



## Eric L. Zalud

Co-Lead, Transportation & Logistics Practice

Cleveland

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## Overview

**“Eric is an exceptional litigator, and his ability to wade through the “noise” associated with litigation to identify the key aspects of the matter at issue and then develop an effective and cost-effective defense strategy and related tactics separates him from 95% of the litigators we engage in other jurisdictions.” - Benesch client**

“It’s not easy joining all the dots back to actual law, but of all the people I am lucky enough to work with I know if there is a way, Eric will find it.” - Benesch client

“We appreciate your work on this case and the terrific result you obtained for the company.” - Benesch client

“Eric is a foundational presence in the transportation arena. He is a seasoned litigator who has a deep understanding of businesses and the law.” - Benesch client

“Congratulations. You strategically out-foxed opposing counsel and pushed this to resolution. I hope we can work together again in the future.” - Benesch client

### Main Bio

Eric is Co-Chair of the firm’s Transportation & Logistics Practice Group and a Vice Chair of the Litigation Group.

Under Eric’s leadership, Benesch was named Law Firm of the Year for 2025, 2023, 2022, 2020, 2017, 2016 and 2014 in the area of Transportation Law by Best Lawyers® “Best Law Firms”. Only one law firm per practice area in the U.S. receives this recognition each year, making this award a particularly significant achievement. For the twelfth consecutive year (2014-2025), Benesch also received a national first-tier ranking in Transportation Law also by Best Lawyers® “Best Law Firms.”

Eric has litigated or arbitrated matters in 31 states, before state and federal trial and appellate courts in various jurisdictions, and before the Surface Transportation Board, the Department of Veterans Affairs, the United States Olympic Committee, the Better Business Bureau, the Federal Maritime Commission and the Court of International Trade.

- Over the past 18 years, Eric has taken 37 cases to trial. His record in these cases is 34-3.
- In his litigation career, Eric has saved his clients \$14.9 billion in potential exposure and risk, through his litigation wins for them.
- Eric was recognized as a 2025 “Litigation Star” by *Benchmark Litigation*.
- Eric has advised, consulted with, or litigated on behalf of, over 100 freight intermediaries across the country and the world.
- Over the past decade, Eric has been involved in over 50 Transportation & Logistics M&A transactions.

Eric focuses his practice primarily upon commercial litigation, transportation, logistics and e-commerce law consult and litigation, insurance, coverage and bad faith matters, and product liability matters, including medical device defense, consumer product defense and industrial product defense.

### **Product Liability Bio**

Eric has litigated or arbitrated matters in 33 states, before state and federal trial and appellate courts in various jurisdictions, and before the Surface Transportation Board, the Department of Veterans Affairs, the United States Olympic Committee, the Better Business Bureau, the Federal Maritime Commission and the Court of International Trade.

Over the last 18 years, he has tried 35 cases, and his trial record is 31-4.

In his litigation career, Eric has saved his clients over \$14.9 billion in potential litigation exposure and risk, through his litigation wins for them.

Eric has extensive medical device and pharmaceutical defense practice. In 2002, he was named Medmarc Medical Device Attorney of the Year. Overall, he has litigated over 100 product liability claims involving variety of biotech/life science products, including:

- Contact Lens Solution
- Bovie pads
- Prosthetic and Orthotic Devices of all kinds
- Bone Plates
- Hip and Knee Replacements of all kinds
- Exercise equipment (home and institutional)
- Hospital and nursing home bedrails
- Arthrex Transfix System

- CORx System
- Olecranon Plate
- Rascal Scooter
- Folding Walkcane
- CROW Walker and custom molded inserts
- KAFO orthotic leg brace
- GreenLight PV System
- Cough Syrup Additives
- Forceps
- Diet Supplements
- Implantable Morphine Pumps
- Cardiac Surgery Equipment
- Aortic Direct Ellipse Cannulae
- Laser Hair Removal Apparatus
- Cold Packs
- Ear Piercing Apparatus
- Lotstrand Crutches
- Home Oxygen Tanks
- Weight Loss Devices/Home Health Equipment
- Spinal Catheters
- Ephedra
- Wheelchair Lifts
- Pharmaceuticals/Thimerosal
- Snoring Prevention Devices
- Wheelchairs
- Walker/Enabling Devices
- Surgical Robots
- Protegen Bladder Slings
- Blood Pressure Machines.

He is also a regular attendee at the Association of Home Appliance Manufacturers' Annual Conference and has attended seminars at the Consumer Products Safety Commission. He has significant experience in fire litigation involving allegedly defective household products. He has served in the role of national coordinating counsel for several defendants in asbestos litigation over the years, and also defended sick building/toxic tort syndrome cases, Benzene cases, Thimerosal cases, popcorn butter cases, and environmental spill litigation.

