

BRENDA S. FULMER

Shareholder, Partner and Executive Committee Member
(September 2008 – Present)

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Brenda S. Fulmer is a Partner, Shareholder, and member of Searcy Denney Scarola Barnhart & Shipley. She joined the firm in September of 2008 and helped to expand the firm's dedicated Mass Tort Unit, which provides representation to clients in state and federal courts for pharmaceutical, medical device, and consumer product complex litigation. She also works with other members of the law firm on personal injury, medical malpractice, and wrongful death cases.

Current and past mass torts projects include lawsuits involving 3M Combat Arms Earplugs; Abilify; Actos; AMO and Bausch & Lomb Contact Lens Solution; Avandia; Belviq; Biomet Metal on Metal Hip Implants; Breast Implants; CardioGen PET scans; Cialis; DePuy ASR and Pinnacle Metal on Metal Hip Implants; DePuy Attune Knee Implants; Digitek; Drospirenone Birth Control Pills (Yaz, Yasmin, Ocella, Gianvi, Beyaz, Safyral, and Loryna); Elmiron; Ethicon Surgical Staplers; FinPlus Compounded Finasteride; Fosamax and other bisphosphonates; Gadolinium; Gulf Coast Oil Spill; Medtronic Pacemakers and Defibrillators; Heparin; Hormone Replacement Therapy; Hernia Mesh; Invokana; IVC Filters; Levaquin; Mirena; NuvaRing; Ortho-Evra; Pain Pumps; Power Morcellator devices; Pradaxa; Proton Pump Inhibitors; Provigil and Nuvigil; Reglan; Smith & Nephew Birmingham, R3, SMF, and REDAPT Hip Implants; SSRI Antidepressant Birth Defect Cases; Stockert 3T heating/cooling devices; Stryker Rejuvenate, ABG II, Accolade, and LFIT V40 Modular Hip Implants; Tobacco; Transvaginal Mesh and Bladder Slings (including products sold by Bard, Caldera, Coloplast, Johnson & Johnson/Ethicon, Mentor, Boston Scientific, Cook Medical, Neomedic, Covidien, AMS, ARIS, Sofradim, and ProteGen); Trasyol, Viagra; Wright Medical Metal on Metal Hip Implants; Xarelto; Zantac; Zimmer-Biomet Reverse Shoulder Implants; Zimmer Durom Cup Hip Implants; Zimmer M/L Taper and VerSys Hip Implants; Zimmer NexGen Knee Implants; and Zofran.

Additional Professional Experience

Alley, Clark, Greiwe & Fulmer (formerly Alley & Ingram), Tampa, Florida – Shareholder and Managing Partner (April 2000 to August 2008); Associate (April 1994 to April 2000); Legal Assistant (January 1989 to April 1991) - Representation of more than 5,000 Plaintiffs in various

complex personal injury and mass tort cases, including claims involving Vioxx; Bextra; Guidant and Medtronic defibrillators; Sulzer hip and knee implants; ProteGen bladder slings; Redux and Fen-Phen diet drugs; PPA; Propulsid; and Baycol.

Akerman, Senterfitt & Eidson, Tampa, Florida - Law Clerk (January 1993 to October 1993).

Fowler, White, Gillen, Boggs, Villareal and Banker, St. Petersburg, Florida – Law Clerk (March 1992 to January 1993).

Prior to entering law school, she worked full-time while supporting her husband and herself as they completed their undergraduate studies as a Legal Secretary and Legal Assistant with law firms in Cape Coral and Tampa and as a Commercial Real Estate Closing Agent for a title insurance underwriter in Tampa.

