

Defending the Company

A compilation of the popular Legal Issues column and more by Marvin A. Jacobs has been a long time coming.

by Lee Freeland

Defending the Company: A Compilation of General Legal Advice and Cases by Marvin A. Jacobs, a Specialist in Product Liability collects the late author's many articles that appeared in ELEVATOR WORLD throughout the November 1998-December 2010 issues. Publisher Ricia Sturgeon-Hendrick writes in the book's introduction that, when she met Jacobs while he was presenting at a NAESA International convention in August 1998, "It was the first time I had heard a lawyer speak common sense. He wasn't trying to impress anybody; he was just giving his opinion in layman's terms. I immediately asked him if he would be interested in writing for EW."



Jacobs

Officially EW's Legal Issues columnist for nearly a decade, Jacobs wrote on a variety of aspects of claims and lawsuits, always touching on technical, legal and personal aspects. When he wrote his first article intended for EW in 1999 with his son, Mark, the two were managing partners at San Francisco-based Jacobs Associates, a law firm that, with its predecessor, specialized in elevator and escalator product liability for more than 50 years. As a consultant, he focused on vertical-transportation (VT) litigation and contractual relations.

Well-regarded in the VT industry, Jacobs was a member of the ASME A17.1 Code Committee (National Interest Review Group). He also worked with many industry experts, including Davis L. "Dave" Turner, who said of him, "He was an intelligent and articulate man who blessed me with his knowledge and analytical talent." Likewise, George W. Gibson described Jacobs as a "dear friend and colleague" and a "fine attorney, mentor, writer and human being."

Gibson and Jacobs collaborated on numerous lawsuits over two decades, starting when Jacobs was a defense attorney representing Otis in the 1980s. In 1999, Jacobs began working with A17 Mechanical Design Committee writers, sharing his legal opinions on safety-stopping issues and risk assessment. His concern about risk assessment, Gibson remembered, led to the formation of a hazard-analysis approach more compatible with the legal system.

Work on the book was begun by Jacobs shortly after his retirement in 2010. Sturgeon-Hendrick says she spoke with him often regarding how to arrange his 115 articles. Following his death later that year, there seemed little time to tackle the

project without him, but 2020's dearth of travel gave us extra time for such an undertaking.

Divided into two sections, "General Legal Advice" and "Cases," the guidance, advice, explanations and stories are still relevant today. Jacobs' true tales from more than 40 years as a trial attorney are always from his perspective of defending the VT company in product liability situations. They provide a rare glimpse into a successful company lawyer's processes, preparations, arguments and more.

The 354-page, 8-1/2 X 11 in. coil-bound book is going on sale this month at elevatorbooks.com.

