de Rinaldis v. Llavona*, 62 F.Supp.2d 426, 138 Ed. Law Rep. 792 (D.P.R. 1999)(civil rights)
- *Saracco v. Consejo de Titulares del Condominio Coral Beach*, Not Reported in F.Supp., 1993 WL 99274 (D.Puerto Rico, March 18, 1993)(personal injury)
- *Cardona Del Toro v. United States of America*, 791 F.Supp.43 (D.Puerto Rico, May 21, 1992)(statute of limitations)
- *Felix v. ELA*, KDP95-1394 (personal injury)
- *IN RE: Rio Piedras Explosion*, cv-96-2443 (CCC)(mass tort and bankruptcy)
- *Barreras v. The American Tobacco Company*, cv-96-2300 (JAF)(class action)
- *IN RE: Cali, Colombia Air Disaster*, cv-96-MDC-1125(aviation law)
- *Robbins v. Williams Hospitality Group*, NSCI03-0715, (class action)
- *Figuroa v. UHS of Puerto Rico, Inc.* 01-001040, (Fifth Amendment)
- *Pueblo v. Torres*, 03-1501, (DUI)
- *Pueblo v. Dimarco*, KVP94-2718, (theft)
- *Torres-Perez v. U.S.*, 530 F.Supp.2d 429 (D.P.R. 2008)(medical malpractice)
- *Roman v. PREPA*, 11-2003 (RICO Act)
- *Toro-Diaz v. AAA K PE2007-2745 (903)* (class action, president of Steering Committee)

BAR ADMISSIONS

- Commonwealth of Puerto Rico, Supreme Court, 1983
- Federal District Court for the District of Puerto Rico, 1983
- First Circuit Court of Appeals, 1984
- Fourth Circuit Court of Appeals 2010

PUBLICATIONS

- "The impact of the Elimination of Section 936 of the Internal Revenue Code on United States Foreign Policy in the Caribbean" 100 *Catholic University of Puerto Rico Law Review*, Vol. 100-101. July-January, 1988, pages 26-45
- "The right to a Jury Trial in the United States District Court for the District of Puerto Rico" *From The Bar* 1994, Issue No. 4, pages 6-7
- "Issue: The Right to a Jury Trial in Puerto Rico" *From The Bar*, Autumn, 1995, Issue No. 7, pages 3-6
- "The Implications of Gasparini versus Center of Humanities: A Reply to Mr. Carlos Oliver", *From The Bar*, Fall, 1996, Issue No. 13, pages 3-5
- "Keepers of the Gate: Admissibility of Expert Testimony after Daubert versus Merrell Dow Pharmaceuticals, Inc." *From The Bar*, Winter, 1997, Issue NO. 14, pages 5-6
- "Gasperini and Daubert Revisited" *From The Bar*, Spring, 1997, Issue No. 15, pages 8-9
- "The Fat Lady Sings Wagner Operas: Daubert, Joiner and Kumho Tire" *From The Bar*, Autumn, 1999, Issue No. 24, page 11
- "La Historia Verdadera" Column in *El Nuevo Día*, February 15, 2011
- "El Detalle de las Reglas" Column in *El Nuevo Día*, February 22, 2011
- "Impericia Medica" Column in *El Nuevo Día*, May 17, 2011

- “El Arte del “Cateo” y sus Consecuencias Constitucionales”, Instituto de Política Pública, SUAGM, February 3, 2014.
- “Federal Oversight of Puerto Rico is Necessary (And Legal), The Hill, June 24, 2015
- “La Junta de Control Financiero”, El Vocero de Puerto Rico, May 29, 2015
- Blog johnmuddlaw.com with more than 86,000 hits
- Veritas Mudd Podcast

WORK HISTORY

PRINCIPAL, Law Offices of John E. Mudd San Juan, Puerto Rico	2002-present
OF COUNSEL, Ortiz-toro & Ortiz-Brunet, San Juan, Puerto Rico	2002-present
PARTNER, Ortiz-Toro & Ortiz-Brunet, San Juan, Puerto Rico	1995-2002
PRINCIPAL, Law Offices of John E. Mudd Bayamon, Puerto Rico	1994-1995
SENIOR STAFF ATTORNEY, Cordero, Miranda & Pinto, San Juan, Puerto Rico	1991-1994
SENIOR STAFF ATTORNEY, Ortiz-Toro & Ortiz-Brunet, San Juan, Puerto Rico	1986-1994
TEMPORARY LAW CLERK FOR MAGISTRATE-JUDGE JUSTO ARENAS, San Juan, Puerto Rico	Sept. 1987
PRINCIPAL, Law Offices of John E. Mudd, Esq., San Juan, Puerto Rico	1985-1986
STAFF ATTORNEY, FEDERAL LITIGATION DIVISION, PUERTO RICO DEPARTMENT OF JUSTICE, San Juan, Puerto Rico	1984-1985
STAFF ATTORNEY, PUERTO RICO DEPARTMENT OF NATURAL RESOURCES, San Juan, Puerto Rico	1983-1984