Presentations and Publications

CBS12 News – Interview for “The fear was coronavirus; Local patients got 'bad batch' of hair growth drug” (May 2020)

Mass Torts Made Perfect – “Mass Torts 101 Skills and Tools for the Mass Tort Paralegal” (May 2020)

Lawline – “Advanced Multi-District Litigation (MDL) Skills” (May 2020)

Lawline – “Introduction to Multi-District Litigation (MDL) for Mass Torts” (May 2020)

American Association for Justice – Trial Magazine – “Avoid Online Marketing Land Mines” (March 2020)

National Association of Trial Lawyer Executives (NATLE) – Winter Convention – “Expanding Borders to Include the Non-PI Attorney” (February 2020)

American Association for Justice – Women Trial Lawyers Caucus Leadership Summit – “The Power of Team” (February 2020)

American Association for Justice – Trailblazers Event – Moderator (November 2019)

Florida Justice Association – “2019 Roadmap to Daubert” (October 2019)

American Association for Justice – Winter Convention – “Tech Is Always Evolving . . . So Should Your Firm, Marketing and Trial Presentations” (July 2019)

American Association for Justice - Mass Tort Best Practices Seminar – “The End Game: How to Wrap Up Your Cases” (July 2019)

HarrisMartin MDL Conference: HIV Drugs, Valsartan, 3M Earplugs and Litigating in a Post-Fosamax World – “Litigating MDLs from A to Z” (July 2019)

Florida Justice Association – “Building Your Own Book Outside of the ‘Good Ole Boys’ Network” (June 2019)

Broward County Trial Lawyers Association – “Hot Topics in Mass Tort Litigation” (June 2019)

Mass Torts Made Perfect – “Nuts and Bolts of Mass Torts Litigation” (April 2019)

Masters of Mass Tort – “Marketing for Mass Torts and the Associated Ethical Issues” and “Zimmer Taper Hips” (February 2019)

HarrisMartin MDL Conference - “Federal Rule Changes – Recent Impact and Future Ramifications” (January 2019)

Personal Injury/Wrongful Death Committee of the Palm Beach County Bar Association – “Mass Torts” (January 2019)

Bolch Judicial Institute, Duke Law School – “Guidelines and Best Practices for Large and Mass-Tort MDLs” (September 2018)

Mass Torts Judicial Forum with Judge Marina Corodemus and JAMS – “Post-Settlement Considerations: The Devil is in the Details” (April 2018)

Mass Torts Made Perfect – “Nuts and Bolts on Settlement” (April 2018)

Florida Justice Association - Workhorse Conference – “Successfully Litigating Medical Device Cases” (March 2018)

Florida Justice Association - Workhorse Conference – “Successfully Litigating Defective Drug Cases” (March 2018)

Florida Justice Association - Workhorse Conference – “The Daubert Report of Plaintiff’s Expert Witness in Federal Court Litigation” (March 2018)

American Association for Justice - Winter Convention – “Getting Your First Leadership Role: What You Need to Know to Be Successful” (February 2018)

MDL Leadership Conference at Emory University – “Plaintiff’s Breakout: The Appointment Process” (January 2018)

American Association for Justice - Summer Convention - Mass Tort Best Practices Seminar – “The End Game: How to Wrap Up Your Cases” (July 2017)

Florida Justice Association - Summer Convention – “Effectively Dealing with Difficult Witnesses and Clients” (June 2017)

American Association for Justice – “Follow My Lead? Are Online “Leads” for all types of cases” (May 2017)

HB Litigation Conferences – Mass Torts Judicial Forum – “The Media and Mass Torts” (April 2017)

Florida Justice Association Workhorse Conference – “Identifying and Handling Defective Drug Cases” (March 2017)

American Association for Justice – Trial Magazine – “Sidebar: A Cohesive Team” (March 2017)

Radio Interview on Legal News & Review on iHeart Radio Network – “Mass Tort Cases for Consumers” (February 2017)

Palm Beach County Bar Association – “Ethics in Advertising – How to Ethically Cast the Net” (February 2017)

American Association for Justice - Summer Convention – “Ethical Considerations When Building Your Practice and Client Base” (July 2016)

American Association for Justice - Summer Convention – “Metal-on-Metal (MoM) Litigation Update – Biomet” (July 2016)

