

John Jerry Glas



Partner
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Location

New Orleans, LA

Practice Areas

- Appellate
- Aviation
- Civil Litigation
- Energy
- Personal Injury
- Premises Liability
- Products Liability
- Transportation

Jurisdictions

- Louisiana

Mr. Glas is a partner in the firm, and a member of the Civil Litigation Department. A significant portion of his practice involves Product Defect, Transportation, Negligent Security, Premises Liability, Intentional Torts, Toxic Exposure, and General Aviation cases throughout Louisiana.

Mr. Glas focuses on handling brain trauma claims, and has tried to verdict four brain trauma cases in the last four years. He has lectured on the testimony of neuropsychologists and neurosurgeons at legal education seminars, and serves as the moderator for Lorman Educational Services' annual one-day *Fundamentals Of Brain Trauma Cases* Seminar in New Orleans.

He has handled several cases for the oil and gas industry, including defending against claims involving plant exposure, scaffolding accidents, equipment failure, premises defect, slip & fall, and work-related auto accidents.

Mr. Glas has also defended manufacturers and owners of equipment against claims that their machinery is unreasonably dangerous by design under the Louisiana Products Liability Act. He has defended the design of 900-Series streetcars, mobile containeramps, and bucket trucks.

Mr. Glas has defended numerous commercial airlines, handling claims arising out of boarding accidents, claims governed by the Warsaw Convention, and claims brought under the Louisiana Products Liability Act.

Mr. Glas has defended law enforcement personnel in Parishes throughout Louisiana, as well as the leading manufacturer of electronic control devices, against claims filed by criminals and prisoners.

Mr. Glas has defended companies and employees against claims filed by co-workers who alleged that their workplace accident was the result of intentional tort and that their claims fell under the intentional tort exclusion to the Louisiana Workers Compensation Act.

Former Career As A State Prosecutor

Before joining the firm in 1999, Mr. Glas served as an assistant district attorney for the Parish of Orleans.

As a state prosecutor, Mr. Glas obtained extensive experience with jurors in Orleans Parish. During his first year in the Felony Trials Division, Mr. Glas tried more than sixty jury trials to a verdict, including four murder trials, four rape trials, six burglary trials, seven robbery trials, and fourteen drug distribution trials. He was placed in charge of Section "G" of Criminal District Court, and promoted to senior assistant district attorney.

Mr. Glas also obtained invaluable experience in appellate advocacy. While serving in the Appeals Division, he authored more than forty appellate briefs and writs of certiorari, including the appellee's brief in fifteen published opinions. He successfully argued cases before the Louisiana Fourth Circuit Court of Appeal and the Louisiana Supreme Court. See *State Ex Rel Wise v. State*, 97-2511 (La. 5/14/99); 736 So.2d 162; see also *State v. Landry*, 98-0188 (La. 1/20/99); 729 So.2d 1019; *State v. Nguyen*, 97-0020 (La.App. 4 Cir. 1/14/98); 707 So.2d 66.

Mr. Glas is particularly proud of his service as a special prosecutor. During his last three months at the New Orleans District Attorney's Office, Mr. Glas tried two 1st degree (capital) murder trials. The first trial resulted in four first degree murder convictions for the man who committed what the media called the "mid-city massacre." The second trial resulted in a second degree murder conviction for a man who shot a neighbor who was confined to a wheelchair. Both men are serving life sentences.

Community Involvement

Mr. Glas is a native of New Orleans and graduated from Jesuit High School (class of 1987) as did his father (class of 1961) and his grandfather (class of 1923). After obtaining his M.A. in philosophy from the University of Toronto, he returned to New Orleans and taught theology at his alma mater before starting law school at the Paul M. Hebert Law Center at Louisiana State University.

Mr. Glas volunteers as an attorney-coach for Jesuit High School's Mock Trial Team. Since 2001, Jesuit's Mock Trial has won the Regional Championship Tournament five times. In 2006, the Mock Trial Team won the State Championship Tournament, and finished 11th at the National Championship Tournament in Oklahoma City.

Mr. Glas has performed significant pro bono work, and was awarded the Louisiana State Bar Association's 2009 Pro Bono Publico Award and the Federal Bar Association's 2009 Camille Gravel Public Service Award for obtaining a life sentence for an inmate on Angola's death row after eight years of pro bono representation.

