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LYNN R. LAUFENBERG, LAUFENBERG LAW GROUP SC

Attorney pioneered actions for farmers

Growing up on a farm in southwest Wisconsin in the 1960s, plaintiffs' lawyer Lynn Laufenberg said it was common for farmers to be missing fingers and even limbs, and take it as a badge of honor.

Farm machinery had few safety features, he says, "and it was pounded in your head that farming is dangerous, and it's your own damn fault if you get hurt." But it was apparent to Laufenberg that it didn't have to be that way, although trying product liability cases in rural counties was difficult because of that philosophy.

Nevertheless, Laufenberg successfully tried many product liability cases in the face of that mindset, and he credits the tort system for the fact that today, farm machinery is much safer. One successful tactic he frequently used was deposing the

factory engineers to establish that basic safety devices included in the equipment used to manufacture farm machinery were not installed on the products themselves.

Citing a native affinity for farmers, he said it was natural to do a lot of work involving farm products. An early victory resulted in adoption of the enhanced injury doctrine in product liability cases, which established that, even if a plaintiff is contributorily negligent for some of his injuries, the absence of safety features can be an intervening cause, so that he is not necessarily responsible for all the injuries that may result.

After clerking for a year in the Wisconsin Supreme Court after graduation, Laufenberg spent a dozen years in an insurance defense firm, but also did significant plaintiff-type

work on clients' subrogation claims. Expertise in plaintiffs' product liability work grew out of representing employers in workers' compensation actions.

Eventually, he switched to the plaintiffs' side, and ultimately, in 2000, set up as a sole practitioner, relying almost entirely on referrals from other attorneys. The firm now has four attorneys.

Over the years, he estimates he has tried 150 cases to a jury.

Laufenberg credits his success to believing in the causes he undertakes. "Underlying the practice is a general philosophy that those who cause injuries to others should be held accountable. Absent accountability, the person hurt, and society as a whole, has to pick up the tab. In a free-market society, there must be accountability."



Education:

Marquette University Law School, 1975

Employment:

Laufenberg Law Group SC., 2000-present

Affiliations:

Wisconsin Association for Justice; the American Association for Justice; Board of Trial Advocates

He is a past-president of the Wisconsin Association for Justice, and is currently the chair of their *Amicus Curiae* Committee. He is also a former chair of the State Bar's Litigation Section, and a current member of the Board of Governors.

— David Ziemer

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