360 Advocacy – “Hard Firm Management Decisions You Need to Make for Larger Verdicts and Settlements” (June 2016)

Ohio Association for Justice – “Views from Leadership: How to Utilize Lead Counsel in a Mass Tort Case” (May 2016)

HarrisMartin – Annual Mass Tort Conference with Judge Maria Corodemus - “Off Label Use Warnings” (April 2016)

Inner Circle of Advocates Mid-Winter Meeting - “Managing the People in Your Practice (January 2016)

360 Advocacy- Trial Skills from the Woman’s Perspective Lean In - “Managing Your Law Practice” (October 2015)

Florida Alliance for Retired Americans, Inc. and United Auto Workers of Pinellas County – “Drug and Medical Device Safety for Consumers” (September 2015)

SEAK, Inc. - 24th Annual National Expert Witness Conference - “How to Survive and Thrive at Your Deposition” (April 2015)

AAJ Press and Trial Guides – “Anatomy of a Personal Injury Lawsuit” – Authored chapter on Mass Torts (February 2015)

Florida Alliance for Retired Americans, Inc. -Quarterly Board Meeting - “Drug and Medical Device Safety for Consumers” (December 2014)

American Association for Justice - Stryker Rejuvenate and ABG II Hip Implant Settlement Seminar – “Enhanced Benefits Program and Future Enhanced Benefits Program” (December 2014)

Workers’ Injury Law & Advocacy Group – “Searching for Mass Tort Cases Hiding in Your File Cabinet” (October 2014)

360 Advocacy Institute: Annual Women’s Legal Conference - “Case Management – Bringing in New Cases, Screening, and Initial Client Contact” (October 2014)

American Association for Justice Summer Convention – “Professional Conduct Rules on Advertising: What You Need to Know About What Is On Your Web Site and What You Are Blogging” (July 2014)

American Association for Justice Summer Convention – Moderator for Actos CLE Program (July 2014)

HarrisMartin – 5th Annual Mass Tort Conference with Judge Maria Corodemus – “Adverse Events” (April 2014)

American Association for Justice Winter Convention – Moderator of “Holding Corporations and the Insurance Industry Accountable” (February 2014)

American Association for Justice – Moderator of Plaintiffs-Only Drug and Medical Device Conference (December 2013)

American Association for Justice Summer Convention– “Yaz, Yasmin, and Ocella Litigation” (July 2013)

Southeast Unit of Teachers Retired in Florida – “An Informed Patient is a Safe Patient – Protecting Yourself from Dangerous Drugs and Defective Medical Devices” (March 2013)

Florida Justice Association – “Women and Pharmaceutical and Medical Device Cases” (February 2013)

American Association for Justice Winter Convention – “Pradaxa Litigation Overview” (February 2013)

Trial Lawyer's Summit – "Witness Preparation: Old School No Longer Works with Both Fact and Expert Witnesses" (January 2013)

American Association for Justice – "Nuts and Bolts of Stryker Rejuvenate and ABG II Hip Implant Litigation" (December 2012)

Manasota Justice Association – "Mass Tort Litigation Basics" (August 2012)

American Association for Justice – Stryker Hip Implant Rejuvenate Stem Failure Teleseminar – "Metallosis with No Metal on Metal Articulation – "FDA Adverse Reaction Reports" (August 2012)

American Association for Justice Summer Convention – Co-Moderator for "Toxic, Environmental, and Pharmaceutical Torts (STEP)" (July 2012)

American Association for Justice Summer Convention – "Leveraging Your Workers' Compensation Practice into Mass Torts" (July 2012)

American Association for Justice – Pradaxa Litigation Group - "Screening the Case and Representing the Elderly" (April 2012)

Martin County Bar Association – "What is a Mass Tort?" (January 2012)

Martin County Paralegal Association – "Basics of Mass Tort Litigation" (December 2011)

Florida Alliance Meeting - "Consumer Drug and Medical Device Safety" (December 2011)

WILG Convention – "Leveraging Client Databases, Marketing, Resources & Intake to Identify Mass Tort Cases" (October 2011)

Mass Torts Made Perfect - "Competing with the High Rollers on a Penny Slot Budget", (October 2011).

