

Robert D. Boroff

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Rob is a partner in the Cleveland office of Gallagher Sharp where he focuses his practice on commercial transportation, rideshare, telecommunications, and construction litigation. Rob defends national and international motor carriers, freight brokers, logistics providers, transportation network companies, and rideshare companies involved in catastrophic commercial transportation accidents and cargo loss claims. Rob is national counsel for some of the largest trucking and freight broker companies in the nation and is part of Gallagher Sharp's Rapid Response Team that is tasked with immediately responding to accident scenes for the purpose of investigating and evaluating catastrophic losses for his clients. Rob has coordinated and performed hundreds of Rapid Responses for his clients throughout Ohio, Illinois, Michigan, Pennsylvania, Kentucky, Wisconsin, Florida, Georgia, Texas, Kansas, Wyoming, Oklahoma, and Oregon. Rob is a trial attorney who has tried numerous cases to verdict. Rob also devotes a significant portion of his practice on telecommunications litigation, in addition to defending manufacturers, general contractors, and subcontractors in claims involving construction defect, breach of contract, commercial disputes, and personal injury. Prior to returning to his hometown and joining Gallagher Sharp in 2014, Rob practiced law in the commercial transportation and construction fields for eight years in Chicago, Illinois.

Practice Areas

- Trucking, Bus, Motorcoach, and Rideshare
- Carmack Amendment/Cargo Claims, Broker Liability, Transportation Contracts
- Transportation
- Architects and Engineers Professional Liability
- Cable and Telecommunications Litigation
- General Litigation

Bar Admissions

- 2006, Illinois
- 2014, Ohio
- United States District Court for the Northern District of Ohio
- United States District Court for the Southern District of Ohio
- United States District Court for the Northern District of Illinois
- Admitted, Pro Hac Vice, Michigan
- Admitted, Pro Hac Vice, Florida

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Education

- **Loyola University Chicago School of Law** (J.D. 2006)
Loyola University Chicago School of Law Moot Court Team
- **Miami University** (B.S. in Finance 2003)

Honors & Recognition

- 2019 Emerging Leader Award, Trucking Industry Defense Association (TIDA)
- Listed, *Best Lawyers in America*®, Transportation Law, Commercial Litigation, 2024 Edition

Professional Memberships

- Trucking Industry Defense Association (TIDA) (Annual Seminar Committee, Chair 2022-2023)
- Trucking Defense Advocacy Council (TDAC) (Inaugural Member)
- Claims and Litigation Management Alliance (CLM)
- Defense Research Institute (DRI) (Transportation Section)
- Themis Advocates Group
- Ohio State Bar Association

Publications & Presentations

- Author, "FAAAA Preemption Decision Alert: Western District of North Carolina Rules that Negligent Hiring/Selection Claim Against Uber Freight is Preempted by the FAAAA and Not Saved by the 'Safety Exception,'" Gallagher Sharp Newsflash, February 4, 2024
- Author, "FAAAA Preemption Decision Alert: Southern District of Illinois Follows *Ye* and Rules That Negligent Hiring/Selection Claim Against Freight Broker Is Preempted by The FAAAA And Not Saved by the 'Safety Exception,'" Gallagher Sharp Newsflash, January 18, 2024
- Author, "FAAA Preemption Decision Alert: Eastern District of Wisconsin Rules that Vicarious Liability, Negligent Hiring/Selection/Entrustment, and Joint Venture Claims Against a Freight Broker are Preempted by the FAAAA and Not Saved by the 'Safety Exception,'" Gallagher Sharp Newsflash, January 8, 2024
- Author, "Middle District of Pennsylvania Rules FAAAA Preempts Personal Injury Claims Against Freight Broker," Gallagher Sharp Newsflash, November 8, 2023

