



## CHRISTIAN J. SOLLER

Albany & Saratoga Springs Offices Managing Partner;  
Product Liability & Complex Tort Practice Co-Leader

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Christian is primarily a problem-solver, with an unyielding dedication to creatively and cost-effectively furthering his clients' long-term business interests by guiding them in a manner that avoids risk and exposure. Those clients range from *Fortune* 500 and 1000 companies to small businesses and individuals, who serve a wide range of industries, including:

- manufacturing
- distribution and supply
- engineering
- property and equipment leasing
- property development and management
- food service
- marketing and advertising
- insurance
- construction
- pharmaceutical

Christian counsels his clients on a broad spectrum of employer issues such as executive and equity compensation, employment agreements, partnership agreements, OSHA and Department of Labor issues, the enforceability of post-employment covenants, discrimination, harassment, salary disputes, and crisis management.

When necessary, Christian is an accomplished litigator and trial lawyer with more than 20 years of experience successfully representing his clients across the country. He has successfully tried numerous jury trials to verdict and in that context has earned a reputation for winning seemingly unwinnable cases. Christian concentrates his practice on a mix of business, employment and personal injury litigation, involving business tort, breach of contract and fraud allegations, securities litigation,

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### Practices & Industries

Business Litigation  
Product Liability & Complex Tort  
Employment Litigation  
Accountant Professional  
Bankruptcy, Restructuring &  
Commercial Litigation  
Construction  
Food & Beverage  
Life Sciences  
Media & First Amendment  
Non-Compete, Non-Solicit & Trade  
Secrets

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coronavirus-related litigation (e.g., defending colleges, universities and other institutions against tuition, lodging and/or meal reimbursement claims, public nuisance claims, distance learning differential claims, etc.), construction litigation, professional malpractice, trade secret actions, wrongful death, high-exposure toxic tort litigation, products liability, construction and labor law litigation. These matters often involve “bet-the-company” stakes, death or catastrophic injuries.

Prior to joining Hodgson Russ, Christian was associated with O’Connor Redd Orlando LLP where he tried multiple civil cases to verdict. Before that, he tried criminal cases as an Assistant District Attorney in Orange County.

## Honors

- Listed, *Best Lawyers in America* (Commercial Litigation, Litigation - Labor and Employment) 2024
- Litigation Counsel of America, Fellow, 2019 - 2023
- Listed, *Upstate New York Super Lawyers*, (Personal Injury General: Defense) 2014 - 2016, 2019 - 2020
- Listed, *Upstate New York Super Lawyers* Rising Stars, 2013

## Experience

Secured full dismissal of a lawsuit pending in the Nassau County Commercial Part against a manufacturer client alleging over \$5 million in delay damages relative to the construction of a high-rise building in Brooklyn, New York.

Secured a defense/“no-cause” verdict in Kings County Supreme Court in a high exposure motor vehicle accident trial involving a plaintiff who underwent several spinal surgeries and asked the jury to award him seven figures, since the jury was persuaded that the injuries were attributable to an event other than the accident at issue.

Secured favorable jury verdict in Suffolk County Supreme Court in a Labor Law 240 trial involving a plaintiff who was injured in a construction accident.

Obtained dismissal and favorable settlement for a doctor client such that he collected settlement proceeds as a defendant on the basis that he was wrongly sued relative to the redistribution of medical malpractice insurance premiums.

Obtained favorable settlement for a retired architect client from his former employer for breaching the governing Buy-Sell Agreement.

## Admissions

New York

Vermont

U.S. District Court, Northern District of New York

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

U.S. Court of Appeals, Second Circuit

## Education

Binghamton University, B.A.

Brooklyn Law School, J.D.

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Secured favorable settlement for Fortune 500 company client in a high exposure, Federal Court products liability suit alleging wrongful death that globally settled for approximately \$4 million.

Obtained nuisance value settlement agreements for a manufacturer client in New York County Supreme Court and New Jersey Superior Court in high exposure, multi-party construction defect lawsuits alleging property damage and involving cumulative settlements in the high six figures and seven figures, respectively.

Successfully obtained a dismissal of all claims asserted against an accountant client in Dutchess County Supreme Court for allegedly breaching the terms of a merger and acquisition agreement and misappropriating firm revenue.

