

## Attorney Bio

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Stephen J. Henning is a co-founder of Wood, Smith, Henning & Berman LLP, an AmLaw 200 law firm with 26 offices throughout the United States. Steve is a skilled litigator, nationally recognized for results in complex construction, real estate, business and toxic tort litigation. He regularly represents Fortune 500 companies and preeminent members of the business community, including some of the nation's largest residential and commercial public and private owners, homebuilders, developers, investors, contractors and lenders. Additionally, Steve has a thriving practice focused on public entities, handling all facets of litigation and risk management pertaining to construction and toxic tort issues. Steve received his undergraduate and law degrees from the University of Nebraska, where he competed on the National Trial team.

In addition to his extensive legal practice, he regularly gives back to the community by taking on leadership positions in several national and local charities. Steve currently serves as Chairman of the Board of Directors for the March of Dimes, and he is a founding Board member and past President of the Construction Defect Community Charitable Foundation. Steve is also on the Board of Directors for both the Alzheimer's Association and Levitt & Quinn, a public aid law firm providing legal services to people in need. Steve is proud to be the first defense lawyer awarded the Jerold S. Oliver Award for contribution to the construction-defect community. An AV-rated lawyer by Martindale-Hubbell, for the past ten years he has been selected for inclusion as either a "Rising Star" or "Super Lawyer."

## Education

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University of Nebraska at Lincoln College of Law (J.D., )

University of Nebraska (B.S., )

## Licensed to Practice in:

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California, Nebraska

## Practice Areas

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### ***ADA Compliance and Defense***

### ***Appellate***

- Published and Reported Decisions:
  - *Promenade at Playa Vista Homeowners Assn. v. Western Pacific Housing, Inc.* (2011) 200 Cal.App.4th 849 [133 Cal.Rptr.3d 41] review granted and opinion superseded, (Cal. 2012) 136 Cal.Rptr.3d 667.

## Stephen J. Henning

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### ***Founding Partner***



### **Los Angeles**

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- *Shapell Industries, Inc. v. Superior Court*, 132 Cal. App. 4th 1101 (Cal. Ct. App. 2005).
- *Mayer v. C.W. Driver*, 98 Cal. App. 4th 48 (Cal. Ct. App. 2002).
- *Hampton Bay Court Association, Inc. v. Storm/Western Development*, 2006 Cal. App. Unpub. LEXIS 5646 (California Unpublished Opinions 2006).
- *Chelsea Court Condo. Homeowners Association, Inc. v. WNP Construction*, 2004 Cal. App. Unpub. LEXIS 2787 (California Unpublished Opinions 2004).

## **Cannabis Law**

- Regularly advises entities on corporate formation, risk management, products liability, employment and other issues emanating from this growing area of the law.

## **Construction**

- Representation of builders, contractors, and lenders in all aspects of construction-related claims and litigation.
- Defense of builders and developers in high-profile claims involving mechanic's liens, product liability, easements, real estate issues, and punitive damages.
- Transactional experience drafting contracts and risk-management protocols.

## **Entertainment and New Media**

- Representation of entertainment clients in professional malpractice, intellectual property rights, contract, and tort liability lawsuits.
- Assistance to startup companies in entertainment and new media arenas with all aspects of formation, structuring and risk management.

## **Environmental**

- Litigation and risk management on behalf of businesses, developers and contractors regarding all facets of toxic tort and environmental exposures.

## **London Insurance Market**

### **Mass Torts and Class-Action Defense**

- Defense of business entities and individuals against class-action claims, including habitability and other claims arising in landlord/tenant relationships, consumer fraud and violations of California Business & Professions Code § 17200.

## **Product Liability**

- Defense of manufacturers, distributors and retailers against injury, property-damage and loss claims allegedly due to defects in product manufacture and design.

## **Professional Liability**

- Handling of professional liability matters involving defense of directors and officers, real estate and insurance brokers and agents, design professionals, and healthcare professionals.

## **Property Management and Tenant Litigation**

### **Public Entity Defense**

- Representation of public entities in all aspects of litigation including construction and occupational exposure claims and disputes.

### **Toxic Tort and Occupational Exposure**

- Representation of Fortune 500 companies, builders, contractors, school districts, government entities, real estate brokers, and commercial and residential property owners and managers.
- Defense of a wide variety of toxic tort cases including those involving chemicals, asbestos and mold, with an emphasis on risk management.
- National coordinating counsel enabling clients to avoid claims and minimize litigation.