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- Co-Author, "Another Win For Brokers: Illinois Appellate Court In Cornejo v. Alliance Shippers, Inc. Reverses \$18M Jury Verdict After Finding That An Agency Relationship Did Not Exist Between A Motor Carrier/Driver," Gallagher Sharp Newsflash, September 29, 2023
- Co-Author, "U.S. Lawmakers Propose National Standard For Freight Brokers To Follow When Selecting Motor Carriers To Transport Loads," Gallagher Sharp Newsflash, August 8, 2023
- "Seventh Circuit Finds that the FAAAA Preempts Personal Injury Claims Against Freight Brokers," Gallagher Sharp Newsflash, July 18, 2023
- Co-Author, "Louisiana May Join Trend In Combating Abusive Third-Party Litigation Financing Agreements," Gallagher Sharp Newsflash, June 14, 2023, and "Louisiana's Governor Vetoes Bill That Promoted Transparency of Third-Party Litigation Financing Arrangements," June 19, 2023
- Co-Author, "Abusive Practices Associated With Third-Party Litigation Financers Hopefully Coming To An End In Montana," Gallagher Sharp Newsflash, May 22, 2023
- Co-Author, "Tort Reform Coming To Iowa," Gallagher Sharp Newsflash, April 19, 2023
- Author, "Eleventh Circuit Rules FAAAA Preemption Applies In Case Against Freight Broker For Negligent Selection," Gallagher Sharp Newsflash, April 17, 2023
- Co-Author, "Done Deal: Tort Reform Is Coming To Florida," Gallagher Sharp Newsflash, March 24, 2023
- Co-Presenter, "DOT Compliance and FMCSRs," and Presenter, "Negotiation and Trial Techniques," Trucking Industry Defense Association (TIDA) Skills Course, Phoenix, Arizona, March 22-23, 2023
- Co-Author, "Sweeping Tort Reform May Be Coming To Florida That Would Level The Playing Field For Defendants Involved In Personal Injury Lawsuits," Gallagher Sharp Newsflash, March 3, 2023
- Co-Author, "Iowa's State House Reintroduces Bill That Significantly Limits Liability and Noneconomic Damages for Trucking Companies," Gallagher Sharp Trucking Newsflash, February 2, 2023
- Author, "United States District Court For The Northern District Of Ohio Again Finds That Plaintiff's Bodily Injury Tort Claims Against A Freight Broker Are Preempted By The FAAAA And Not Saved By The 'Safety Exception'," Gallagher Sharp Trucking Newsflash, January 11, 2023
- Author, "Big Win For The Freight Broker And Shipping Industries: United States District Court For The Northern District Of Ohio Finds That Plaintiffs' Bodily Injury Claims Against Freight Brokers And Shippers Are Preempted By The FAAAA And Not Saved By The 'Safety Exception'," Gallagher Sharp Trucking Newsflash, November 7, 2022
- Co-Presenter, "There Really is No Wizard ~ Knowledge Is Power," Trucking Defense Advocacy Council (TDAC), Fayetteville, Arkansas, September 22, 2022

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- Co-Author, "Supreme Court Of The United States Declines To Address Whether Plaintiff's State Law Tort Claims Are Preempted By The FAAAA," Gallagher Sharp Trucking Newsflash, June 28, 2022
- Co-Author, "New Legislation Could Be A Game Changer for the Trucking Industry: Iowa State Legislature Proposes Laws Capping Noneconomic Damages in Trucking Cases and Barring the Use of Third-Party Litigation Funding," Gallagher Sharp Trucking Newsflash, February 7, 2022
- Moderator, "From Nuclear Verdicts to Pandemic Verdicts – What You Need to Know," Trucking Industry Defense Association (TIDA) webinar, November 1, 2021.
- Co-Presenter, "Commitment to Collaboration," Trucking Industry Defense Association (TIDA) Annual Meeting, Tampa, Florida, October 23, 2019
- Author, "Changes to Hours of Service Regulations May be Coming," Gallagher Sharp Trucking Newsflash, August 14, 2019
- Co-Presenter, "Preserving Evidence is Not America's Favorite Pastime," Northeast Ohio Chapter of CLM, Networking and CLE Event at Progressive Field, Cleveland, Ohio, August 29, 2018
- Author, "FMCSA is Considering Changes to Certain Hours of Service Regulations and Is Requesting Your Input," Gallagher Sharp Trucking Newsflash, August 24, 2018
- Author, "FMCSA Decides Not To Move Forward With Additional Sleep Apnea Testing," Gallagher Sharp Trucking Newsflash, August 8, 2017
- Author, "Costly Testing to Diagnose Sleep Apnea May Be Coming," Gallagher Sharp Trucking Newsflash, August 31, 2016
- Co-author, "The Emperor's New Clothes - How to Respond to the Reptile Theory and Other New Avenues of Attack from the Plaintiff - Alternative Liability Theories – Broker Liability and its Derivatives, State Anti- Indemnity Motor Transportation Statutes, Driver Classification, The Logo Liability Doctrine a/k/a Placard Liability or The Doctrine of Statutory Employment, Recent Developments in Federal Preemption of State and Local Efforts to Regulate the Trucking Industry, and Payment Priority – Who Gets Paid, the Motor Carrier or the Factoring Company?" DRI Trucking Law Seminar Course Materials, Las Vegas, NV, June 2014
- Co-author, "The Burden of Showing that Accident/Incident Reports are Protected by the Attorney-Client Privilege and/or Work-Product Doctrine is Not Getting Easier," USLAW Digiknow, March 18, 2014
- Co-author, "State of Illinois Transportation Compendium of Law," March 2014
- Co-author, "USLAW Transportation Law Compendium," February 2014
- Author, "Mechanics Liens: What Conduct Constitutes Waiver of a Contractual Right to Arbitrate," *IDC Quarterly*, Vol. 20, No 2, Second Quarter 2010
- Speaker, "Construction Law," Chicago Bar Association Tracks Program, Chicago, IL, January 28, 2010
- Speaker, "Justinian Career Night," Loyola University Chicago, Chicago, IL, March 18, 2009

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