

Roger A. Cerda

Partner

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Roger Cerda is a member of Alston & Bird's Litigation & Trial Practice Team, Environment, Land Use & Natural Resources Team, Products Liability Team and Insurance Team. He serves as co-leader of the Proposition 65 Team. He focuses his practice on complex commercial litigation, environmental litigation, product liability claims and insurance coverage disputes.

Roger has defended clients in a broad range of commercial litigation matters involving business torts, breach of contract, unfair competition, fraud and insurance coverage disputes. He also represents clients in environmental litigation involving hazardous waste soil contamination and groundwater contamination, the California Environmental Quality Act (CEQA) and California's Proposition 65. In addition to these matters, Roger has developed an extensive products liability practice, defending manufacturing clients against claims involving serious personal injuries and wrongful death.

Roger is an active member of Alston & Bird's Diversity Committee and Hiring Committee and is actively involved in the firm's mentoring and summer associate programs. He has been selected annually to the "Rising Stars" list by *Southern California Super Lawyers* since 2012 and was recognized as a "Rising Star Honoree" by the Association of Corporate Counsel, Southern California Chapter in 2012.

Representative Experience

- Counsel for an independent refiner of petroleum products facing a CEQA challenge to the first crude by rail project to be approved in California.
- Defended manufacturers of water filtration products, plumbing products, hand tools, fashion apparel and various other products in Proposition 65 suits alleging the discharge of lead, DEHP, arsenic and other chemical compounds.
- Counsel for an oil and gas company in an environmental lawsuit alleging groundwater contamination resulting from the operation of Class II injection wells.
- Represented a hazard disclosure company in multiple cases involving breach of contract, trade secret misappropriation, unfair competition and false advertising claims.
- Defended a manufacturer of electronic power management components in a wrongful death products liability action. The plaintiffs settled the case for a nominal amount prior to the hearing on the manufacturer's motion for summary judgment.
- Counsel for a leading energy company defending a CEQA challenge to an approved project to increase crude oil storage capacity at an existing oil refinery in Los Angeles.
- Served as counsel for a wheel manufacturer in a state court lawsuit alleging environmental tort claims arising from the release of PCE and TCE into the soil.

- Served as counsel to a global product manufacturer in breach of warranty, strict liability and breach of contract actions brought in various jurisdictions. Obtained dismissal of several actions at the pleading stage through successful demurrers, motions to dismiss and motions to quash for lack of jurisdiction.
- Served as counsel for an automotive parts manufacturer in a CERCLA action alleging improper disposal of hazardous waste oil substances.
- Successfully represented an image processing vendor sued by a major motion picture studio in a case involving disputed contract terms, complex copyright issues and state tax issues.
- Obtained a pleadings-stage dismissal of a putative class action against a nationwide distributor of nutritional supplements alleging claims under California Business and Professions Code Â§17200 and the Consumers Legal Remedies Act.
- Represented insurers in a variety of insurance coverage disputes, including claims for bad faith under CGL, D&O and EPL policies, as well as long-term disability and life insurance policies.
- Served as a trial team member in various commercial litigation matters brought in state and federal courts and arbitration proceedings.

Education

- University of Southern California (J.D., 2005)
- California State University, Northridge (B.S., 2001)

Languages

- Spanish

Admitted to Practice

- California

Related Services

Commercial | Products Liability | Insurance Litigation & Regulation | High Exposure Claims, Coverage & Bad Faith Defense | Insurance Regulatory Guidance | Insurance-Related Antitrust Defense | Policy Drafting and Product Development | Policyholder Class Action Defense | Retail