



harman claytor corrigan wellman  
THE CIVIL LITIGATION FIRM

## Danielle D. Giroux

Partner | DC Metro

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Danielle represents individuals, businesses, property owners/managers, and recreational facilities in a variety of tort and contract claims throughout Virginia, Maryland, and the District of Columbia, including products liability, premises, motor vehicle accident and other tort matters involving manufacturing and design defects, consumer protection statutes, slip/trip and falls, negligent hiring and retention, fraud, defamation/libel, third-party criminal acts, and traumatic brain injuries. Ms. Giroux is also a member of Harman Claytor's Appellate Practice Group. She frequently handles appeals in the Supreme Court of Virginia and the Fourth Circuit Court of Appeals arising from cases tried by members of the firm and referrals from outside law firms. Ms. Giroux also manages the firm's D.C. Metro office.



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Paralegal: Lisa Beck  
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### Professional Activities & Honors

- Fairfax Bar Association
- Alexandria Bar Association
- Federal Bar Association, Richmond Chapter
  - President (2013 – 2014)
- Virginia Association of Defense Attorneys
- Defense Research Institute
  - Retail and Hospitality Committee
  - Young Lawyers Committee, Publications Subcommittee (2007)
  - E-Discovery Committee (2007)
- Virginia State Bar
  - Young Lawyers Conference
    - Circuit Court Representative for Henrico County (2005 – 2008)
    - Outstanding Service Award, Diversity Tolerance Program (2005)
- Association of Defense Trial Attorneys (ADTA)
- The Claims and Litigation Management (CLM) Alliance
- National Association of Women Lawyers
- Influential Women of Virginia, Virginia Lawyers Media (2014)
- Best Lawyers in America, Litigation-Insurance (2018 – 2022)
  - Lawyer of the Year – Richmond, VA – Litigation – Insurance (2021)
- Virginia Super Lawyers, Rising Stars, Civil Litigation Defense (2009)
- Virginia Super Lawyers
  - Top 50: Women Virginia Super Lawyers (2014 – 2017 & 2019 – 2022)
  - Top 50: Lawyers in Richmond (2015 & 2017)
  - Top 100: Lawyers in Virginia (2015 – 2017, 2020 – 2022)
  - Personal Injury Defense: Products (2013 – 2022)
  - Civil Litigation Defense: Rising Stars (2009 – 2012)
- *Virginia Business* Legal Elite

- Under 40 (2010 & 2014)
- Civil Litigation (2015 – 2021)
- Washington, DC Super Lawyers
  - Personal Injury Defense: Products (2019)
- Sutherland, Asbill & Brennan, LLP's Pro Bono Service Award, 2002, 2003

## Publications

- *"Hesse v. Ebbets: Clarifying the 'Power to Control' Under the Doctrine of Respondeat Superior,"* The Journal of Civil Litigation, Vol. XX, No. 2 (Summer 2008)
- *"Drawing the Line: The Supreme Court Revisits Limitations on Punitive Damages,"* The Whisper, Defense Research Institute Young Lawyers Committee Newsletter, Vol. 5, No. 3 (March 2007), reprinted in Strictly Speaking, Defense Research Institute Product Liability Committee Newsletter, Vol. 2, No. 2 (April 2007)
- *"My Dictionary or Yours? The Supreme Court's Interpretation of 'Carrying' Under 18 U.S.C. Sec. 924(C)(1) in Muscarello v. United States,"* 8 Geo. Mason Law Rev. 355 (2000)

## Reported Cases

- *Burke v. Thor Motor Coach, Inc.*, 113 F.Supp.3d 863 (E.D. Va. 2015)
- *Demetres v. East West Const., Inc.*, 995 F.Supp.2d 539 (E.D. Va. 2014), *aff'd*, 776 F.3d 271 (4th Cir. 2015)
- *Maynard v. Sears, Roebuck and Co.*, 2014 WL 108894 (E.D.Va.)
- *Cameron v. Kmart Corporation*, 2010 WL 2991014 (W.D. Va.)
- *Schwinn v. Long and Foster Real Estate, Inc., et al.*, 2007 WL 4562818 (E.D. Va. 2007), *aff'd*, 362 Fed. Appx. 357 (4th Cir. 2010), *cert. denied*, 131 S. Ct. 124 (2010)
- *Hesse v. Harleysville Mut. Ins. Co., et al.*, 364 Fed. Appx. 31, 2010 WL 411120 (4th Cir. 2010)
- *Gauthreaux v. U.S.*, 694 F.Supp.2d 460 (E.D.Va. 2009)
- *Sullivan v. Robertson Drug Co., Inc.*, 639 S.E.2d 250 (Va., Jan. 12, 2007)
- *Conlon v. K-Mart Corp.*, 127 Fed.Appx. 681 (Not selected for publication in the Federal Reporter), 2005 WL 1100921 (4th Cir. (Va.)) (4th Cir. (Va.), May 10, 2005)