Florida Justice Association - Workhorse Seminar – "Mass Torts of Mention" (February 2011)

Mid Florida UAW Retirees FLARA Members Meeting – "Consumer Drug and Medical Device Safety" (October 2010)

Florida Alliance Meeting – "Consumer Drug and Medical Device Safety" (September 2010)

Florida Justice Association – Summer Convention – "Mass Torts Marketing" (June 2010)

Fred Weisman's Advanced Litigation Seminar – "Mass Torts of Mention" (November 2009)

Workers Injury Law & Advocacy Group (WILG) Meeting – "Addressing Mass Torts Cases in Your Work Comp Practice" (October 2009)

Professional Activities and Awards

Admitted to practice before the Supreme Court of the United States and all United States District Courts in Florida

Full admission or *pro hac vice* permission to appear in the following state and federal courts:

- USDC for Northern District of Alabama
- USDC for Eastern and Western District of Arkansas
- USDC for Arizona
- USDC for Northern District of California
- USDC of Colorado
- USDC for Middle and Northern District of Georgia
- USDC for Eastern and Western Districts of Louisiana,
- USDC for Southern District of Illinois
- USDC for Northern District of Indiana
- USDC for Western District of Kentucky
- USDC for Eastern District of Louisiana
- USDC of Massachusetts
- USDC for the District of Maryland
- USDC for Eastern District of Michigan
- USDC for District of Minnesota
- USDC for the District of New Jersey
- Superior Court of New Jersey, Law Division for Bergen and Atlantic Counties
- USDC for Southern District of New York
- USDC for Middle, Northern, and Southern Districts of Ohio
- USDC for Eastern District of Pennsylvania
- USDC for the District of Rhode Island
- USDC for Southern and Northern Districts of Texas
- USDC for Southern District of West Virginia
- USDC for Western District of Wisconsin
- USDC for Western District of Virginia

Plaintiffs' Liaison Counsel, *In Re: Breast Implant Litigation*, Hillsborough County Circuit Court

Plaintiffs' Liaison Counsel, *In Re: Diet Drug Litigation*, Hillsborough County Circuit Court (and involved in establishment of coordinated proceedings statewide)

Discovery Committee Member, *In Re: Diet Drugs*, MDL No.1203, Philadelphia

Discovery Committee Member, *In Re ProteGen Sling and Vesica System Products Liability Litigation*, MDL No. 1387, Baltimore

Governing Committee Member, *In Re: Hormone Replacement Therapy Litigation*, MDL No. 1507, Little Rock

Discovery Committee Member, *In Re: Vioxx*, MDL No. 1657, New Orleans

Plaintiffs' Liaison Counsel, *Post-Engle Progeny Tobacco Cases*, Hillsborough County Circuit Court (and involved in establishment of coordinated proceedings statewide)

Discovery Committee Member, *In Re: Mentor Corp. ObTape Transobturator Sling Products Liability Litigation*, MDL No. 2004, Columbus, Georgia

Discovery Committee Member, *In Re: Yasmin and Yaz (Drospirenone) Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2100, East St. Louis, Illinois

Environmental Damages Committee Member, *In Re: Oil Spill by the Oil Rig "Deepwater Horizon"*, MDL No. 2179, New Orleans

Discovery Committee Member, *In Re: DePuy Orthopaedics, Inc. ASR Hip Implant Products Liability Litigation*, MDL No. 2197, Toledo

Plaintiffs' Steering Committee, *In Re: Pradaxa (Dabigatran Etexilate) Products Liability Litigation*, MDL No. 2385, East St. Louis, Illinois

Discovery Committee Member, *In Re: Stryker Rejuvenate and ABG II Hip Implant Litigation*, Superior Court of New Jersey, Law Division, Bergen County

