

BRIAN O'CONNOR WATSON

Skilled Advocate Goes Toe-to-toe With Tough Trial Law Adversaries

by Sherry Karabin

Be firm but fair and sympathetic and avoid issuing ultimatums that back you or your opponent into a corner. Those are just some of the rules that Riley Safer Holmes & Cancila partner Brian O'Connor Watson follows when representing national and international clients in mass tort product liability, commercial litigation, criminal and other matters.

Watson defends clients and sometimes represents plaintiffs in his practice.

A skilled litigator with advanced degrees in business and engineering, Watson says the secret to a positive outcome is simple — preparation and lots of it.

“You can always settle the cases you are ready to try, but you can't try the cases you anticipate settling,” he says. “If you treat a case as though it will resolve, you will not do the groundwork necessary to give a client the option of going to trial or the leverage to ensure the best settlement.”

It's one of the many lessons he has learned since he began practicing in 2010.

A trial attorney must be tenacious, yet unflinchingly kind and polite, he says.

“In order to ensure my client has the greatest number of options, I must remain professional at all times.

“For example, if I am representing a defendant in a trial about cancer, it's important to be genuine and not shy away from the emotions that come from hearing about cancer,” says Watson.

“It's OK to show your empathy. Being authentic is critical, especially with a jury. At the same time, I have to explain to the jury that while tragic, my client is not at fault, and to hold my client responsible would be unjust.” It's a delicate tightrope Watson has enjoyed walking since day one.

He has served as lead counsel in cases across the country. In his role as a risk manager, strategic adviser, negotiator and trial lawyer, Watson represents clients in industries ranging from food, automotive, children's products, agricultural, chemical and medical to



aviation, telecommunications, transportation, construction and power and glass.

“Because of the nature of the cases I handle, I am constantly learning new things and solving problems, both of which I really enjoy,” he says. “I know I am one of the lucky ones. I landed in a career that makes me excited to go to work every day.”

FINDING HIS WAY

Although Watson clearly has a passion for the law, choosing the legal profession wasn't a given.

Watson is the youngest of three children. His parents, both engineers, naturally encouraged their children to focus on science-based careers. His sister completed graduate programs in biochemistry and biotechnology, and his brother served as a U.S. Marine and went into nursing.

Following in his family's footsteps, the Milwaukee native received his bachelor's degree in electrical engineering with a minor in economics from Michigan Technological University in 2002.

While working as an engineer, he also obtained an M.B.A. in applied economics and operations management from DePaul University and a master's degree in engineering from Purdue University.

Then the successful engineer, who remembered watching *A Few Good Men* as a teenager and being struck by the courtroom drama, decided to change paths.

He wanted to see what the legal world was really like before getting too far into law school. So, in 2006 he began attending night classes at Chicago-Kent College of Law while spending his days working as a law clerk for Schiff Hardin.

“It was a significant pay cut from my engineering job, but I wanted to get the experience,” he says. “I fell in with attorneys who handled mass tort and product liability cases like Bob Riley, Matt Fischer, Ed Casmere and Josh Lee. Seeing them try cases and the way they tried them, I was hooked. I fell in love with the idea of doing litigation and trial work.

“They became my second family. They inspired me and challenged me. I knew I had made the right choice,” says Watson.

A STRONG LEGAL START

After he received his law degree in 2010, he became an associate at Schiff Hardin, where he was given the chance to handle major cases.

“Schiff Hardin was a large firm, so I was very lucky to get the experience,” he says.

Former Schiff Hardin partner Heidi Oertle says Watson is “one of the best lawyers” she ever worked with.

“Brian had great judgment and was a super hard worker,” says Oertle, now senior corporate counsel in Amazon’s North American Consumer Retail Group. “He handled many cases from start to finish with minimal input from me. He was very good at what he did.”

About six years after becoming an associate, Watson along with several key Schiff Hardin lawyers, including former chairman Robert Riley and former managing partner Ronald Safer, Patricia Brown Holmes and Joseph Cancila, left the firm to form Riley Safer Holmes & Cancila.