## **Trial & Appellate Results**

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- Promenade at Playa Vista Homeowners Assn. v. Western Pacific Housing, Inc. (2011) 200 Cal.App.4th 849 [133 Cal.Rptr.3d 41] review granted and opinion superseded, (Cal. 2012) 136 Cal.Rptr.3d 667.
- Shapell Industries, Inc. v. Superior Court, 132 Cal. App. 4th 1101 (Cal. Ct. App. 2005).
- Mayer v. C.W. Driver, 98 Cal. App. 4th 48 (Cal. Ct. App. 2002).
- Hampton Bay Court Association, Inc. v. Storm/Western Development, 2006 Cal. App. Unpub. LEXIS 5646 (California Unpublished Opinions 2006).
- Chelsea Court Condo. Homeowners Association, Inc. v. WNP Construction, 2004 Cal. App. Unpub. LEXIS 2787 (California Unpublished Opinions 2004).
- [\*California Jury Returns Defense Verdict in Closely Watched Asbestos Trial\*](#)

## **Awards & Accomplishments**

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- AV Preeminent Lawyer by Martindale-Hubbell
- Named Southern California Super Lawyer, 2006 - 2020
- Claims & Litigation Management Alliance, Outside Counsel Professional of the Year, 2019
- Named as Top Attorney by Pasadena Magazine, 2013 - 2020
- Top Attorneys in Southern California by Los Angeles Magazine, 2007 - 2020

- Jerrold S. Oliver Award of Excellence (first defense attorney recognized for contributing to improvement of construction-defect community), 2002

## Publications

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- [\*Mold Litigation Update: Current Trends in this Once-Emerging Tort\*](#)
- [\*The Brief \(Fall 2003\): A Mold Claims Primer\*](#)
- *Virtually Accessible: A Recent Supreme Court Action Opens the Door to ADA Lawsuits Over Website Accessibility*, CLM Magazine (November 2019)
- *The Natural Progression of Natural Disasters*, CLM's Construction Claims magazine (Summer 2019)
- *Handling Mold Litigation in California*, CEB Action Guide, Continuing Education of the Bar, 3rd, 4th & 5th Editions (2005, 2007 and 2015)

## Seminars, Events & Presentations

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- Co-Chair, 2019 CLM National Construction Conference, San Diego (October, 2019)
- Disasters in the Making – Litigation Impacts from Fire, Flood and Hurricanes, West Coast Casualty Conference, Anaheim (May, 2019)
- Game Changing Trends Impacting Construction Litigation: Strategies and Practice Pointers for 2019 and Beyond, DRI Construction Conference (2019)
- Changing Face of Construction Litigation: Emerging Trends Which Are Disrupting the Industry, CLM Annual Conference (2019)
- Emerging Issues in Habitability Litigation, Indianapolis (November, 2019)
- Co-Chair, 2018 CLM National Construction Conference, Chicago (October, 2018)
- Strategies and Practice Pointers for Emerging Issues in Habitability and Hospitality Claims (Denver, October 2018)
- Building Collapse Issues: Intersection of Construction Defect and Catastrophic Injury, CLM National Construction Conference (2018)
- Co-Chair, 2017 CLM National Construction Conference, San Diego (October, 2017)
- Co-Chair, 2016 CLM National Construction Conference, San Diego (September, 2016)
- Emerging Trends in Construction and Litigation: National Overview, Premier Panel, CLM National Construction Conference (September, 2016)
- Legalized Marijuana: Will the Insurance Industry Inhale, CLM Southern California Conference (July, 2015)
- Utilizing Technology in Litigation: Cutting Edge Strategies for Handling and Disposition of Litigated Matters, West Coast Casualty Seminar, Anaheim, California (May, 2015)
- Social Media and Litigation: Ethical Landmines, Admissibility at Trial and Emerging Issues in Litigation, CLM