Obtained favorable jury verdict in Rockland County Supreme Court motor vehicle accident case involving a plaintiff who suffered back injuries and underwent spinal surgery.

Obtained favorable settlement for two individual clients who were jointly sued for massive personal injuries sustained by plaintiff while maintaining their race track by successfully impleading their insurance company and arguing that the insurance company's initial disclaimer of coverage was inconsistent with the governing policy's terms.

Litigated and obtained favorable settlements for a Fortune 500 manufacturer client in hundreds of high exposure asbestos litigation matters across New York State.

Secured defense verdicts in Kings County and New York County Supreme Courts for commercial building owner defendants in high exposure premises liability accidents involving plaintiffs who fractured their ankles requiring fusion surgeries, as the respective juries were persuaded that defendants upheld their duties of care to reasonably maintain their premises.

Litigated and secured dismissals or nominal settlements for various manufacturer clients in high exposure asbestos litigation matters pending in Delaware, Rhode Island, Pennsylvania, New Jersey, Illinois, Missouri and West Virginia.

Secured nominal settlement for a Fortune 1000 client in a high exposure Labor Law 240 case that ultimately settled globally for approximately \$7 million, involving a young and catastrophically injured plaintiff.

Secured several injunctions by Emergency Orders to Show Cause for a supplier client against competitors for hiring its salespeople on corporate raid, misappropriation of proprietary information and unfair competition grounds as a plaintiff, and secured summary judgment for the same client as a defendant in Ulster, Fulton and Monroe Counties in lawsuits involving similar claims.

Secured summary judgment in a breach of contract suit against a builder-client sued in Rensselaer County for failing to return the purchaser's deposits towards the construction of a new home.

Secured summary judgment for large construction management company client in a Labor Law 240 case involving a young, catastrophically injured plaintiff that was ultimately tried in New York County Supreme Court and yielded a jury verdict of approximately \$26 million.

Tried to verdict a *pro bono* prisoners' rights case alleging civil rights violations before Chief Judge Gary Sharpe in United States District Court, Northern District of New York.

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Turned what began as a commercial eviction proceeding into two real estate deals in which the manufacturing client purchased the buildings that were the subject of the eviction proceedings.

Warded off summary judgment to plaintiff in a Labor Law 240 case pending in Orange County arising from plaintiff's fall from a ladder on a construction site, where the Court was persuaded that plaintiff's own conduct may have been the sole proximate cause of his accident and injuries.

Secured defense verdict for defendant landlord in a dog bite case in which plaintiff's leg was broken requiring surgery since the Westchester County jury was convinced that the landlord lacked the requisite notice of the dog's vicious propensities.

Michael D. Zahler and Christian J. Soller won summary judgment in favor of a construction client. In 2019, a school district retained the client to perform the electrical contracting work for an addition to an elementary school. Soon after work began, a dispute arose between the client and the general contractor concerning responsibility for excavation and trenching work and the placement of bedding material for electrical underground utilities. The client notified the school district that the work was outside the scope of its contract and that it would seek additional compensation if compelled to perform the work. Pursuant to the terms of the governing contracts, the school district deferred to the architect who agreed with the general contractor that the work was included in the client's contract. The school district in turn directed the client to perform the work without additional compensation. The school district refused to engage in settlement discussions until the Court decided its motion for summary judgment. On April 11, 2022, the Supreme Court denied the school district's motion for summary judgment and granted the client's cross-motion for summary judgment, holding that, contrary to the architect's determination, the disputed work is outside of the client's responsibility under its contract and that the client is entitled to recover the full amount sought for performing the additional work.

The 34-year-old plaintiff alleged permanently disabling back injuries requiring a lumbar discectomy following a motor vehicle accident with a tractor trailer leased and operated by client Ginsberg's Foods, a self-insured, 100+-year-old, family-owned food distribution business based in Hudson, New York.

Plaintiff claimed that the tractor trailer signaled left but then turned right, occupying two lanes of travel and sideswiping plaintiff. On Ginsberg's behalf, Christian countered that the tractor trailer driver signaled right, and conceded occupying two lanes, since the circumstances rendered it "practicable" pursuant to Vehicle & Traffic Law Section 1128. Christian pointed to plaintiff's own negligence as the exclusive cause of the accident, for impatiently trying to pass the truck on the right. He also argued that plaintiff's back injuries preexisted the accident.