He also has expertise in consumer product safety prevention matters. He has been involved in the formation and orchestration of product safety committee meetings and product liability programs, record retention programs, reviews of product warnings, reviews of privilege of critical self-analysis issues and recall procedures. He also has experience in responding to inquiries and investigations of the Consumer Product Safety Commission and the Federal Trade Commission. He also conducted internal seminars for claims departments and engineering departments of our insurance and manufacturing clients. This experience includes:

- Responding (or not, as appropriate) to over 1,000 CPSC incident reports.
- Completing lengthy and detailed CPSC reporting, including completing more than 100 decision tree analyses, as well as fulfilling reporting obligations for vendors, manufacturers, licensees, and distributors.
- Involvement in at least seven Voluntary Correction Actions (recalls) or potential VCAs, including extensive and elaborate recall proceedings and protocols. These recalls, or decisions as to whether or not to recall, have involved consumer products, and health related and personal care products, including wellness products, rejuvenation skin care products, personal nebulizers, personal tens units, and personal humidifier health care products and hay fever allergy devices.
- Responding to broad-based and specific CPSC investigations, including client meetings, and investigating the safety of specific products with respect to substantial product hazard determinations.
- Involvement in active follow-up reporting to the CPSC on specific products.
- Submitting FOIA Requests to the CPSC regarding competitive products.
- Defending against FOIA Requests to the CPSC regarding clients' products.
- Reviewing over 100 prototype products for product safety, product testing, and warnings.
- Authoring warnings for at least 100 products, both on product and in manuals.
- Making numerous trips to the CPSC to meet with all departments, as well as the head of the CPSC, on all aspects of reporting and compliance.
- Holding in-house seminars for engineers/customer service representatives/quality controllers regarding preparation of internal documents to prevent smoking guns.
- Interfacing with the Drug and Poison Center on hundreds of consumer complaints relating to claims that consumers have been injured by various household, personal care and health and hygiene products, and followed those matters through to closure.

Eric also has Federal Trade Commission (FTC) related product advertising experience including:

- Authoring and critically reviewing marketing materials for in excess of 50 products.
- Screening Web sites and radio, TV, and print media programs for FTC compliance.
- Orchestrating responses to six FTC and state attorney general investigations/inquiries, including meetings, with no enforcement actions as a result.

The marketing materials, labeling and advertising for these products have included products related to skin care, rejuvenation, diet and personal health care and hygiene.

Eric also has a nationally renowned specialty in defending and analyzing the liability for component parts and component supplier manufacturers under U.S. product liability statutes and common law.

Eric also has extensive experience dealing with California's Proposition 65 labeling requirements and litigation relating to those requirements, dealing with FDA matters relating to personal health care, and personal care products, and dealing with consumer and regulatory issues relating to several microbial germicide products.

He has also spoken and written articles on numerous medical device related topics, including:

- Sales Representatives in the Operating Room
- The Learned Intermediary Doctrine
- The Post Sale Duty to Warn
- Liabilities in the product supply chain, including indemnity and contribution involving medical devices manufactured by foreign defendants for U.S. suppliers

He has taken several device cases to trial and to defense verdicts. He has also prevailed on numerous summary judgment motions, including prevailing on the seminal case in federal court on inadmissibility of MDR reports in summary judgment proceedings, *Skerl v. Arrow International*, 202 F. Supp.2d 748 (2001). He has conducted all types of discovery in these cases, including over 75 plaintiff's depositions, experts' depositions, extensive preparation and defense of medical device company representatives for deposition and trial, extensive *Daubert* briefing and oral argument, extensive summary judgment briefing and oral argument, and extensive trial prep to the eve of trial in many cases.

## **Transportation & Logistics Bio**

*"Eric is an exceptional litigator, and his ability to wade through the "noise" associated with litigation to identify the key aspects of the matter at issue and then develop an effective and cost-effective defense strategy and related tactics separates him from 95% of the litigators we engage in other jurisdictions."* - Benesch client

Eric is Co-Chair of the firm's Transportation & Logistics Practice Group and a Vice Chair of the Litigation Group. Eric is a Past President of the Transportation Lawyers Association (TLA).

Under Eric's leadership, Benesch was named Law Firm of the Year for 2025, 2023, 2022, 2020, 2017, 2016 and 2014 in the area of Transportation Law by Best Lawyers® "Best Law Firms". Only one law firm per practice area in the U.S. receives this recognition each year, making this award a particularly significant achievement. For the twelfth consecutive year (2014-2026), Benesch also received a national first-tier ranking in Transportation Law also by Best Lawyers® "Best Law Firms."