Annual Conference, 2015

- Legalized Marijuana - Will the Insurance Industry Inhale, Southern California Conference, CLM (Irvine, 2015)
- Cannabis: Legal Issues Emanating from the Legalization of Marijuana: Impacts on Employment, Insurance, Products Liability and Litigation, CLM (Los Angeles, 2015)
- Use of Technology at Trial, West Coast Casualty Seminar, Anaheim, California (May, 2014)
- What the Future Holds for Construction Defect Litigation in 2013 and Beyond, West Coast Casualty Seminar, Anaheim, California (May, 2013)
- "Social Media - Who's Peeking into Your Privacy" and "Effective Mediation Techniques", CLM Seminar, San Francisco (May, 2, 2013)
- Effective Use of Social Media to Develop Critical Evidence to Win Your Case: Practice Pointers and Pitfalls in Investigating Fraudulent Claims. Southern California Fraud Investigators Conference (November, 2012)
- Building Product Failures - Leading to Class Action Lawsuits? MC2 18th Annual West Region Construction & Insurance Coverage Conference (September 20, 2012)
- Social Networking Sites: Strategies, Ethical Pitfalls and Practice Pointers for Litigating and Winning Your Case, West Coast Casualty Seminar, Anaheim, California (May, 2012)
- Microbial Contamination Issues: A Primer for Mold Claims, The Brief (ABA Tort Trial & Insurance Section), Fall 2003, at p. 22
- Mold Contamination: Liability and Coverage Issues: Essential Information You Need to Know for Successfully Handling and Resolving Any Claim Involving Toxic Mold, 8 Hastings W.-N.W. J. Env'tl. L. & Pol'y 73 (2001)
- Emerging Trends in Complex Commercial Litigation, Atlanta, Georgia (March, 2012)
- Ethical and Practical Issues Raised in Litigation and Investigation, Presented to CPCU Society (September 15, 2011)
- Ethical Issues Relating to Additional Insured Endorsements / Insurance Coverage, MC2 Seminar, San Diego, California (September, 2011)
- Internet and Social Networking Sites: Ethical Issues in Investigating and Litigating Your Case, West Coast Casualty Seminar, Anaheim California (May 12, 2011)
- Navigating California's Right to Repair and SB 800, Woodland Hills, California (April, 2008)
- Commercial Litigation Emerging Trends: Views from Trenches, San Ramon, California (April, 2008)
- Strategies for Success: Resolving Construction Claims, West Coast Seminar (May, 2007)
- Management of Complex Construction Litigation - Views from the Bench and Bar, AEI-Brookings Joint Center for Regulatory Studies, Judicial Education Program, Washington, D.C. (2007)
- Scenes from the Courtroom: Keys to Success in Winning the Judge and Jury, San Francisco, California (May 2, 2006)
- Panelist: Management of Complex Construction Cases, AEI-Brookings Joint Center for Regulatory Studies, Judicial Education Program, Irvine, California (2005)

- Successfully Defending High Exposure Occupational Exposure Claims, Newport Beach, California (December, 2005)
- Survival Guide to Additional Insured Endorsements: Recent Developments and Trends, West Coast Seminar, Anaheim, California (2005)
- Recurring Issues in Additional Insured Litigation – Panel Discussion, Manchester, New Hampshire (February 1, 2005)
- Mold Remediation Litigation in California, Costa Mesa, California (December, 2005)
- Litigation Strategies in Complex Mold Litigation, Marina Del Rey, California (June, 2005)
- Strategies and Techniques for Defending a Construction Defect / Mold Claim, Mealey’s Litigation Conference, New Orleans, Louisiana (April, 2004)
- Developments in Litigation Involving Attached Housing, Marsh Seminar, Los Angeles (March, 2004)
- Indoor Air Quality – Defense of the Occupational Exposure Case, Long Beach, California (2004)
- Trials of Mold Bodily Injury Cases – Diving into the Minds of the Jury, West Coast Casualty Construction Defect Seminar, Anaheim (2003)
- Conference Chair: Mealey’s Construction and Mold Litigation Conference, Las Vegas, Nevada (December, 2003)
- Conference Chair: Mealey’s Mold Litigation Conference, San Diego, California (February, 2003)
- Handling Mold Litigation in California, CEB Action Guide (Summer, 2003)
- Defending the Toxic Mold Claim, Keynote Presenter. Seminar given throughout United States and United Kingdom (2002 and 2003)
- [WSHB Attorney to Speak at 2015 CLM Southern California](#)
- [WSHB’s Stephen Henning to Speak at West Coast Casualty’s Construction Seminar](#)

## Memberships

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- Fellow, Litigation Counsel of America, Trial Lawyer Honorary Society
- Board Member and Director of Education, Council on Litigation Manager Los Angeles
- Member, Council on Litigation Management Alliance
- Member, California Building Industry Association Legal Action Subcommittee
- Member, Defense Research Institute
- Member, Professional Liability Underwriting Society (PLUS)
- Member, National Association of Home Builders Construction Law Attorney Forum
- Member, Building Industry Association of Southern California
- Member, Association of Southern California Defense Counsel (ASCDC)

- Member, AGC Legal Advisory Committee
- Member, Risk and Insurance Management Society, Inc. (RIMS)
- Former Member, Mealey's Toxic Tort Advisory Council
- Corporate Counsel — Construction Litigation, 2010
- Nebraska Law College Alumni Council

## **Community Activities**

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- Trustee, University of Nebraska Foundation
- Chairman of the Board of Directors, March of Dimes
- Board of Directors, Alzheimer's Association
- President, Board of Governors, Levitt & Quinn (public aid law firm)
- Board Member, and past President, Construction Defect Community Charitable Foundation
- Event Chair, March of Dimes Signature Chefs Auction 2011 and 2012
- Board of Advisors — University of Nebraska College of Law Entrepreneurship Clinic