Education

J.D., Louisiana State University, 1996
M.A., Philosophy, University of Toronto, 1992
B.A., Philosophy, College of the Holy Cross, 1991
Jesuit High School, 1987

Representative Works

Personal Injury

Mr. Kerrigan, Mr. Glas and Ms. Belsome obtained precedent-setting summary judgments on behalf of U.S. Gypsum Corporation and its subsidiary, L&W Supply Corporation, in a multi-million dollar untarping case. Plaintiff was a Western Express truck driver who was paralyzed after falling from atop his load of stacked sheetrock while on L&W Supply property. Plaintiff claimed that Defendants knew that truck drivers were sometimes forced to climb their load during untarping, and did nothing to prevent the practice or protect the drivers. Plaintiff argued that Defendants owed a duty under OSHA's Multi-Employer Worksite Doctrine and Louisiana state law, and breached that duty by failing to provide fall protection, warnings, and assistance. Defendants argued that they owed no duty to tell a non-employee, professional truck driver how to do his job while on L&W Supply property. Judge Engelhardt of the United States District Court for the Eastern District of Louisiana wrote an eleven-page judgment agreeing that the Defendants neither owed nor assumed a duty to the Plaintiff; he further concluded that Plaintiff's "failure to take precautions when faced with obvious risk, combined with [Western Express'] seemingly lax driver/untarping policies and procedures, resulted in an unfortunate accident. [Plaintiff's] remedy, albeit limited, is found in workers' compensations benefits provided by his employer." The ruling was issued one week before trial, and only days after opposing counsel demanded \$8 million to settle the case.

James Offord and Patricia Offord v. United States Gypsum Corporation, Seacoast Supply, and L&W Supply Corporation, USDC EDLA, No. 07-8704, Section "N"

Appeal

Mr. Glas handled the appeal in a case where the trial court found that a detention center was negligent for failing to medically examine a prisoner, but held that the detention center was not liable because plaintiffs failed to prove causation. The Third Circuit affirmed, finding that the trial court erred in finding the detention center negligent. *Cole v. Acadia Parish Sheriff's Department*, 07-1386 (La.App. 3 Cir. 11/5/08)

Appeal

Mr. Glas handled the appeal of a case where a jury allocated 80% of fault to a patron who threw a rock glass at an entertainer, 20% of fault to the venue and \$450,000 to the plaintiff entertainer, who asked for \$3.4 million in closing argument. The Fourth Circuit affirmed the jury's verdict.

Pyles v. Weaver, 2006-0348 (La.App. 4 Cir. 5/16/07), 958 So.2d 753, *writ denied*, 2007-1674 (La. 11/2/07), 966 So.2d 603.

Wrongful Death - Product Liability

Mr. Glas and Ms. Theard filed and had granted a Motion for Summary Judgment in a wrongful death case against client TASER International, Inc. The Plaintiff in this case went into cardiac arrest soon after receiving a touch stun to his right upper back. Deutsch, Kerrigan & Stiles obtained an affidavit signed by the coroner confirming that the TASER exposure did not cause or contribute to the death, and then forwarded a draft motion for summary judgment to the Plaintiff's counsel. When the Plaintiff's counsel refused to voluntarily dismiss the case with prejudice, Mr. Glas and Ms. Theard filed the successful motion. The case was dismissed with prejudice by Judge Berrigan.

Smith v. TASER, 07-1189, USDC, Eastern District of Louisiana.

Trucking Accident & Heart Problems

Mr. Glas defended a trucking company in a case in which plaintiff claimed that he suffered a ventricular tachycardia, a debilitating lumbar injury, and sexual dysfunction after his van was pinned against a telephone pole by a turning truck. The jury trial was held on damages from August 7 to August 9, 2006.

Kenneth Swain v. RLI Insurance Company, No. 05-0852, Section I, Judge Lance Africk, USDC, Eastern District, Louisiana.

Prison Medical Care & Rare Infection

Mr. Glas defended the local Sheriff's Office in a case in which a former prisoner, who became infected with Streptococcus Group F while incarcerated, claimed that the prison medical staff was negligent for failing to get him to a dentist or emergency room before the infection spread and required life-saving procedures, an induced coma, and a subsequent foot amputation. The judge trial was held from July 5-6, 2006.

Brian Cole v. Acadia Parish Sheriff, No. 76015, Judge Marilyn Castle, 15th Judicial District Court, Parish of Acadia, Louisiana.

Appeal

Mr. Glas handled the appeal when a trial court granted his motion for summary judgment in a wrongful death action because plaintiffs failed to prove that his client's fence created a sight obstruction at an intersection and that his client had notice. The Fifth Circuit affirmed.

Tastet v. May, 05-755 (La.App. 5 Cir. 2/27/06), *writ denied*, (La. 5/26/06).

Bus Accident & Cervical Injury

Mr. Glas defended the local transit authority in a case in which an RTA passenger claimed that she sustained permanent neck and shoulder injuries after an intersectional collision between the RTA bus and another vehicle. The judge trial was held from June 8 to 14, 2005.

Iris Butler v. Stanford Williams, No. 02-19410, Section L, Judge Kern Reese, Civil District Court, Parish of Orleans, Louisiana.

Negligent Security

Mr. Glas defended a gentleman's club in a case in which a patron threw a drinking glass at the face of an entertainer. The entertainer, who was an independent contractor, filed suit against the club claiming that it had inadequate security. The entertainer also claimed that she sustained permanent cervical damage and brain damage. The jury trial was held from March 21 to March 29, 2005.