Eric is a member of the Ohio Foreign Commerce Association; the Association of Transportation Law, Logistics and Policy; The Traffic Club of Cleveland; The Trucking Law Subcommittee of the American Bar Association; The Transportation Consumer Protection Council; the Conference of Freight Counsel; the Transportation Loss Prevention & Security Council; The Transportation Intermediaries Association; The National Tank Truck Carriers; The Association of Transportation Law Professionals; the International Warehouse Logistics Association; the Intermodal Association of North America; the Council on Litigation Management; and a regular attendee at the Air Transport Association freight claims seminar. He is also a member of the Defense Research Institute, Trucking Law Subcommittee; the Air Forwarders Association; the Customs Brokers Roundtable; the Specialty Carriers & Rigging Association and the Swedish American Chamber of Commerce.

Eric has litigated or arbitrated matters in 29 states, before state and federal trial and appellate courts in various jurisdictions, and before the Surface Transportation Board, the U.S. Court of Veterans Appeals, the United States Olympic Committee, the Better Business Bureau and the Federal Maritime Commission. Eric serves on the TLA's committees on freight claims, motor carrier transportation, litigation, logistics and e-commerce. He received the TLA's Distinguished Service Award for 2001.

Eric has experience in Warsaw Convention litigation matters, Carmack Amendment litigation, COGSA litigation, PUCO dealings, NHTSA matters and DOT and Surface Transportation Board matters. He also has general experience in air and surface freight disputes, freight intermediary issues and litigation, private fleet formation, truck sale and purchase issues, freight undercharge and over length disputes, admiralty litigation, freight loss and damage litigation, motor carrier casualty and personal injury work, regulatory and registration issues, driver leasing issues and general regulatory compliance matters.

Eric was listed by Super Lawyers as an Ohio Super Lawyer from 2004-2020. Super Lawyers also listed him as one of the top 100 lawyers in Ohio and, furthermore, one of the top 50 lawyers in Cleveland in 2008. From 2007-2023, Eric was also named as one of The Best Lawyers in America® and named Best Lawyers' 2013 Cleveland Transportation Lawyer of the Year. Best Lawyers describes itself as the definitive guide to legal excellence in the United States.

Eric is a frequent speaker at industry seminars and has authored numerous articles on freight intermediary liability, carrier liability, broker defaults, shipper liability, freight loss and damage, improper loading and contractual liability. He also has experience in preparing and litigating transportation contracts.

In the course of his transportation-related legal work over the years, Eric has cultivated a diverse coterie of transportation industry experts across the country. These experts provide him with regular formal and informal consultation. This ongoing consult gives him valuable industry perspectives on the matters in which he is involved. It also serves as a helpful complement to his legal experience in these matters.

## Representative Matters

- Represented a global freight forward transportation dispute in the New Jersey Superior Court.
- Represented C.A.T. Transport, Inc., a Canadian-based transportation provider focused on extensive and elaborate cross-border motor carrier transportation, in successfully managing the dismissal of over 20 lawsuits from a hundred-vehicle pileup in Texas.
- Represented Johanson Transportation Service, a large nationwide transportation broker and logistics provider headquartered in California in a high profile, high value, multiple fatality lawsuit for Johanson in California.
- Represented an industrial colorant manufacturer, Chroma Color Corporation, in connection with an insurance coverage dispute in the Western District of Wisconsin.
- Represented a national manufacturer in a trio of cases in which the Plaintiffs began a concerted, multi-country effort to assert claims against our clients by alleging claims in Michigan state court and the Ontario Superior Court of Justice.
- Eric Zalud has litigated personal injury, motor vehicle accidents, product liability, premises liability, and fire cases over the last several decades. He has litigated over 100 motor vehicle accident matters and litigated over 50 fatality cases.
- Represented Cargill, Inc., a multi-billion-dollar food products processor and manufacturer, in a motor vehicle accident case pending in Cook County, Illinois.
- Represented a New York-based ocean and air freight intermediary in two related actions against an international steamship line.