Watson made partner at the firm in 2017 and currently serves on the recruiting and associate development committee.

“We focus on diversity and developing our new talent,” says Watson. “As an associate, I got the opportunity to learn by doing. As a result, I view lawyer development as more of an apprenticeship.

“I am a strong believer in the adage, ‘you learn by doing.’”

LIVING HIS DREAM

At Riley Safer Holmes & Cancila, Watson’s days are filled with client meetings, research, case preparation and sometimes a lot of travel.

“I remember when I started practicing someone told me that being busy is the second worst problem that a lawyer can have. I realize how privileged I am that I get to do the work I do,” says Watson.

Despite his busy schedule, Watson always makes himself available when a client is in need.

When beginning a new client matter, his first step is to examine the facts and determine how to successfully resolve the case for the client—whether by litigation, trial or negotiations.

“The vast majority of the cases are resolved before trial, but the client does count on us to have a solid strategy in place should the matter be tried,” says Watson. “I have been brought in on cases at every stage — ones that haven’t been filed yet all the way up to ones that were on the heels of trial, where my job was to work with the other lawyers on the team to finalize and try the case.

“Regardless of the situation, it’s my job to be tenacious in uncovering the facts, while taking great care to make sure I do not unnecessarily alienate the other side.”

Whether the case is brand new or already underway, how an attorney interacts with opposing counsel can impact a case, he says. As a result, Watson makes a point of keeping the lines of communication open and does his best to avoid drawing any lines in the sand.

“**Brian is a tremendous trial lawyer and litigator. He is meticulous, tenacious and focused. He will stay in the office all night to prepare a case, if necessary. You can rely on him to get things done and done right.**”

His commitment to trial work does not overshadow the reality that many cases do not go to trial.

“While I am always prepared and have an impressive trial track record, I always look for effective ways to circumvent litigation, either through legal arguments or negotiation.

“You never know what direction a case will take, and the goal is to create the best outcome for the client,” says Watson.

In his litigation practice, Watson works on cases with high exposure and often devastating injuries.

“Having a sympathetic plaintiff can raise the stakes, and often tips the scales before the case even begins,” he says.

However, he says presenting the facts in a kind and compassionate way can help the judge or jury reach the right and just outcome.

“No matter how tragic a situation may be, no one wants to hold a party responsible for something they did not do.”

Watson says he understands firsthand the issues facing his clients and their own stakeholders because he was once in their shoes.

“I worked on the factory floor, in the field, at the engineering centers and in the corporate headquarters,” he says.

SOME HARD-FOUGHT CASES

Not long after starting at the firm, managing partner Patricia Brown Holmes was appointed special prosecutor in the investigation and prosecution of Chicago Police Department personnel in connection with the fatal shooting of Laquan McDonald.

Holmes recruited Watson to assist in the special grand jury investigation, as well as the trial of three Chicago police officers charged with conspiring and obstructing justice to cover up details in the October 2014 incident.

Watson says the experience of working with Holmes, Ronald Safer and Kelly Warner was invaluable.

“One of the most powerful choices an attorney can make is whether to bring criminal



From left, during the special prosecutor’s trial: Kelly Warner, Patricia Brown Holmes, Ronald Safer, Watson

charges against a person,” says Watson. “From the moment charges are brought, the person’s life is changed forever.”

Watson has also assisted Holmes on several other high-profile cases as well as in the criminal case involving former *Empire* actor Jussie Smollett.

“Brian is a tremendous trial lawyer and litigator,” says Holmes. “He is meticulous, tenacious and focused. He will stay in the office all night to prepare a case, if necessary. You can rely on him to get things done and done right.”

“Brian is appropriately deferential, and judges love him,” she says. “He is a leader in our firm, and associates look to him for advice.”

In the product liability arena, Watson says one of his tougher trials involved a Missouri case against a leading manufacturer of agricultural, construction and forestry equipment. The manufacturer was accused of causing a plaintiff’s blood and bone cancer.

