

2015

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TRAILBLAZERS

LITIGATION



Dear Readers,

Welcome to the second annual issue of Litigation Trailblazers, a special supplement developed by the business arm of *The National Law Journal*. In the pages that follow, you'll read 50 profiles of people who have helped make a difference in the fight for justice. While those recognized come at the litigation process from different angles, a common thread ties them together: each has shown a deep passion and perseverance in pursuit of their mission, having achieved remarkable successes along the way.

Historically, an improving economy has a slowing effect on litigation. Today, activity continues to climb despite the markets' flirtation with record highs. From the Affordable Healthcare Act to a stricter regulatory environment, big data and privacy concerns to IP battles and product liability suits, among other contributors, the courts are busier than ever. All our honorees have a major stake in the ground and they are advocating strongly for their causes.

As with all Trailblazers supplements, the list is never complete. Our goal is to spotlight those making a big difference and the search never ends. If you have someone you feel should make our next list, please reach out and let us know. We hope you enjoy this special section and look forward to hearing from you with your nominations for next year's list!

Congratulations again to this year's honorees.

All the best,



Kenneth A. Gary

Vice President and Group Publisher, *The National Law Journal & Legal Times*

REED SMITH

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JOHN HOOPER

REED SMITH



PIONEER SPIRIT John Hooper's grandmother worked as a waitress at a luncheonette and she told him, "You are going to be a lawyer, because the successful people I serve at the restaurant are lawyers." After paying his way through college and law school, he started as an ADA in Manhattan before moving in-house defending the breast implant litigation at Bristol-Myers Squibb. "My civil practice career started with me managing mass crisis litigation."

TRAILS BLAZED Hooper now focuses on "viral litigation." "These cases are an all-out attack on the brand and the company when regulators, Congress, prosecutors and the press become stakeholders. Clients hire me to manage risk and develop exit strategies before and after these cases spiral out of control." One example has been *In re Herbal Supplements Marketing and Sales Practices Litigation*. The New York attorney general initially demanded that GNC and other retailers remove certain herbal supplement products from their stores, but after concluding its investigation and finding that GNC met all FDA standards, Hooper was stuck defending 22 class actions. By providing a proffer and leveraging his credibility Hooper obtained voluntary dismissals in several of these class actions and the plaintiffs ultimately dropped GNC from the MDL. Hooper has obtained voluntarily dismissals in a number of other class actions this year by using the same straightforward approach. "Everyone wants to talk tough in front of clients, but a big part of my process is sitting companies down and getting them to evaluate risk and develop exit strategies as part of an overall litigation strategy."

FUTURE EXPLORATIONS While class actions will not diminish, Hooper is hopeful the process becomes more results-focused. "It should be less about how to push fees on both sides and more about whether a case should even go forward and finding a creative way to reach agreement."