

Jason T. Gerken

partner

Jason is a commercial litigator with varied experience in jurisdictions throughout the United States. He often focuses his litigation practice on product liability, mass tort, catastrophic injury and wrongful death defense, real estate disputes and ERISA matters.

In the personal-injury space, he regularly defends businesses facing high-value claims that their products are defective and cause injury or death. For many years, he has served as national counsel to an international food flavoring manufacturer facing such claims.

Jason's broad real estate litigation practice extends from lease disputes to land use issues to eminent domain, in which Jason has garnered substantial experience representing public utilities in hundreds of appropriation proceedings throughout Ohio and Indiana. Jason has tried many of these cases to court and juries and regularly presents at continuing legal education conferences regarding strategies and developments in eminent domain law.

Jason represents employee benefit plans, sponsors, and administrators in ERISA litigation, including long-term disability, medical claim, executive severance and claw-back cases. He also serves as outside general counsel to local businesses and as local counsel for other law firms in litigation throughout Ohio.

Prior to joining Porter Wright, Jason worked at a Chicago-based private equity firm, where he sourced and structured middle market acquisitions in the manufacturing and distribution sectors.

During law school, Jason was a teaching assistant and an editor on the *Capital University Law Review*, in which his note on hydraulic fracturing was published. He also served as a judicial extern to the Honorable Jeffrey S. Sutton of the United States Court of Appeals for the Sixth Circuit and to the Honorable Gregory L. Frost (ret.) of the United States District Court for the Southern District of Ohio.

CONTACT

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Pronouns: he / him / his

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SOCIAL MEDIA

Blogs
bankingandfinancelawreport.com

EDUCATION

Capital University Law School, J.D., *summa cum laude*, 2013

Princeton University, B.A., 2006

SERVICES

Litigation

- Commercial litigation
- Product liability
- Class actions, mass torts and MDLs
- Catastrophic injuries
- Insurance litigation
- Probate, trust and guardianship litigation
- Intellectual property litigation

Real Estate

- Real estate litigation
- Appropriation and eminent domain
- Foreclosures, receiverships and workouts

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REPRESENTATIVE MATTERS

Product Liability/Mass Torts

- National counsel for one of the world's largest food flavorings companies in chemical exposure and product liability litigation involving alleged catastrophic injuries, wrongful death, and other claims
- Represented one of the world's largest manufacturers of recreational vehicles in product liability case concerning injuries sustained by a minor passenger on a watercraft

Catastrophic Injuries

- Regularly represents a large electric utility in tort litigation involving alleged catastrophic injuries, wrongful death and other claims
- Member of trial team that successfully attained a complete defense verdict in favor of a large electric utility in electrocution litigation involving allegations that catastrophic injuries resulted from the utility's maintenance of distribution lines in violation of the National Electrical Safety Code's horizontal clearance standards

Real Estate Litigation

- Represents a large chain of gas stations and convenience stores in lease dispute with landlord
- Successfully represented a large homebuilder in litigation against a municipality involving the municipality's refusal to provide final approval to a housing development
- Regularly represents entities in emergency proceedings involving the enforcement of various property rights

Appropriation/Eminent Domain

- Regularly represents a large electric utility in transmission line projects requiring the use of its eminent domain authority to appropriate property
- Represents a large oil and gas company in natural gas and natural gas liquid pipeline projects requiring the use of its eminent domain authority to appropriate property

Commercial Litigation

- Represented one of the world's largest brewing companies in litigation against a contractor after a fire caused millions of dollars in damage to a brewery
- Represented a technology company in breach-of-contract litigation concerning work on telecommunication paths
- Represented the owner of a valuable collection of baseball memorabilia in litigation involving auction rights
- Represents numerous clients with respect to non-compete, non-solicit, and misappropriation of trade secrets issues

Probate Litigation

- Regularly represents trustees and administrators in litigation matters involving disputes over management of trusts and estates

SERVICES (CONTINUED)

Energy

Bankruptcy, Workout & Creditors' Rights

- Commercial foreclosures/receiverships

Tax, Estate Planning & Personal Wealth

- Probate, trust and guardianship litigation

Environmental

- Chemical industry

Business Growth & Operation

- Chemicals

Employee Benefits

- ERISA and employee benefits litigation

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Commercial Foreclosures, Receiverships & Workouts

- Represents the U.S.'s largest special servicer of commercial mortgage loans in foreclosure and breach of guaranty proceedings against commercial borrowers of all types
- Regularly secures the appointment of a receiver to manage real property and other assets

Insurance Litigation

- Represents long-term disability plan sponsors and insurers in ERISA and non-ERISA denial and termination of benefits cases

Intellectual Property Litigation

- Represented a large manufacturer of water coolers in dispute over false and misleading advertisements circulated by its chief competitor, the result of which was the competitor's removal of the offending advertisements from circulation

BAR ADMISSIONS

- Ohio
- Indiana
- U.S. Court of Appeals for the Sixth Circuit
- U.S. District Court for the Southern District of Ohio
- U.S. District Court for the Northern District of Ohio

PRESENTATIONS

- "What Keeps ERISA Litigators Busy: Lessons for Today's Benefits and HR Decision-Makers," Porter Wright Employment Relations Seminar, Oct. 29, 2026
- "Ohio Highway and Utility Rights-of-Way," HalfMoon Education, March 15, 2024

PROFESSIONAL ASSOCIATIONS

- Columbus Bar Association, Energy and Environmental Practice Group Co-chair, 2022-2023
- Federal Bar Association, Columbus Chapter

HONORS | AWARDS

- *Best Lawyers: Ones to Watch in America*®
- Ohio Super Lawyers
- Ohio Super Lawyers, Rising Stars Edition
- Leadership Columbus, Class of 2020
- Columbus Bar Association, Barrister Leadership Program, Class of 2016
- Order of the Curia
- National Moot Court Team, Spring 2013
- Pro Bono Legal Honors
- Princeton University, Martin P. "Buff" Wohlforth '76 Award for Leadership, Integrity and Ability

COMMUNITY

- Columbus Country Club, Board of Trustees, 2022-present
- Princeton University, Alumni Schools Committee of Central Ohio, Co-Chair, 2010-present
- Nationwide Children's Hospital, Development Board, Slice of Columbus Committee, 2014-2019
- American Red Cross, Ohio Buckeye Region, Associate Board Member, 2014-2016
- Volunteer Income Tax Assistance (VITA), Tax Preparer, 2011-2013

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