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EARLY INTERVENORS

Jurors never get to see some of Reed Smith's best work.

FROM LEFT John Hooper, Sonja Weissman,
Michael Brown, Melissa Geist, Robert Roth

LITIGATION

PRODUCT LIABILITY

* *Finalist* *

Early Intervenors

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By Susan Beck

REED SMITH KNOWS HOW TO DEFUSE MASS TORT CASES before they explode. In a series of high-stakes matters, the firm won key pretrial rulings and made important discoveries that positioned clients to settle on favorable terms. That includes its efforts for two clients in tens of thousands of cases brought by women who received vaginal mesh implants for pelvic prolapse and stress incontinence. Responding to the wave of litigation over medical products for women, the firm in 2014 formed a women's health product liability team staffed entirely by women, including 16 partners. The firm, which was our 2010 product liability winner and a two-time finalist, uses alternative fees for at least 35 percent of its product liability work.

SIGNIFICANT CASES: Reed Smith is national counsel for Endo Pharmaceuticals Inc. in the vaginal mesh litigation, and also represents C.R. Bard Inc. In 2014 Endo agreed to pay \$830 million to settle more than 20,000 claims against its subsidiary, American Medical Systems Holdings Inc., for an average of roughly \$41,500 per claim. (Arnold & Porter negotiated the settlement.) Before the settlement, the firm used successful pretrial strategies, including discovery of questionable practices involving the funding of some cases. Roughly 6,000 claims remain; none of the cases against AMS have yet gone to trial. Other pelvic mesh makers have been hit with multimillion-dollar verdicts.

In litigation over Merck & Co. Inc.'s Nuvaring birth control device, which was alleged to cause fatal blood

clots, Reed Smith tallied a 9-0 record getting bellwether cases thrown out on summary judgment. Merck then settled 3,800 claims for \$100 million in 2014, resolving nearly its entire MDL caseload.

WHAT CLIENTS SAY: When Toyota Motors of North America faced nearly 500 personal injury claims from crashes blamed on unintended acceleration, Reed Smith's John Hooper, who heads the firm's complex litigation strategy group, helped design an intensive settlement process. Bypassing formal discovery, this process has settled 408 claims. "John is a great master strategist," says Toyota general counsel Sandra Phillips.

BIGGEST LOSS: A badly burned plaintiff won \$15 million at trial against Brunswick Corp. after his Baja speed boat exploded during refueling. (He had asked for \$75 million.) The case is on appeal.

NEW MATTERS: The firm is serving as national counsel to Eli Lilly and Company in MDL alleging that testosterone replacement therapy puts users at risk for cardiovascular problems and other undisclosed ailments.

Practice Group Size and Revenue:

Partners and Counsel 98 Associates 52 Other 8

Department as Percentage of Firm 8%

Percentage of Firm Revenue, 2014 10%