## Credentials

### EDUCATION

- Vanderbilt University Law School, 1985, J.D.
  - Associate Editor, Journal of Transnational Law
  - Associate Justice, Moot Court
  - International Court of Justice
- Miami University, 1981, B.A., *cum laude*, Diplomacy and Foreign Affairs

### BAR & COURT ADMISSIONS

- U.S. Supreme Court
- Ohio
- Indiana
- Illinois

- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Northern District of Indiana
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the District of Colorado
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Western District of Michigan
- U.S. District Court for the Eastern District of New York
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit

## Memberships

- Immediate Past President, Transportation Lawyers Association
- Member, Air Forwarders Association
- Member, Association of Transportation Law Professionals
- Member, Association for Transportation Law Logistics & Policy
- Member, Cleveland Trucking Association
- Member, Council on Litigation Management
- Member, Customs Brokers Roundtable
- Member, Diversity Law Institute
- Member, Intermodal Association of North America
- Member, International Association of Defense Counsel
- Member, International Warehouse Logistics Association
- Member, Litigation Counsel of America
- Member, Medmarc Medical Device Liability Defense Panel
- Member, National Home Delivery Association
- Member, National Tank Truck Carriers
- Member, Ohio Foreign Commerce Association
- Member, Specialized Carriers & Rigging Association
- Member, Swedish American Chamber of Commerce

- Member, TIDA Judicial Fairness Committee
- Member, The Conference of Freight Counsel
- Member, The Defense Research Institute, Trucking Law Subcommittee
- Member, The Traffic Club of Cleveland
- Member, The Transportation Consumer Protection Council
- Member, The Transportation Loss Prevention & Security Council
- Member, Transportation Intermediaries Association
- Member, Trucking Industry Defense Association
- Member, Truckload Carriers Association
- Member, Transload Distribution Association of North America
- Member, Trial Law Institute

## Awards & Recognition

- Ranked Band 2 Nationally for Transportation: Road (Carriage/Logistics), Chambers 2020-2026
- Listed, *The Best Lawyers in America®*, Transportation Law and Commercial Litigation, 2007-2026
  - Named *The Best Lawyers in America®* Cleveland Transportation Lawyer of the Year, 2013
- Listed, Ohio Super Lawyers, Transportation/Maritime, 2004-2026
- Senior Fellow, Litigation Counsel of America
- Listed, Benchmark Litigation, Litigation Star, 2024-2026

## News & Insights

- [What's Old Is New Again: Broker Liability Insulation from the Case Law in the Post-Montgomery Era](#)  
June 16, 2026 | Client Alerts & Insights
- [Benesch Recognized as Leading Law Firm by Chambers USA 2026 with Record Growth in National and Regional Rankings](#)  
June 4, 2026 | Press Releases
- [InterConnect Newsletter - Q1 2026](#)  
February 25, 2026 | Newsletters
- [Watch Your T&Cs! When Done Right, Terms and Conditions are Both Viable-And Valuable](#)  
February 18, 2026 | Client Alerts & Insights
- [48 Benesch Attorneys Selected to 2026 Ohio Super Lawyers and Rising Stars](#)  
January 27, 2026 | Press Releases

- [Thought Leader Wrap-Up | Fifth Annual Investing in the Transportation & Logistics Industry Conference](#)  
January 5, 2026 | Client Alerts & Insights
- [FreightWaves Highlights Benesch's Annual Investing in the Transportation & Logistics Industry Conference](#)  
December 22, 2025 | Media Mentions
- [Benesch's Transportation & Logistics Group Featured in Crain's Executive Insights on Global Supply Chain Transformation](#)  
December 3, 2025 | Media Mentions
- [Benesch Named 2026 Highly Recommended Firm by Benchmark Litigation; 10 Attorneys Recognized, Including Three First-Time Honorees](#)  
October 29, 2025 | Press Releases
- [Georgia On My Mind: Reptile Smiting Via Statute in the Peach State!](#)  
October 16, 2025 | Client Alerts & Insights

## Speaking & Events

### PAST EVENTS

- [Insurance Risks, Gaps and Coverage Issues for Brokers | Eric L. Zalud](#)  
June 9, 2026 | Speaking Engagement
- [Regulation and Legal Update: Navigating Broker Liability Standards and Insurance Complexities | Eric L. Zalud](#)  
May 20, 2026 | Speaking Engagement
- [Seven Deadly Sins \(Against Brokers\)! And How to Manage and Prevent Them | Eric L. Zalud](#)  
April 29, 2026 - May 1, 2026 | Speaking Engagement
- [Our Brand in Crisis: Navigating The Three Most Frequent Crises in Broker Operations - Fatalities, Hostage Freight, and Stolen Freight | Eric L. Zalud](#)  
April 15, 2026 - April 17, 2026 | Speaking Engagement
- [Wrapped Up and Tied with a Bow - Packaging Your Logistics Company for the Marketplace | Eric L. Zalud](#)  
April 15, 2026 | Speaking Engagement