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Christopher Brumley

Member

Professional Statement:

Christopher Brumley specializes in the defense of deliberate intent cases, representing employers in the coal, oil and gas, timber, construction, mining and drilling industries. He also counsels these clients in issues related to leases, contract agreements and other matters related to coal/natural resources litigation. Mr. Brumley has successfully represented coal operators, contractors and other employers in defending alleged citations before the federal offices of Mine Safety and Health Administration (MSHA) and the Occupational Safety and Health Administration (OSHA), as well as the West Virginia Office of Miner's Health, Safety and Training (WVMHST). He regularly counsels clients on regulatory practices, preventative measures and proper investigation and documentation of work-place accidents.

With an MBA and a degree in Petroleum Engineering, Mr. Brumley is uniquely positioned to offer advice and guidance to clients in both business and natural resource matters. He serves as a leader of the firm's Coal, Oil and Gas practice group, and is a member of Friends of Coal, the Energy and Mineral Law Foundation, the West Virginia Defense Trial Counsel and the Defense Research Institute.

Mr. Brumley's practice also includes the representation of engineers, architects, accountants and financial brokers in professional liability cases, product manufacturers and maintenance companies in product liability matters and the representation of companies in maritime law issues.

Practice Concentrations:

- Workplace Liability
- Coal/Natural Resources Law
- Regulatory Litigation (OSHA, MSHA, WVMHST)
- Deliberate Intent (Employer Liability for Employee Injuries)
- Construction Law
- Architecture and Engineering Liability
- Product Liability
- Maritime Law

Education:

- B.S., Petroleum Engineering, Marietta College (1989)
- M.B.A., West Virginia University (1991)

Bar Admissions:

- West Virginia
- Kentucky

Court Admissions:

- United States Supreme Court
- United States District Courts for the Northern and Southern Districts of West Virginia
- West Virginia Supreme Court of Appeals

Professional Involvement:

- Energy and Mineral Law Foundation
- West Virginia Coal Association
- West Virginia Defense Trial Counsel
- Defense Research Institute
- West Virginia Bar Association
- Kanawha County Bar Association (Officer)

Teaching & Lecturing:

- *West Virginia Deliberate Intent Overview: Recent Statutory Amendments and Practical Points of Interest*, West Virginia Trial Lawyers Association Annual Meeting, June 2006
- *Computer Discovery Issues in Civil Litigation*, CLE Lecture, Charleston, West Virginia
- "*Deliberate Intent Litigation: Allegations of Multiple Specific Unsafe Working Conditions, Employee Fault and Its Admissibility, and Proposed Legislative Action*"; article and presentation for the Energy & Mineral Law Foundation Annual Meeting

Representative Legal Work:

- Been involved in over 110 cases related to deliberate intent cases, and provided comment for proposed legislative revisions to deliberate intent law
- Represented several drilling companies in negligence and deliberate intent suits, including 5 fatalities
- Represented several mining companies in severe injury and death cases in deep mine, surface mine and preparation plant cases
- Represented product manufacturers in product liability and warning suits related to the construction, mining and oil & gas industries
- Represented coal trucking company in defense of claim involving deaths in head on collision
- Represented mining company and contractors in regulatory defense of matters filed by MSHA and OSHA
- Obtained defense verdict on behalf of a construction employer regarding a major injury to its employee during his work
- Obtained summary judgment for an oil & gas drilling company for an employee injury, and had case affirmed on appeal
- Obtained summary judgment for a surface mine employer who was alleged to have deliberately injured its employee
- Obtained summary judgment for a quarry for alleged blasting damage to adjacent home owners
- Obtained summary judgment for an insurance agency for alleged negligent services to an insurance client
- Obtained dismissal for stock broker that allegedly gave inappropriate financial advice
- Obtained summary judgment for an engineering firm for alleged professional negligence of a site design
- Obtained summary judgment for a health facility for alleged deliberate injury of employee, and successfully defended petition for appeal
- Obtained dismissal of lumber company on alleged negligence of equipment operators
- Obtained dismissal of MSHA violation of mining construction entity as well as obtained settlement of fines with WVMSHT for less than ½ the citation amount.
- Obtained summary judgment for a surface coal mine for alleged flood damage
- Favorably settled several claims in the coal, oil & gas and construction industries involving severe injuries and deaths

Reported Cases:

- *Frye v. Boxley Aggregates of West Virginia, L.L.C.*, 2006 WL 1789016 (S.D.W.Va. Jun 27, 2006)
- *McCormick v. Walmart Stores*, 600 S.E.2d 576 (W.Va. May 07, 2004)
- *Deskins v. S.W. Jack Drilling Co.*, 600 S.E.2d 237 (W.Va. Feb 19, 2004)
- *VICA Coal Co., Inc. v. Crosby*, 212 F.R.D. 498 (S.D.W.Va. Jan 28, 2003)