## Representative Experience

- Obtained dismissal for lack of subject matter jurisdiction in a \$100 million dollar lawsuit arising out of a catastrophic accident at a construction site. Successfully defended the dismissal on appeal before the Fourth Circuit Court of Appeals.
- Obtained summary judgment on behalf of real estate company in an action arising out of a motor vehicle accident caused by a broker, resulting in severe and permanent brain injuries to two motorcyclists. Successfully defended the dismissal on appeal before the Fourth Circuit Court of Appeals and in the Supreme Court of the United States.
- Obtained dismissal on behalf of an insurance company in a declaratory judgment action seeking coverage for a \$21,000,000.00 judgment in an underlying tort case. Successfully defended appeal of the dismissal in the Fourth Circuit Court of Appeals.
- Obtained a defense verdict in a jury trial in an admitted liability motor vehicle accident action involving allegations of a traumatic brain injury; successfully defended verdict on appeal before the Supreme Court of Virginia.
- Secured a voluntary dismissal with prejudice with no payment of money following depositions in a wrongful death action arising out of a slip and fall incident at a grocery store.
- Obtained a defense verdict for blind manufacturer after a three-day jury trial in a \$10 million dollar products liability case where the plaintiff alleged she sustained a permanent brain injury from a heavy wooden window blind that fell on her in the D.C. courthouse.
- Secured a favorable settlement, representing a fraction of the claimed medical bills and economic losses, in a \$30,000,000.00 lawsuit filed by a mud run participant who sustained a spinal cord injury and paralysis during a race.
- Obtained dismissal with prejudice on behalf of a store in an action involving alleged criminal acts of a "Peeping Tom" employee.
- Obtained a summary judgment in a slip and fall case on the grounds that the store was not negligent and plaintiff was contributorily negligent as a matter of law.
- Obtained a defense verdict on behalf of a store after a jury trial in an action for damages for injuries arising out of fight between two customers.
- In a personal injury action seeking \$1 million in damages, obtained a dismissal with prejudice as a sanction for discovery violations by the plaintiff.
- Obtained summary judgment on behalf of a store in a trip and fall case on the grounds that the alleged hazard was open and obvious.
- Obtained a defense verdict on behalf of a day care center in an action involving a child's eye injury caused by another child.
- As appellate counsel, successfully defended an appeal of a defense verdict following a mistrial of a specials-only verdict.

- As appellate counsel, successfully defended an appeal involving a challenge to the propriety of a “lottery” reference in closing argument at trial in a personal injury action.
- Obtained summary judgment in a slip and fall action based upon the plaintiff’s failure to comply with bankruptcy court procedures. Successfully defended dismissal on appeal in the Fourth Circuit Court of Appeals.
- Successfully prosecuted an appeal before the Supreme Court of Virginia in a contribution action against a pharmacist who negligently dispensed medication.
- Obtained dismissal in a wrongful death products liability action based upon a statute of limitations defense. Successfully defended dismissal on appeal in the Supreme Court of Virginia.

*The cases referenced above do not represent the lawyer’s entire record. Each case must be evaluated on its own facts. The outcome of a particular case cannot be based on past results.*

## **Presentations**

- *Ethics in the Use of Social Media and Other Technology During Trial*, Virginia Association of Defense Attorneys Annual Meeting, Norfolk, VA, October 2019
- *Show and Tell: Accident Reconstruction and the Admissibility of Direct Evidence, Opinion Testimony and the Use of Demonstrative Exhibits in Products Liability Cases*, Virginia Association of Defense Attorneys Annual Meeting, Williamsburg, VA, October 2018
- *Investigating and Defending Traumatic Brain Injury Claims*, Virginia Association of Defense Attorneys Annual Meeting, Roanoke, VA, October 2017
- *Tips for Practicing in the Eastern District of Virginia*, Virginia Association of Defense Attorneys, Young Lawyers Boot Camp, Richmond, VA, December 2016
- *Digging Deep Into Social Media: How to Get and Use Information from Facebook, Twitter, Instagram, etc. in Defense of a Claim*, Defense Research Institute Products Liability Conference, Las Vegas, NV, February 2015
- *Effective and Ethical Use of Social Media in Litigation*, The Richmond Metropolitan Area Local and Specialty Bar Associations’ 22nd Annual Bench-Bar Conference, Richmond, VA, October 2013
- *Using Neuropsychological Tests to Quantify Mild to Moderate Traumatic Brain Injuries*, American Conference Institute, Philadelphia, PA, March 2013
- *iSpy: The Use of Social Networking Sites as a Means for Discovery*, Virginia Association of Defense Attorneys Annual Meeting, Hot Springs, VA, October 2012
- *Dismissal for Failure to Serve a Lawsuit Within One Year*, Virginia Association of Defense Attorneys Annual Meeting, Williamsburg, VA, October 2006

## **Education**

- James Madison University, B.A., 1996
- George Mason University School of Law, J.D., *cum laude*, 2000

## **Bar & Court Admissions**

- Virginia State Bar
- District of Columbia Bar
- Maryland State Bar
- United States District Court for the Eastern and Western Districts of Virginia
- United States District Court for the District of Columbia
- United States District Court for the District of Maryland
- United States Court of Appeals for the Fourth Circuit
- United States Supreme Court

## **Prior Experience**

- Associate, Sutherland, Asbill & Brennan, LLP, Washington, DC
- Assistant Debate Coach at Harvard University and George Mason University

