Richard Godfrey’s work as a litigation partner at Kirkland & Ellis LLP this past year, including securing the denial of a motion to reconsider an earlier partial summary judgment win for General Motors LLC over alleged defects with its ignition switches, has landed him on the list of Law360’s 2020 Product Liability MVPs.

**His biggest accomplishment this year:**
A New York federal judge essentially gutted the ability of GM car owners to sue the company for economic losses they incurred after it initiated a massive recall in 2014 for an ignition switch defect, and the same judge denied the car owners’ motion for reconsideration in December 2019 in what Godfrey said was his biggest commercial success over the past year.

“We worked for almost six years to plan the tactics and the strategies to get the result,” he said.

Godfrey said the judge found the car owners basically had no economic loss damages as a class, for which they had sought between $77 billion and more than $100 billion. Without those damages, they never had to reach issues like class certification, and the company later negotiated a settlement for a fraction of the damages sought, he said.

Additionally, he counts his pro bono work in helping the United Methodist Church reach a reconciliation regarding its schism over gay rights as one of his biggest accomplishments. Godfrey said he and Kenneth Feinberg worked from July 2019 through mid-January 2020 to reach a protocol reconciliation agreement through separation, which recognized the full participation and rights of LGBTQ individuals in the church.

“From my philosophical perspective, I was very interested in seeing whether we could address that issue,” Godfrey said. “I was very pleased with the reconciliation and the recognition of the participation and rights of the LGBTQ community.”

**His biggest challenge this year:**
Godfrey said his biggest challenge this year was winning denial of class certification in March for Polaris Industries Inc. in a case alleging that several models of the company’s

“*If you’re not playing 50 or 100 moves ahead, you’re in trouble...you should actually be playing five or six hundred moves ahead.*”
ATVs were defective because they emitted excessive heat.

Godfrey said he got involved in the case a couple of months before discovery was slated to end, giving a lot of work to complete in short order.

“The United Methodist [case] was a challenge, because I’ve been through untold numbers of mediations and attempts at settlement, but I’d never done one on behalf of a church over an issue such as that,” he said. “But I think Polaris was equally or more challenging, because we came in late to it, we had very little time to do the discovery, there was tons of work that needed to be done.”

What motivates him:

Godfrey said he enjoys challenges, solving problems and “the art of advocacy.” He said most matters have two sides to the story, and that even in the worst of them there are often mitigating circumstances that should be taken into account. He likened these kinds of complex challenges to multi-dimensional chess, saying certain moves have a boomerang effect.

“If you’re not playing 50 or 100 moves ahead, you’re in trouble,” Godfrey said. “You should actually be playing five or six hundred moves ahead.”

His advice for younger attorneys:

Godfrey likes to say his job is to find young lawyers who are better than him to replace him. He has a set of five basic rules young attorneys should follow, which he developed 25 or 30 years ago.

First, he says it’s important to have integrity and be honest at all times when dealing with anyone in the courts. And second, he encourages attorneys to be “BBP,” or beyond-belief polite, at all times.

Godfrey’s third rule is to be humble and not allow pride to overwhelm one’s judgment, and his fourth rule is that “half of life is just showing up, the other half is never ever giving up.” Finally, he said lawyers are obligated to tell their clients what they need to know, not what they want to hear.

“If you follow those rules, you’ll do pretty well. You certainly won’t get yourself in trouble,” Godfrey said. “But if you don’t follow those rules, I’ll be reading about you someday, and it won’t be good.”