Kimberly Pyles v. Anthony Weaver, No. 2001-15258, Section D, Judge Lloyd Medley, Civil District Court, Parish of Orleans, Louisiana.

Design Defect & Brain Damage

Mr. Kerrigan and Mr. Glas defended against a suit filed by a sugar mill worker who was struck in the head by a blowtorch that fell from scaffolding forty feet above his head. The plaintiff sustained a comminuted and depressed skull fracture, which required surgery to repair. At trial, the plaintiff claimed that he sustained permanent brain damage and could never work again. The jury trial on liability and damages was held from May 10 to May 14, 2004.

Eric Molo v. Southern Magic, Inc., No. 103,600, Judge Bennie Hunter, 16th Judicial District Court, Parish of St. Mary, Louisiana.

Design Defect & Brain Damage

Mr. Glas defended the owner and operators of a 1925 Perley Thomas streetcar against a claim brought by the parents

of a five-year-old girl who filed suit after their daughter fell out of the open window during a streetcar birthday party, and nearly severed her arm. At trial, Plaintiffs alleged that the streetcar was defectively designed because it did not have guarding on the windows, and that plaintiff also sustained permanent brain damage. The jury trial on liability and damages was held from August 18 to August 28, 2003.

Stephen Schweitzer, et al. v. TMSEL, Inc., et al., No. 98-4827 c/w 98-5077, Judge C. Hunter King, Civil District Court, Parish of Orleans, Louisiana.

Brain Damage (24-Hour Care)

Mr. Glas defended against claims brought by a retired gentleman after he was struck in the head by the swinging digger bucket of a backhoe. The gentleman sustained a fractured skull, and later required a burr hole to relieve the intracranial pressure caused by a subdural hematoma. At trial, Plaintiffs claimed that the gentleman required 24 hour care and/or institutionalization. The jury trial on damages was held from March 24 to March 28, 2003.

Carroll Menard v. Cassidy Empire, Inc., No. 108225, Judge Edward Leonard, Jr., Parish of St. Mary, Louisiana.

Defense of Airline Employee Who Had Passenger Arrested

Mr. Glas defended an airline in a case in which an employee had a passenger arrested for entering a restricted area, demanding service, and pushing the employee. The passenger, who was a Chicago surgeon, later brought claims against the employee and the airline, claiming that he had been wrongfully imprisoned, and that he had sustained permanent damage to his hands while being handcuffed. The judge trial was held from May 29 to May 30, 2002.

Terry Lavin v. Raj B. Lal, M.D., No. 538-424, Division E, Judge Greg Guidry, 24th Judicial District Court, Parish of Jefferson, Louisiana.

Appeal

Mr. Glas handled the appeal after a trial court granted his motion for summary judgment, finding plaintiff's cause of action was governed under ERISA only, not the LMRA, and that it had not prescribed prior to his client's filing suit. The Fifth Circuit affirmed.

Ferrell v. Estate Donovan, 00-935 (La.App. 5 Cir. 10/31/00), 772 So. 2d 260.

Speeches and Presentations

Crushin' A Concussion

Presentation by Mr. Glas, The Network of Trial Law Firms' *Litigation Management Suepercourse*, Laguna Beach, CA, November 7, 2009.

Attacking Medical Studies and Statistical Associations

Presentation by Mr. Glas; The Network of Trial Law Firms' *Litigation Management in a New York Minute* CLE, New York, NY, August 1, 2008; and The Network of Trial Law Firms' *Litigation Management Roundup* CLE, Scottsdale, AZ, November 4, 2007.

Picking a Jury at Tulane and Broad

Presentation by Mr. Glas, Office of the District Attorney, New Orleans, LA, August 24, 2007.

A Legal Odyssey: Evaluating Risk in Brain Injury Cases

Presentation by Mr. Glas, a client's excess claims department [2 hours, no CLE credit], New York, NY, February 12, 2007.

The Neuropsychologist: A Trojan Horse In Brain Injury Cases

Presentation by Mr. Glas, The Network of Trial Law Firms' *Litigation Management Suepercourse*, Palm Beach, FL, November 3, 2006. [Lecture available as online CLE (Trial402) at www.trial.com].

Trial Testimony of Neurosurgeons & Neuropsychologists

Presentation by Mr. Glas, who was also MC at Lorman Education Services' *Fundamentals of Brain Injury Cases* CLE; October 18, 2007; May 21, 2005 and May 21, 2004; New Orleans, LA.

Flying Blind Cross-Examination

Presentation by Mr. Glas, Office of the District Attorney, New Orleans, LA, March 12, 2004.

Secrets of Sysphus: How to Keep Your Docket Rolling

Presentation by Mr. Glas, Office of the District Attorney, New Orleans, LA, February 13, 2003.

Basics of Cross-Examination

Presentation by Mr. Glas, Young Litigator's Forum, New Orleans, LA, October 19, 2001.