Following a 5-day jury trial involving 8 witnesses (3 experts), the jury unanimously concluded that the Ginsberg's driver was not negligent.

Plaintiff's counsel had asked the jury during closing arguments to award his client in excess of \$1 million.

## **In the News**

HFZ hit with suit for \$8.2M in unpaid bills at luxury condo project  
*Crain's New York Business*, December 21, 2020

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Area law practice helps revitalize buildings and grounds at Yaddo  
*The Saratogian*, October 13, 2020

Law firm volunteers to spiff up Yaddo  
*Times-Union*, October 9, 2020

Industry Roundtable: Social Media  
*Albany Business Review*, March 17, 2020

What's behind Albany's legal market shakeup: Change is the New Rule of Law  
*Albany Business Review*, January 9, 2020

## **Press Releases**

Sixty-Two Hodgson Russ Attorneys Named to 2020 Upstate New York Super Lawyers  
*Hodgson Russ Press Release*, September 8, 2020

Sixty Hodgson Russ Attorneys Named to 2019 Upstate New York Super Lawyers  
*Press Release*, August 12, 2019

Sixty-three Hodgson Russ Attorneys Named to 2016 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50  
*Press Release*, August 31, 2016

Sixty-Four Hodgson Russ Attorneys Named to 2015 Upstate New York Super Lawyers, Hugh Russ Listed Among Top 50  
*Press Release*, August 19, 2015

63 Hodgson Russ Attorneys Named to *Super Lawyers* Listing  
*Press Release*, August 14, 2014

## **Publications**

FTC Adopts Rule Banning Most Non-Competes and the Legal Slugfest Begins  
*Hodgson Russ Non-Compete, Non-Solicit, and Trade Secrets Alert*, April 24, 2024

Supreme Court Provides Further Guidance on Public Officials First Amendment Rights on Social Media  
*Hodgson Russ Media & First Amendment and Municipal Alert*, March 20, 2024

What's in Your "Secret Sauce?" The FTC's Proposed Rule to Ban Noncompetes and Considerations for Food and Beverage Businesses  
*Hodgson Russ Food & Beverage Alert*, May 3, 2023

Chick-fil-A Confirms Data Breach  
*Hodgson Russ Food & Beverage Alert*, March 20, 2023

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Governor Hochul Vetoes Grieving Families Act in the 11th Hour  
*Hodgson Russ Product Liability & Complex Tort Client Alert*, January 31, 2023

FTC Takes Direct Aim at Employee Non-Compete Agreements  
*Hodgson Russ Non-Compete, Non-Solicit, and Trade Secrets Alert*, January 6, 2023

McDonald's Faces Class Action Lawsuit Over Sexual Harassment, Hostile Work Environment Accusations  
*Hodgson Russ Food & Beverage Alert*, January 4, 2023

Are Your Labels Allergy-Friendly? Major Change Looming for Food and Drink Labels in the United States  
*Hodgson Russ Food and Beverage Alert*, September 12, 2022

New York Court of Appeals Reverses Multimillion Dollar Verdict  
*Hodgson Russ Product Liability & Complex Tort Alert*, May 10, 2022

Trends in Product Liability Litigation & Legislation in New York - May 2022  
*Hodgson Russ Product Liability Litigation & Legislation Quarterly Update*, May 2022

## **Presentations & Events**

Beyond the Office  
Rensselaer County Attorney, July 14, 2021

Taking and Handling Virtual Depositions  
New York State Bar Association, March 16, 2021

Beyond the Office: Outside Counsel  
Rensselaer County Attorney's Office, June 25, 2020

National Business Institute Seminar: Bad Faith Insurance Claims in New York  
Albany, NY, February 22, 2008

## **Professional Affiliations**

- Chair, Executive Committee: New York State Bar Association, Trial Lawyers Section
- Fellow, Litigation Counsel of America, 2019-2023
- Treasurer, The Foundation for Ellis Medicine, 2023
- Chair, Finance Committee: The Foundation for Ellis Medicine, 2023
- Capital District Trial Lawyers Association
- Federal Bar Association, Northern District of New York
- Albany County Bar Association

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### **Community & Pro Bono**

- The Foundation for Ellis Medicine Board of Trustees
- Member, Commercial Services Advisory Board: Center for Disability Services
- Legal Aid Society of Northeastern New York