



**HELEN KATHRYN DOWNS**  
**LAW IN MOTION: DOWNS, LLC**

STRATEGIC ADVISOR | TRIAL COUNSEL

1707 29TH COURT SOUTH, SUITE 1  
BIRMINGHAM, AL 35209 USA  
DIRECT: 1+ (205) 492-8290  
HK.DOWNS@LAWINMOTIONLLC.COM

A seasoned trial lawyer and adept communicator, Helen Kathryn Downs has advised major corporations for more than two decades, managing risk and identifying compelling legal defenses. In 2017, Helen Kathryn founded a forward-looking law firm – Law in Motion: Downs, LLC. This woman-owned firm embraces the latest neuroscience to enhance persuasion and client results. The firm also offers advisory and litigation services for cutting-edge technologies, such as the Internet of Things, machine learning, artificial intelligence, drones and robotics, as well as more traditional practice areas, primarily products liability and mass torts.

Recognitions of Helen Kathryn’s skills include CVN’s “Top 10 Defense Verdicts” (2016), America’s Top 100 Litigators – Alabama (2019), Mid-South Super Lawyers, Best Lawyers in America, Who’s Who Legal: Product Liability Defence, Who’s Who Legal: Life Sciences, and her 15th anniversary with an AV-Preeminent rating by Martindale-Hubbell. She is a lifelong student of effective communication, creative thinking and legal innovation.

Clients and colleagues describe Helen Kathryn as a candid strategist – pragmatic, perceptive and fiercely curious. Based on client feedback, she adroitly translates complex information into plain terms, swiftly building credibility with judges, jurors and other lawyers. Her personal warmth, authenticity and incisive analysis bolster her skillset.

Helen Kathryn obtained a B.A. from UNC-Chapel Hill and J.D. from the University of Virginia School of Law. At UVA, she and her partner, Jason Brener, won the Lile Moot Court Competition, and she received the Stephen P. Traynor Award for Oral Advocacy.



## SUMMARY OF EXPERIENCE

### FOUNDING PARTNER | LAW IN MOTION: DOWNS, LLC | March 2017 – Present

- Counseled US and global executives of Fortune 500 company on mitigating risk and best practices when designing connected products.  
**Client feedback:** *“HK's uniquely engaging style, combined with her legal savvy, technical knowledge, and invaluable perspective, wowed our team. We've gained vital new insights into managing the risks and benefits of connected products.”*
- Analyzed emerging regulations, guidelines and best practices in the U.S. and Europe for IoT-enabled products and services to advise clients.
- Represented manufacturers in products liability and asbestos lawsuits.
- Served as local counsel for a pharmaceutical company in the opioid litigation.
- Speaker, *Applying the Latest Neuroscience to Litigation and Persuasion*, JPMorgan Chase Legal – Chicago, IL.
- Speaker, *Catching the Waves: Using Brain Science to Predict and Persuade*, FedEx World Headquarters – Memphis, TN.
- Panelist, *Be Smart about Smart Products*, 2018 ABA Women in Products Liability Regional CLE Program – Washington, D.C.
- Panelist, *IoT and the Healthcare Industry: Creating Smarter Healthcare for 2018*, The Knowledge Group Webinar.
- Panelist, *Handling the Consumer Fraud Class Action*, International Association of Defense Counsel Webinar.
- Chair, IADC Class Action & Multi-Party Litigation Committee (2017-2018).
- Member, Fellows of the American Bar Foundation.

