

# New Orleans CITY BUSINESS

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COMPANY

THE BUSINESS NEWSPAPER OF METRO NEW ORLEANS

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## Timothy Madden

2012  
LEADERSHIP  
in  
LAW

**Position:** King Krebs and Jurgens attorney

**Age:** 46

**Family:** wife, Ethel; children, Patrick, 16, Jennifer, 13, Caroline, 9

**Education:** bachelor's degree in business administration, Loyola University; juris doctor, Loyola University College of Law

In the mid-1990s, petroleum giant ConocoPhillips hired truckers to remove about 400,000 cubic yards of dirt from company property in Westlake. The debris was supposed to wind up in a landfill, but instead the trucks dumped asbestos-riddled soil in residential yards along the way.

The homeowners filed a class action suit against Conoco-Phillips, which lost in district and appellate courts before taking their case to King Krebs and Jurgens in 2002.

"We had to convince the state supreme court to hear the case," said Tim Madden, a complex commercial litigator who led the firm's team. "We had to reverse what could have been a substantial exposure for Conoco."

First, he persuaded the higher court that the case would "present unique issues of law" that hadn't been decided before, namely the scope of a company's responsibility for a subcontractor's work.

Madden, a certified public accountant, who is accustomed to reading nuances in contracts and laws, then analyzed the existing law adopted by the Louisiana legislature to discern its intent. He argued that ConocoPhillips couldn't be held liable for its subcontractors' bad behavior.

The Louisiana Supreme Court agreed and overturned the lower courts' decisions.

Madden also helped keep Chisesi Brothers meatpacking company viable after Hurricane Katrina. Besides losing a facility and thousands of pounds of product to levee failures that resulted in widespread flooding, Chisesi Brothers stood to permanently lose customers, as grocery stores closed and residents left for good.

Madden advised the company to rebuild as a U.S. Department of Agriculture-inspected facility, allowing them to sell their sausage, ham and roast beef outside Louisiana. He guided their building renovation, which needed federal approval at every turn and was opened by the fall of 2006.

Sometimes a legal matter becomes complex when it's spread over several states and dozens of lawyers, as was the case of a wealthy Greek businessman who had sued his business partner for millions over real estate and mishandled funds. Madden followed documents and bank accounts all over the world, but also spent time with his client, who was being countersued. The Greek businessman settled out of court.

Madden is involved in another case of estranged business partners — Hollywood actors Stephen Baldwin and Kevin Costner, who are disputing the profits earned on Costner's oil extractor machine created after the 2010 Gulf of Mexico oil spill. That case will be tried in New Orleans in mid-May.

"When all parties leave somewhat disappointed, you know you have a fair and just settlement," Madden said. •

— Anne Berry