“Expert witnesses testified about epidemiology, oncology, hematology, toxicology, industrial hygiene and many other scientific and medical topics,” he says. “In a difficult and often tense courtroom, the trial judge barred three expert witnesses and allowed punitive damages to go to the jury. During closing, the plaintiff asked the jury to award \$6 million plus punitive damages.

“We prevailed,” Watson says. “Part of my responsibility was to cross-examine the plaintiff and the plaintiff’s co-workers and handle the testimony of multiple experts. It was a delicate situation because of the plaintiff’s serious condition. However, it was my job to separate the real issues from the emotional distractions.”

On another recent case, Watson was added to the trial team of a multimillion-dollar, plaintiff-side commercial dispute, shortly before it went to trial.

Working closely with the existing team, he dug deep into the facts, as he says he always does.

“I uncovered key facts and helped shape the trial,” says Watson. “I am a strong believer that you never are too senior to dig into the facts of your case, read every deposition transcript and understand how each piece of evidence fits into the story.

“In fact, it’s a necessity, but that doesn’t mean you have to compromise on efficiency or giving junior lawyers opportunities.”

“Brian has a strong comfort level in the courtroom, which is not true of everyone,” says Riley Safer Holmes & Cancila partner Robert Riley. “He knows that in order to be effective in the courtroom, you must do an enormous amount of preparation. Brian actually enjoys the preparation part, and he is generally the most prepared lawyer in the room.

“He cares passionately about what he does



From left: Ronald Safer, Watson, Patricia Brown Holmes

and the clients he represents,” says Riley. “If I were someone who had a significant legal problem, he is exactly the kind of guy I would want to stand up for me.”

Kenneth T. Lumb, managing partner of Corboy & Demetrio, recently served as opposing counsel on one of Watson’s cases.

“It was a complex multi-defendant product liability death case,” says Lumb.

“Brian is an extremely bright, capable and thorough attorney who is always prepared. At the same time, he is courteous and a pleasure to work with.

“He is the kind of lawyer who will fight you tooth and nail, whistle-to-whistle, but when the whistle blows and the play is over, he will help you up until the next deposition or next hearing,” Lumb says.

USING THE SKILLS OF HIS TRADE

Watson is thankful for all the opportunities he has been given, and now he is trying to do his part to help others in need of assistance.

Each year, he dedicates many hours to pro bono work, assisting in areas such as constitutional and civil rights, housing discrimination, public benefits and family and consumer law.

When he isn’t working, Watson prefers to pitch in the old-fashioned way, rolling up his sleeves and doing things such as building homes for Habitat for Humanity.

“When I was an engineer, I could point to a building or project that demonstrated my work,” he says. “I now enjoy constructing and fixing housing, which provides me the chance to get out in the community and work

with people.”

He also volunteers at pipeline programs throughout the city, including the Development School for Youth All Stars Project and Just The Beginning. He also works with youth empowerment agencies such as UCAN—which helps young people who have suffered trauma grow into future leaders—and My Block, My Hood, My City—which seeks to raise awareness among underprivileged youth on topics such as STEM, arts and culture, health and entrepreneurialism.

Watson also takes great pride in mentoring. While his firm participates in many formal community service and mentoring initiatives, he does more.

He spends hours educating high school and law school students. Watson spearheads an annual program on public speaking geared toward helping high school students to understand the power of their voices and persuasion of their words.

“Some lawyers as busy as I am might shy away from these types of commitments, but not me,” he says. “It is events like these when I am happiest because I am exposing students to a skill that permeates my practice.”

Watson, 39, says his hope for the future is simple: “continuing to do the same excellent work.”

“I truly enjoy pulling apart the pieces of a case and coming up with a solution for the client,” he says.

Watson also wants to play a bigger role in effecting positive change in the community.

“I can’t imagine being anywhere else or doing anything else,” he says. ■