### PARTNER | BUTLER SNOW LLP | September 2013 - February 2017

- Primary responsibility for the defense, preparation and trials of product liability cases in multiple states, including Texas, New Jersey, Missouri, Tennessee and Alabama, managing virtual teams of trial lawyers across the country; coordinating a cohesive approach to discovery; selecting, preparing and examining fact and expert witnesses; mastering extensive medical literature and research to combat specific and general causation; formulating powerful trial themes and graphics; and connecting with judges and jurors.
- **Feedback from co-counsel:** *“While the litigation could be highly contentious at times, Helen Kathryn always adhered to the highest standards of professionalism and integrity. She never allowed the intensity of pretrial and trial proceedings, hostile questioning from the bench, or unfair attacks and duplicitous arguments from opposing counsel to adversely impact her conduct and demeanor toward the judge, attorneys, or witnesses involved.”*
- **More feedback from co-counsel:** *“She’s the hardest working attorney I have ever been around . . . and I’ve been around.”*
- Defense verdict for Ethicon, Inc., and Johnson & Johnson in pelvic mesh trial in Dallas, Texas.
- **Feedback from co-counsel:** *“She has outstanding instincts and knows when to stand firm on an issue and when compromise is in the best interest of the client. If I had a bet-the-company, nuclear- event type of case and needed an attorney who could organize a trial team, act as lead counsel, and guide that team through one of the most challenging courtroom environments a company can face, Helen Kathryn*

*would be at the top of my list.”*

- Prepared comprehensive case analyses for various corporate defendants, including legal, commercial and reputational angles, and built projections and decision trees to illustrate options.
- Helped obtain an appellate win in the Eleventh Circuit Court of Appeals, affirming a judgment for Target Corporation in trademark litigation filed by the Rosa Parks Institute.
- Multiple favorable judgments in state and federal court for Target in premises liability litigation.
- Structured alternative fee arrangements and effective project management, crafting tools to improve client service and reduce costs.

### **PARTNER | JOHNSTON, BARTON, PROCTOR & ROSE LLP | January 2001 - August 2013**

- Secured favorable trial court rulings and regulatory approvals for Georgia-Pacific LLC following a hard-fought public relations campaign, as well as an extrajudicial win/win for client’s pulp processing plant, city residents, and local leaders.
- Conducted extensive internal investigation for a Fortune 100 global financial institution based on a \$650 million lawsuit for securities fraud, obtaining summary judgment for the bank in multiple rounds of litigation and successfully defending appeals.

**Client feedback:** *“In meetings with high-level executives, Helen Kathryn got to the crux of the matter using effective graphics that reduced extremely complex litigation to a concise set of ‘home-base’ defense themes (as she calls them). She then ferreted out each executive’s strengths and weaknesses and tailored her witness preparation to those personal traits. She somehow managed to motivate senior investment bankers at JP Morgan Securities to want to perform well for her.”*

- Worked with legal and business teams at a Fortune 100 financial institution to defeat putative nationwide class actions arising out of mortgage and automotive lending practices.

**Client feedback:** *“Helen Kathryn elicited more frank, helpful information from 20 fact witnesses interviewed over two days than I thought possible. With her people skills, she put our employees at ease, which fostered candid, highly informative sessions. Based on the comprehensive narratives that Helen Kathryn elicited, the bank was able to resolve class actions for a fair, reasonable amount, cutting off significant litigation expense.”*

- Guided numerous lawsuits to successful resolution with help from talented colleagues, through proactive detective work, carefully executed strategies, dispositive motions, mediation or winning at trial.
- **Feedback from co-counsel:** *“In 45 years of practicing law, I’ve rarely seen anyone better than HK at getting people to open up and talk, even those who started out against us.”*
- Led internal investigation into the cause of an explosion at a plant owned by the client’s largest customer, with witnesses, data, and laws spanning the US, Canada and Italy, ultimately recommending changes to the supply chain and helping the client implement those.
- Orchestrated collection, preservation and review of millions of documents in complex disputes, leveraging technology to handle the review efficiently.
- Spearheaded an internal investigation that uncovered an employee’s multi-layered scheme to steal from the client’s expense reimbursement system, collaborating with the U.S. Secret Service to gather evidence of the employee’s computer crimes.
- Chaired various committees of the Birmingham Bar Association, served as President of the BBA Women Lawyers Section, and chaired the Board of Trustees for the Legal Aid Society.

- Member of the inaugural class of MOMENTUM women's leadership program.
- Selected as one of the "Top 40 under 40" by the Birmingham Business Journal.

**ASSOCIATE | JOHNSTON, BARTON, PROCTOR, SWEDLAW & NAFF LLP | September 1993 - December 2000**

- Handled projects in areas of law ranging from real estate to antitrust, corporate transactions to employment discrimination, will & trust contests to regulatory enforcement, and administrative hearings to full-fledged litigation and trials.

*References available upon request*