

Law360 Reveals 10 Largest Product Liability Practice Groups

By **Sindhu Sundar**

Law360, New York (November 25, 2014, 9:16 PM ET) -- The top 10 law firms in the Product Liability Law360 100, our ranking of the 100 firms with the most product liability partners globally, include large white-shoe outfits as well as their smaller products-focused counterparts, but they have one thing in common: Their attorneys are ready to try cases almost anywhere in the U.S.

Here are the firms that scored the top 10 spots on the Product Liability Law360 100. Check back Monday, when we'll unveil the full list of 100 firms.

RANK	FIRM	PRODUCT LIABILITY PARTNERS
1	Shook Hardy	133
2	DLA Piper	102
3	Bowman and Brooke	82
4	Marshall Dennehey	80*
5	Greenberg Traurig	73
6	Wilson Elser	72
7	Reed Smith	68.5

8	Jones Day	57.5
9	Sedgwick LLP	54
10	Kirkland & Ellis	53

As product liability disputes can often swell into mass tort litigation across the country with potentially thousands of class members, the number of partners a firm has in that area — one measure of its resources to handle sprawling lawsuits, in addition to the number of offices it has across the country — can be one of the big draws for in-house attorneys, experts say.

“They do have interest in the number of partners because product liability issues can easily turn into class actions or be class actions,” said BTI Consulting Group president Michael Rynowecer. “They want to see a certain level of infrastructure, a certain critical mass of partners to show the firm can handle the case.”

The top 10 largest product liability practices on the list included many large full-service firms, including DLA Piper, Greenberg Traurig, Jones Day and Kirkland & Ellis LLP, and experts say that in-house attorneys generally prize a firm’s overall resources, its attorneys’ abilities to handle disputes in different jurisdictions and their eye for assessing a client’s risks over whether product liability is a focus area for the firm.

But some of the firms leading the list, namely Shook Hardy & Bacon LLP, which is at the top, and Bowman and Brooke LLP, have been steeped in the practice for decades. The majority of Shook Hardy attorneys, including 133 partners, work on product liability issues, focusing on the pharmaceutical, medical device and tobacco industries. Its long-standing clients include Boston Scientific Corp., Pfizer Inc., Eli Lilly & Co. and Hoffman LaRoche Ltd.

The firm, which helped Boston Scientific win in its first pelvic mesh trial in July, focuses on pharmaceutical and medical device product liability cases, said Shook Hardy partner Eric Anielak, a member of The International Association of Defense Counsel.

“Clients look to us because they’re confident that we’ve handled so many of these mass tort cases for so long,” Anielak said. “But it’s also because we know not only the litigation, but we also know the business well.”

For Bowman and Brooke, third on the list, product liability has been a focus throughout its 30-year history, said Executive Managing Partner Paul Cereghini. Eighty-two partners at the product liability litigation boutique are practicing in the area, according to the list, and they lead the firm’s representation of manufacturers in a range of industries including the automotive, pharmaceutical and consumer products.

Some of the firm’s major clients include automakers Ford Motor Co., Hyundai Motor Co. and Toyota Motor Corp., for whom it won the bellwether trial in the unintended acceleration litigation against the

Japanese auto giant. The firm, widely recognized as a trial powerhouse for product manufacturers, boasts two dozen first-chair attorneys — those with experience defending companies as lead trial counsel in product liability matters, according to Cereghini.

“There’s no other firm of our size, or group of lawyers of our size, that concentrates its practice in such a focused manner on product liability defense,” he said.

Some in-house attorneys say they value a firm’s trial expertise in the realm of product liability above most other criteria like size and practice-area diversity, stressing that their attorneys’ willingness and ability to try cases around the country — and to appeal to different juries — matter more than anything else.

“I have no interest in hiring the cheapest lawyer that can be found somewhere, but I don’t necessarily want to go for the most expensive law firm either, because I want to know I’m going to have attorneys who will not be perceived as high-priced out-of-towners,” said John Cochrane, general counsel at scooter maker Razor USA LLC.

Razor, which has worked with Bowman and Brooke for more than a decade, bases its decisions about outside law firms on the quality of its partners and a multi-jurisdictional presence, he said.

“Because we could find ourselves sued in a lot of places in the U.S., even though we don’t,” Cochrane said.

Meanwhile, traditional BigLaw giant DLA Piper, which came in second on the list with 102 partners focusing on the area, distinguishes its practice by requiring all its attorneys focusing on a particular industry, such as life sciences — a big area for its product liability attorneys — to keep up with all the developments in the area.

The firm’s product liability partners working on pharmaceutical cases are kept apprised of regulation and merger activities in the area through internal daily briefings, said Chris Campbell, a partner in the firm’s product liability and mass tort practice group. Campbell is also a member the International Association of Defense Counsel.

“We try to take a broad approach within a sector,” Campbell said. “So, not only we can handle your product liability case, but we have people working on a variety of areas in the same sector. That’s one way we try to differentiate ourselves.”

Some of the firm’s biggest clients include Pfizer, Wyeth Pharmaceuticals Inc. and Novo Nordisk, a Danish medical device maker, which Campbell led past a 2,000-patient class action in New York state court that alleged a hospital shared the company’s insulin pens among patients, spreading infections such as HIV and Hepatitis C. In just three months, the plaintiffs agreed to limit their claims only to the hospital itself.

Philadelphia-based Marshall Dennehey Warner Coleman & Goggin PC, which came in fourth with 80 partners focusing on product liability, has major clients including helmet maker Riddell Inc., which it has represented in the NFL concussion multidistrict litigation.

“Ultimately, what companies want from their outside product liability counsel is a litigation team that understands them and how the risk from a product can affect the rest of their business,” said Rynowecer.

Methodology: Rankings are based on partner headcount data from 300 U.S.-based law firms, including 198 of the largest 200 firms in the country. Data is as of July 1. Partners counted for a practice group in the rankings had to spend at least 75 percent of their time on matters related to that practice. For partners who split their time between two different practice groups, firms were allowed to count those partners as ".5" in each of the two practices.

Firms marked with an asterisk did not submit or confirm practice group numbers. For these firms, Law360 estimated partner head counts using public data.

--Additional reporting by Lance Duroi. Editing by John Quinn and Patricia K. Cole.

All Content © 2003-2014, Portfolio Media, Inc.