Co-Lead Counsel for PSC #2 and Plaintiffs' Steering Committee Member for PSC #1, *In Re: Biomet M2A Magnum Hip Implant Litigation*, MDL No. 2391, South Bend, Indiana

Plaintiffs' Steering Committee, *In Re: Zimmer M/L Taper Hip Prosthesis with Kinectiv Technology and Versys Femoral Head Products Liability Litigation*, MDL No. 2859, New York City

Co-Lead of the American Association for Justice's Pradaxa Litigation Group

Co-Lead of the American Association for Justice's Biomet Hip Implant Litigation Group

Member, AAJ Litigation Groups for Digitek, Heparin, Bausch & Lomb Contact Lens Solution, PPA, Cox 2 Inhibitors, Baycol, Diet Drugs, Breast Implants, Kugel Hernia Mesh, Heart Devices, Hydroxycut, Hormone Replacement Therapy, Rezulin, Sulzer Hip and Knee Implants, Ortho Evra, AMO Contact Lens Solution, Propulsid, Pain Pumps - Chondrolysis, Fosamax, Fentanyl, Pain Patches, Oral Sodium Phosphate, Denture Cream, Gadolinium, Nuvaring Yaz/Yasmin/Ocella, Levaquin, Trasylol (Aprotinin), Chantix, Heparin, Reglan (metoclopramide), transvaginal mesh, Stockert 3T Heater-Cooler, Wright Medical hip implants, Biomet hip implants, DePuy hip implants, Pradaxa, and Stryker Rejuvenate, ABG II and Accolade hip implants, Zantac, Zimmer

M/L Taper Hip Prosthesis or M/L Taper Hip Prosthesis with Kinectiv Technology and VerSys Femoral Head.

EAGLE Member, Florida Justice Association (formerly AFTL)

Sustaining Member, American Justice Association (formerly ATLA)

Member, Mass Tort Trial Lawyers Association

Member, The National Trial Lawyers Association

Member, American Bar Association

Executive Committee, The National Trial Lawyers: National Women Trial Lawyers Association Top 10

State Executive Committee, The National Trial Lawyers: Top 100

Member, Palm Beach County Justice Association

Member, Palm Beach County Bar Association

Member, Florida Justice Association Nominating Committee

Member, Supreme Court Historical Society

Board of Governors, Florida Justice Association (FJA)

Board Member, FJA Women's Caucus

Member, FJA Stalwart's Committee

Former Member, Executive Committee, American Association for Justice (AAJ)

Board of Governors, American Association for Justice (AAJ)

Board Member, Workers' Injury Law & Advocacy Group (WILG)

Subcommittee Co-Chair, AAJ Women Trial Lawyers' Caucus

Member, AAJ's Leaders Forum

Member, AAJ's Preemption Task Force

Former Member, AAJ's Convention Planning Committee

Member, AAJ's Trial Lawyers Care Committee (2001 – present)

Member, AAJ's Marketing & Practice Development Committee (2014 – 2019)

Chair (2017 – 2019), Vice Chair (2015 – 2017), and Member (10+ years), AAJ's Membership Oversight Committee

Member, AAJ's Political Action Committee (2012 – 2014)

Member, AAJ's Compliance Committee (2015 – 2017)

Chair (2017 – 2018) and Member, AAJ's Exchange Advisory Committee

Member, AAJ's Evergreen Advisory Board (2016 – 2020)

Member, Palm Beach County Bar Association, Wrongful Death/PI Committee

Member, Public Justice Foundation

Member, Public Justice Foundation Communications & Marketing Committee

Member, Roscoe Pound Institute

Nominated for *Super Lawyers* (2012, 2013, 2014, 2015, 2016, 2017, 2018, and 2019) for plaintiffs' class action and mass tort litigation

Named in *The Best Lawyers in America* (2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019 and 2020) and awarded Lawyer of the Year for Plaintiffs' Mass Tort Lawyers (2013) by *U.S. News and World Report*

Listed in Florida Trend's *Florida Legal Elite* (July 2014)

