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## DAILY BUSINESS REVIEW

DECEMBER 9

### ..... 15<sup>th</sup> Annual .....

# MOST EFFECTIVE LAWYERS 2019

Once a year, the Daily Business Review recognizes exemplary performance by attorneys who deliver positive results for the client.

In the 15th annual edition, more than three dozen attorneys in 20 categories are honored for their handling of litigation, transactions and public interest law.

Proving the wheels of justice grind slowly, some cases had their origins more than a decade ago.

A federal appellate court decided a case about law firm liability in the Ponzi scheme run by Allen Stanford, who was charged a decade ago. Another case dates back to contract bidding decided in 2001. And a bankruptcy recovery attempt involving a former Ecuadorian banker was tied to the formation of a family foundation in 2003 and the 1996 failure of Banco Continental.

Some were decidedly quicker. A move to disqualify a judge was determined on appeal three months after the initial motion was filed in the trial court.

Overall, the competition exemplifies the vigor and variety of South Florida's legal community. Congratulations to all who participated.

— Catherine Wilson  
Managing Editor

## **Shook Hardy Partner Leads Defense Win for Breast Cancer Drugmaker**

**Hildy Sastre  
Shook, Hardy & Bacon**

The administrative managing partner of the law firm's Miami office won a defense verdict in a bellwether trial blaming permanent hair loss on the chemotherapy drug Taxotere.

As first chair defense attorney in the New Orleans federal trial, Hildy Sastre took home a verdict in September for Sanofi-Aventis U.S. LLC after two hours of deliberations.

It was the first trial in the multidistrict litigation covering 12,000 plaintiffs suing drugmakers over the breast cancer drug. Beyond the federal cases, hundreds more Taxotere cases are pending in New Jersey state courts.

Permanent hair loss was noted as a possible side effect when the U.S. Food and Drug Administration made a labeling change in 2015.

**Describe a key piece of testimony, evidence, ruling or order in your case and**

**how it influenced the outcome:** I don't think that there was a particular ruling or order that altered the outcome at this trial. Our judge worked tirelessly to make rulings she thought were fair. Did we agree with every ruling? No. But neither did plaintiffs counsel. As I heard from the judge many times, 50% of attorneys are unhappy with her rulings 100% percent of the time.

To me, what made the biggest difference was that we were defending a life-saving chemotherapy drug that has been the backbone of breast cancer treatment for more than 20 years, something no witness could dispute. Chemotherapies are effective drugs, but they come with very real risks, including the risk of persistent hair loss. And when a cancer patient gets multiple chemotherapies, like this plaintiff did, no one can credibly say it was one chemotherapy versus



**Hildy Sastre**

another that prevented hair regrowth.

The jury never got past the first question on the verdict form on specific causation. Even though generally we did not contest that persistent hair loss can happen with Taxotere, the jury was not convinced by the weight of the evidence that other potential causes, including other chemotherapy medications, had been ruled out as the cause.