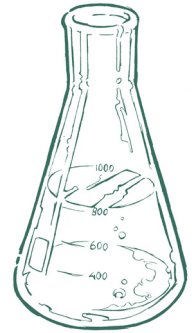


Pharmaceutical and Medical Device Tort Practice

Trusted Advisors to the Health Sciences Industry



Today's product liability cases reach far beyond one courtroom, requiring more than a case-by-case approach. Because we take a strategic approach to litigation, King & Spalding's product liability practice is recognized as one of the best in the nation. Recognizing that our clients need to protect their businesses, including the continued viability of their products in the marketplace, our lawyers work together with both our FDA & Life Sciences practice group and our Government Investigations team to provide a 360° defense. As one client noted, "Cases can spill over into other things like regulatory issues ... King & Spalding can bring it all." And we do.

- The largest health law practice in the nation, according to the American Health Lawyers Association, providing additional depth of experience on healthcare regulatory and litigation issues.
- A stable of specialists in the relevant sciences, as well as former FDA and DEA regulatory officials who provide highly sophisticated support to our litigation defense.
- IP attorneys who successfully represent biotechnology and pharmaceutical clients in prosecuting, obtaining and defending patents.

Trial Ready When Needed

We add to our strategic approach a range of trial experience that is increasingly unusual in firms of our size. We try cases every year, not only in the southern crescent from Texas to Washington, D.C., but also throughout the nation. With two Fellows in the American College of Trial Lawyers, an organization whose members are elected based on actual courtroom experience, we serve notice to opposing counsel that they should not count their cases as settled.

Our trial experience provides many benefits:

- A long track record of defending class actions, having served as lead counsel in hundreds of class actions filed in more than 40 states and having tried class actions to verdict.
- A team devoted specifically to identifying and preparing medical and scientific expert witnesses and strategically attacking plaintiffs' experts, resulting in their exclusion on *Daubert* grounds.
- A record of successfully representing clients in all of the U.S. Circuit Courts, the U.S. Supreme Court, and in most of the state appellate courts across the country, including plaintiff-friendly jurisdictions when the trial result is virtually pre-ordained.
- State-of-the-art litigation support capabilities, where we lead the way in developing efficient computer-based litigation support systems to alleviate the burden of discovery while meeting the demands of e-discovery.

Our pharmaceutical and medical device practice "is increasingly perceived as a viable destination for important litigation and a practice that 'can be relied upon to handle very significant matters'. 'Excellent judgment', and a 'proactive and pragmatic' demeanor are among the qualities that appeal to clients, who also highlight the group's 'good value' as another plus."

Legal 500



“A team of vigorous advocates with excellent judgment who are dedicated and responsive.”

Chambers USA 2010

Nationally Recognized

- Named one of the top litigation firms for a fourth consecutive time in *The American Lawyer*'s biennial “Litigation Department of the Year” survey
- Consistently recognized as a leading product liability practice by *The Legal 500* and *Chambers USA*, which cited our achievements on behalf of our clients in the pharmaceutical industry
- Recognized by corporate counsel at Fortune 100 companies as a top law firm for superior client service

Proven Experience

- We serve as lead national counsel to **GlaxoSmithKline (GSK)** in litigation involving the antidepressant Paxil® and related proceedings, including defending the company in multi-district proceedings pending in California and Pennsylvania and individual suits throughout the country. We have successfully defeated two nationwide class actions and actions brought under California's broad consumer protection law. We also coordinate creative settlement strategies to assist GSK in managing risks.
- We serve as national coordinating co-counsel and lead trial counsel to **Purdue Pharma** in litigation involving the pain medication OxyContin® and related civil investigations. Purdue has obtained more than 400 dismissals, including over 30 orders granting summary judgment, and has defeated 15 putative class actions. We also serve as liaison for Purdue's coordinated defense with Abbott, which co-promoted OxyContin®.
- We represent **Quest Diagnostics Incorporated**, the nation's largest private clinical laboratory company, as national counsel in cases alleging misdiagnosis of laboratory test results.

Representative Clients

- Cephalon, Inc.
- Eli Lilly & Company
- Gilead Sciences
- GlaxoSmithKline
- Merck
- Merial
- Olympus Corporation
- Purdue Pharma
- Sanofi Aventis
- Serologicals Corporation
- UCB

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