Listed in Florida Trend's *Florida Legal Elite* (February 2018)

Awarded FJA Shoe Leather Award (June 2012) for work as a lobbyist in 2012 in the Florida Legislature, FJA Bronze Eagle Award (June 2012), and Membership Cornerstone Award (June 2014)

Awarded President's Award by American Association for Justice (July 2014) for membership recruitment efforts

Committee Member, Continuing Legal Education Committee of the Florida Bar (2014 – 2017)

Committee Member, Selection Committee for American Association for Justice Leadership Academy

Trial Lawyer Honorary Society Fellow (2014)

Martindale-Hubbell Rating: AV Preeminent

Marie Lambert Award from the American Association for Justice Women Trial Lawyers Caucus – given in recognition of exemplary leadership to the profession, to her community, to AAJ, and to the Women Trial Lawyers Caucus (July 2016)

Distinguished Service Award given to members of the AAJ Board of Governors who during the past year have been of special assistance to the President of the Association (2014, 2017, 2018, 2019 and 2020).

Wiederman & Wysocki Award is an annual award given by American Association for Justice to members who have made significant efforts to advance the organization's political outreach projects (2020)

JD Supra Top Author for Medical Device and Product Liability topics (2017, 2018, 2019 and 2020)

Top Lawyer in Class Actions/Mass Torts, Palm Beach Illustrated (2019 and 2020)

500 Leading Plaintiff Consumer Lawyers, Lawdragon (2019 and 2020)

Education

Stetson College of Law, J.D., *cum laude* (Graduated December 1993)

- Graduated 7th in Class with 3.408 GPA
- Dean's List & Honor Roll
- Assistant Editor, *Stetson Law Review*
- Award for Outstanding Law Review Member
- Best Oralist Runner-Up, Freshman Moot Court
- Florida Bar Foundation Public Service Fellow
- Federal Judicial Intern for Judge Elizabeth A. Kovachevich
- Executive Committee, Stetson Association of Public Interest Law
- Legal Intern, Civil Poverty Law Clinic – Gulfcoast Legal Services
- Research Assistant, Professor Jayma Meyer
- Recipient of Law I, II and III Academic Scholarships

University of South Florida, B.S. in Finance (Graduated December 1990)

Personal

Born December 4, 1966, in Beech Grove, Indiana

Married to Robert J. Fulmer since June of 1985; mother of Molly Louise who is a graduate of the University of Florida and a doctoral student in physical therapy at Florida Gulf Coast University

Troop Leader and Service Team Volunteer, Girl Scouts of Suncoast Council, Tampa

Volunteer, Buddy Break at St. James United Methodist Church, Tampa, providing respite care for autistic and physically-challenged children and their families

Volunteer, Carrollwood Day School and Pride Elementary, Tampa and Dwyer High School, Palm Beach Gardens

Volunteer, Seagull Industries, Riviera Beach

Volunteer, Special Olympics of Palm Beach

Volunteer, Habitat for Humanity, Palm Beach County and New Orleans

Volunteer, Autism Speaks, Palm Beach County

Volunteer, Love Doctor's Toy Drive, Palm Beach County

Volunteer, Muscular Dystrophy Association (MDA), Palm Beach County

Volunteer and Foster Parent, Coastal Boxer Rescue

Volunteer, Feed the Hungry, Palm Beach County

Volunteer and Mentor, Take Stock in Children, Palm Beach County

Board Member, Supporters of the Pre-Law Magnet, Inc. at Palm Beach Lakes High School

Volunteer, Trial Lawyers Care (2001 – present) – donated more than 500 hours representing two families who lost loved ones on 9/11 and those impacted by natural disasters in addition to several service projects with AAJ Convention attendees

Volunteer, Bay Area Legal Services

Volunteer, Hillsborough Association for Women Lawyers – assisting victims of domestic violence

Volunteer, Florida Association for Women Lawyers (FAWL)

Foster Parent and International Exchange Student Host Parent, Palm Beach County