

Pharmaceutical and Medical Device Litigation Practice

Trusted Advisors to the Life Sciences Industry



The broad scope of today's mass tort cases requires a strategic and creative approach tailored to the unique business objectives of our clients.

Recognizing that our clients need to protect their businesses, including the viability of their products in the marketplace, King & Spalding litigators work together with our FDA & Life Sciences, Special Matters and Government Investigations, Government Advocacy and Public Policy, and IP teams 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.

Trial Ready When Needed

We have a deep bench of seasoned trial lawyers comfortable in courtrooms across the country, including some of the most challenging jurisdictions for defendants. Our veteran trial lawyers and trial teams offer a depth of courtroom experience—and an ability to fight simultaneously on multiple fronts—that is rare for a firm of any size. With 13 Fellows in the American College of Trial Lawyers, we serve notice to opposing counsel that they should not count their cases as settled.

A Multi-Disciplinary Team

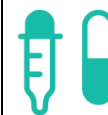
- A stable of lawyers and staff knowledgeable of the relevant sciences, as well as former FDA, DEA and DOJ officials who provide sophisticated support to our litigation defense.
- A long track record as lead counsel in hundreds of class actions filed in more than 40 states, including trying class actions 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.

Product Liability "Practice Group of the Year" from 2013 - 2018 and 2020. Life Sciences "Practice Group of the Year" from 2016 to 2019

LAW360



Product Liability, Mass Tort and Class Action - Defense: Pharmaceuticals and Medical Devices



Over 300 King & Spalding lawyers and professionals in the U.S. and Europe provide counsel to more than 200 pharmaceutical, biotechnology, and device manufacturers.

- A record of successfully representing clients in all the U.S. Circuit Courts, the U.S. Supreme Court and most of the state appellate courts across the country, including plaintiff-friendly jurisdictions where the trial result is virtually preordained.
- The largest health law practice in the nation, according to the American Health Lawyers Association, providing additional depth of experience on regulatory and litigation issues.
- IP attorneys who successfully represent biotechnology and pharmaceutical clients in prosecuting, obtaining and defending patents.
- 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.

Representative Matters

- National coordinating counsel and lead trial counsel for GSK in individual, MDL and class action litigation involving the antidepressant Paxil®. We are also GSK's national discovery counsel.
- National coordinating and trial counsel for Johnson & Johnson in cases involving allegations that use of Baby Powder and Shower to Shower body powder causes mesothelioma. Trial victory in first talc/mesothelioma case to go to verdict in country.
- National trial and coordinating counsel for Coloplast Corp. in litigation involving female pelvic mesh. The litigation is centered largely in an MDL pending in the Southern District of West Virginia.
- Counsel for Bristol-Myers Squibb and AstraZeneca in nationwide litigation involving Onglyza®, a type 2 diabetes therapy.
- National counsel to Boehringer Ingelheim in all litigation arising from allegations that Zantac is associated with an increased risk of cancer.
- Trial counsel for Merck in two federal multi-district proceedings involving the osteoporosis medication Fosamax®. We tried the first case in the country involving atypical femur fractures, obtaining a complete defense verdict, which was then followed by an order granting judgment on federal preemption grounds.

“The firm’s life sciences litigators are ‘terrific – first-rate lawyers, closely aligned with the client’s objectives; dedicated, responsive, and able to work with a whole lot of moving pieces and to see the big picture; excellent judgment’.”

THE LEGAL 500

Ranked in Band One (US):
Product Liability and Mass Tort
Defense - Pharmaceuticals and
Medical Devices in 2020

“Renowned for its deep bench, strong trial capabilities and experience in serving as national coordinating counsel.”

CHAMBERS USA

Ranked in Band Two (Nationwide):
Product Liability & Mass Torts from
2016 - 2020

CONTACTS

Andy Bayman
+1 404 572 3583
abayman@kslaw.com

Bruce Hurley
+1 713 276 7383
bhurley@kslaw.com

Geoffrey Drake
+1 404 572 4726
gdrake@kslaw.com

www.kslaw.com