

Thomas J. Norby

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Tom is the Chair of the firms' Asbestos Bankruptcy Management & Consulting Practice Group. He is the creator of [Insight Reports](#), the only real-time, on-line asbestos bankruptcy database available in the industry. As a skilled litigator and counselor, Tom's expertise is in litigation management, regulatory compliance, and disputes. He helps businesses and insurance companies improve their bottom line by avoiding litigation through early assessment and detection of anomalies, and by providing predictability and innovative advice.



Over the span of 30 years, Tom has perfected his command of strategic case management and effective dispute resolution in:

- **regulatory compliance and disputes:** tobacco products, herbal supplements, workplace safety
- **toxic tort and exposure:** asbestos, silica, paper mills, industrial noise
- **civil litigation and management:** personal injury, breach of contract, insurance coverage, consumer fraud

Tom enjoys a stellar reputation for a unique niche: his proven and unmatched approach of industrial archaeology. With Indiana-Jones-like tenacity, historical investigatory skills, and access to unrivaled, proprietary databases, Tom provides a creative perspective to analyze complex litigation issues and craft the best strategy for the firm's clients.

"I enjoy the puzzle and the challenge. There's a limited amount of time and stakes are often high. I will leave no stone unturned until I can give you clear direction."

He is adept at detecting anomalies to puzzle out where a case is and where it needs to go, and managing all of the pieces necessary for strategic execution. He is then able to educate and counsel clients on how to use his findings in the most focused, effective way to either avoid litigation altogether or to improve their defense strategy for a competitive advantage.

Clients can expect integrity, loyalty, and consideration when working with Tom. He is never too busy to pick up the phone when you call. He develops trusting relationships and is dedicated to knowing his clients' businesses.

"I am sincerely interested in knowing what my clients do and how they do it, down to the nuts and bolts. It's an honor to visit their facilities and see the newest machine or latest development."

Regulatory Compliance and Disputes

Tom represents business owners as well as product manufacturers, distributors, and retailers in state and federal regulatory matters. He works with companies to create value and competitive advantage by tracking and coordinating compliance efforts in many areas, including tobacco products, herbal supplements, and workplace safety. Tom successfully advocates company and industry positions in disputes concerning labelling, packaging, sales, and premarket approval with state and federal agencies such as FDA, DEA, and OSHA.

Toxic Tort and Exposure

Tom represents businesses and bankruptcy trusts nationwide in toxic injury cases arising from exposure to asbestos, silica, and industrial noise, as well as claims arising from the use or consumption of tobacco products and herbal supplements. He provides direct representation in Minnesota, North Dakota, and Wisconsin, and is connected to trusted lawyers across the country who provide managed, coordinated representation at local levels as needed.

Civil Litigation and Management

Tom has successfully litigated and managed thousands of personal injury claims against local and national businesses across the United States. He has prosecuted and defended commercial claims for breach of contract, insurance coverage, and consumer fraud. Tom has designed and managed cost-effective custom information systems to track claims, discovery, and litigation in complex litigation.

Bar Admissions

- Minnesota (1987)
- U.S. District Court, District of Minnesota (1989)
- U.S. District Court, Eastern District of Wisconsin (1996)
- U.S. District Court, Western District of Wisconsin (1998)
- U.S. District Court, Eastern District of Pennsylvania (2009)
- Eighth Circuit Court of Appeals (1993)
- Third Circuit Court of Appeals (2012)

Education

- B.A., St. Olaf College, Northfield, MN (1983)
- J.D., *cum laude*, Hamline University School of Law (1987)

Clerkships

- Clerk to the Honorable Thomas G. Forsberg of the Minnesota Court of Appeals
- Senior law clerk to the Honorable Randolph W. Peterson of the Minnesota Court of Appeals

Honors & Awards

- AV® Preeminent™ Peer Review Rating, *Martindale-Hubbell*®

Memberships

- Defense Research Institute (DRI)
- Minnesota State Bar Association (MSBA)
- Ramsey County Bar Association (RCBA)

Publications

- *Regulatory Law Summary*, Brownson Norby, PLLC, 2018

Insight Reports

- *Establishing Causative Alternative Work Site Exposures and Bankruptcy Set-Off Values*, 2018

Representative Matters

Representative Cases

- *V.Z. USA Nutrition, Inc. v. United Naturals, Inc., Zag Global, Inc. and Steven Curtis Holfeld a/k/a Steve Curtis* (N.D. Ill.) 3:15-cv-50263 (2017).
- *In the Matter of: Four Star Ag, LLP* (OSHA 2017).
- *Secretary of Labor v. Larson Grain Company* (OSHA 2016).
- *In the Matter of FDA Detention Order 1130* (2015).
- *In Re: Asbestos Products Liability Litigation* (MDL 875) (E.D. Pa).
- *In re Ephedra Product Liability Litigation* 314 F.Supp.2d 1373 (J. P. N. L. 2004).
- *NVE Inc. v. Dept. of Health & Human Servs.*, 436 F.3d 182, 186 (3d Cir. 2006).
- *Tuttle v. Lorillard Tobacco Co.*, 377 F.3d 917 (8th Cir. 2004).

Regulatory Compliance and Subpoenas

- Indiana E-Liquid Statute and Regulations – (compliance).
- California Proposition 65 – (product warnings).
- California Attorney General - (age verification).
- New York Attorney General - (child safety packaging).

Regulatory Comments

- Docket No. FDA-2018-N-1072 for “International Drug Scheduling; Convention on Psychotropic Substances; Single Convention on Narcotic Drugs; Cannabis Plant and Resin; Extracts and Tinctures of Cannabis; Delta-9-Tetrahydrocannabinol (THC); Stereoisomers of THC; Cannabidiol.”
- Docket No. FDA-2017-N-5095 for “Existing Center for Tobacco Products Regulatory & Information Collection Requirements.”
- Docket No. FDA-2015-N-1514, RIN 0910-AH24 for “Nicotine Exposure Warnings and Child-Resistant Packaging for Liquid Nicotine, Nicotine-Containing E-Liquid(s), and Other Tobacco Products.”
- Docket No. FDA-2014-N-0189, RIN 091 O-AG38 for “Deeming Products to be Subject to the Federal Food, Drug, and Cosmetic Act as Amended by the Family Smoking Prevention and Tobacco Control Act.”
- Docket No. FDA-2015-N-1514, RIN 0910-AH24 for “Nicotine Exposure Warnings and Child-Resistant Packaging for Liquid Nicotine, Nicotine-Containing E-Liquid(s), and Other Tobacco Products.”