

Kirk T. Florence

Partner

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Services

Product Liability
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Retail & Consumer Goods

Kirk Florence is a trial lawyer who focuses his practice in the areas of commercial and tort litigation, including complex commercial litigation, product liability, commercial torts, environmental litigation, toxic torts, construction disputes, civil appeals, and arbitration. He has represented clients in many complex civil litigation matters in state and federal courts at both the trial and appellate levels. Kirk has particular experience in complex multi-party litigation, mass tort cases, serious product liability claims, partnership and intra-company disputes, and the defense of environmental claims against oil and gas companies and other industrial businesses.

Prior to joining the firm, Kirk was managing partner at Crouch & Ramey, a litigation law firm based in Dallas, Texas, where his practice included commercial litigation, product liability, toxic torts, environmental litigation, business torts, construction disputes, post judgment practice, civil appeals, and arbitration. Previously, Kirk worked as an associate at an international law firm.

While attending the University of Texas School of Law, Kirk was a member of the Board of Advocates and served as a research and writing assistant to faculty members. Before launching his legal career, Kirk worked in the real estate field for one year.

Kirk was recognized by *The Best Lawyers in America*® in 2023 in the area of Product Liability Litigation – Defendants, in 2024, 2025 and 2026 for Commercial Litigation and Product Liability Litigation – Defendants, and again in 2027 for Commercial Litigation, Insurance Law, and Product Liability Litigation – Defendants. He was recognized as a Texas "Super Lawyer" in 2020 and the 12 years immediately preceding by *Super Lawyers* magazine.

Kirk is conversational in Spanish. He is AV® rated by Martindale-Hubbell.*

Experience

Obtained no-pay dismissal of technology software company against product liability claim that use of cell phone application caused distracted driving automobile accident.

Defend electrical equipment manufacturer against product liability and toxic exposure claims. In 2025, obtained summary judgment in Cook County, Illinois against claim that workplace exposure to fumes caused pancreatic cancer and multiple myeloma.

Defend construction contractor against alleged toxic mercury exposure claims asserted by over 500 plaintiffs.

Defend distribution center property owner against wrongful death premises liability claims.

Defend enterprise mobility solutions provider against defective product claims related to handheld inventory management peripheral devices.

Defended out-of-state oil and gas company in a multi-party oil and gas securities fraud case. Plaintiffs alleged damages in excess of \$40 million. After filing counter-claims and third-party claims, the case was resolved without making payment of any amount in settlement.

Served as outside general counsel and settlement counsel for tour company in connection with mass tort lawsuits arising out of a multi-fatality bus / train collision. The litigation raised a host of complex issues, including preemption, personal jurisdiction, GPS guidance technology and the borrowed servant doctrine.

Represented public accounting firm in arbitration dispute against former partners.

Defended appliance service company against claims that allegedly negligent repairs to a gas oven caused the deaths of three individuals from carbon monoxide poisoning.

Obtained summary judgment dismissing all claims against an aircraft engine seller in a wrongful death airplane crash lawsuit in which the plaintiffs claimed that the crash resulted from defects in the aircraft engine.

Represented telecommunication companies in various matters.

Represented liquor store chain in landlord-tenant disputes.

Negotiated resolution of partnership dispute between physician and medical practice.

Represented hospice company in intra-company ownership and control lawsuit.

Defend and advise major equipment manufacturer for over 20 years against wrongful death, personal injury, and property damage claims in multiple states, including management of extensive e-discovery. In 2024, secured order for this client in Illinois federal court striking all of plaintiffs' liability experts and entry of summary judgment in catastrophic personal injury case (currently on appeal to United States Seventh Circuit Court of Appeals).

Served as outside coordinating counsel for media company in defense of wrongful death claim.

Served as national coordinating counsel for chemical manufacturer in defense of toxic tort claims in Texas and multiple other jurisdictions.

Defend furniture manufacturer against multiple product liability claims in Texas and Florida, including claims related to allegedly defective part supplied by Chinese manufacturer. Client resolved claims involving Chinese manufacturer without payment and recovered indemnity judgment against Chinese manufacturer.

Defended fireplace manufacturer against product liability claims.

Advised clients on matters related to investigations by the U.S. Consumer Products Safety Commission and OSHA regarding product safety and workplace safety issues.

Assisted client in evaluating risks of severe injury or death due to possible design defects in equipment utilized by the client's patrons in multiple public spaces. Advice extended to expert testing and evaluation, implementation of retro-fit solution, communication strategy with end-users and manufacturer, and design and implementation of warnings.

Defended tire manufacturer against product liability claims by 205 plaintiffs alleging harm from exposure to rubber fumes. The defense established a major favorable precedent under Texas law regarding summary judgment standards and evidentiary prerequisites for prosecuting mass tort claims.

Defended multiple pharmacies and pharmacists in phen / fen and other pharmaceutical lawsuits throughout Texas.

Defended Japanese laser equipment manufacturer against product liability claims alleging permanent ocular damage from exposure to laser testing equipment. Obtained dismissal without payment of any settlement funds.

Advise heavy equipment manufacturer on product liability risk assessment related to safety warnings and implementation of new safety design features.

Performed regulatory review and general comments to labels, warnings and instructions on multiple hair care products.

Education

University of Texas School of Law J.D. (1991) *with honors*

Vanderbilt University B.A. (1987) English and Spanish, *cum laude*

Admissions

Texas (1991)

Court Admissions

U.S. Court of Appeals for the Fifth Circuit
U.S. District Court for the Eastern District of Texas
U.S. District Court for the Northern District of Texas
U.S. District Court for the Southern District of Texas
U.S. District Court for the Western District of Texas
U.S. Supreme Court

Professional & Community Activities

Dallas Bar Association, Member
American Bar Association, Member
State Bar of Texas, Member
Defense Research Institute, Member

Insights

[News Releases](#)

Kilpatrick Attorneys Once Again Earn Outstanding Recognitions in 2027 Edition of The Best Lawyers in America®
August 20, 2026

[News Releases](#)

Kilpatrick Breaks Record for Number of Attorneys Recognized in 2025 Edition of The Best Lawyers in America®
August 16, 2024

[News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in 2024 Edition of The Best Lawyers in America®
August 17, 2023

[News Releases](#)

Kilpatrick Townsend Earns Top Recognitions in 2023 Edition of The Best Lawyers in America®
August 18, 2022

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Eleven Kilpatrick Townsend Attorneys Recognized as Texas Super Lawyers and Rising Stars
September 1, 2020