

The Legal 500 – The world's largest legal referral guide

I am pleased to send you a copy of *The Legal 500 United States*.

This is the third edition of the Legal 500 series covering the US legal market. Our aim is to provide independent, unbiased commentary on the leading law firms – and lawyers – in the most important legal marketplace in the world. We target our editorial at corporate counsel, and others who use law firms, so they have a genuinely independent guide to the relative strengths (and weaknesses) of the market leaders.

We know from our extensive research elsewhere (we provide commentaries on law firms in over 90 other countries) that US legal practice leads the world. Law firms across the globe look to US firms as role models on how best to provide quality legal services to the commercial sector. So *The Legal 500 United States* is a guide to 'the best of the best' – the pre-eminent firms in the world's strongest and most competitive legal market.

As always, we welcome constructive comment and criticism. Our editors and researchers are committed to providing accurate reporting and analysis, so let us know if you have any comments.

Yours,

John Pritchard

PS: you can access the full text of this volume – and all the other international editions of *The Legal 500* – at www.legal500.com.

INTRODUCTION

How to use this book

The Legal 500 United States is a guide to commercial law firms in the US.

Each chapter falls into two distinct parts: the editorial section and the directory section. The editorial section is a mixture of factual information and commentary. This commentary consists of a general review of which firms do what types of work, and which firms are generally reckoned by their clients and peers to have a 'good name'. The editorial is based largely on the combined opinions of the many corporate counsel and law firm clients who cooperated in the research in each practice area. Accordingly, it is important to appreciate that the editorial lists should not be taken as a definitive statement on law firms, but rather as a starting point for discussion.

All editorial comments and listings are completely independent and no firm has been able to secure its inclusion within the editorial sections through payment.

The directory section is made up of professional cards based on information supplied by the firms and approved by them prior to publication.

The editorial

The views expressed in the editorial sections represent the opinions of the editors, with no assumption of legal liability or responsibility for mistakes or inaccuracies. The research for the editorial is based on the combined opinions of the many lawyers interviewed in each practice area, commentary from corporate clients and analysis of deals or contentious issues reported. It is important to note that the editorial is therefore a subjective overview, based on systematic research.

The tables of recommendations are divided into groups: firms are listed in groups in order of priority, and alphabetically within groups. Furthermore, the firms have been sorted alphabetically by using the first name or initial of the firm (ie the last firm listed in a group is as strongly recommended as the first firm listed in that group).

Tables are reprinted on each spread, beside the accompanying editorial. For ease of use, the names of the firms being discussed on those editorial pages are highlighted within the table. Accordingly, the fact that a firm's name is highlighted in a particular table does not mean, of itself, that the firm is more highly recommended than other firms – it simply indicates that there is accompanying editorial commentary about that firm on that spread.

The directory

The directory section contains professional cards placed by firms. These cards have profiles based on information provided by the participating firms. These profiles, having been approved by the firms prior to publication, are completely separate and different from the editorial. The professional cards are designed for use by other lawyers and by corporate counsel who want to know more about a firm's practice.

It is important to appreciate that a firm cannot buy inclusion within the editorial section. In particular, buying a professional card within the directory section is not a way of securing inclusion within the editorial section. Our editorial is wholly independent. Professional cards are listed at the back of the book alphabetically by firm name.

From the editor

Welcome to the sixth edition of *The Legal 500 United States*. First published in 2007, *The Legal 500 United States* has developed into the most in-depth survey of the United States' elite legal market.

The Legal 500 United States is a unique book. There are other surveys of law firms, but none is researched and written by such a team of experienced and award-winning writers. Researchers also work on sister Legalease publications such as *Legal Business*. Many researchers have years of experience, a valuable quality in an increasingly complex marketplace.

The Legal 500 United States is the only survey of law firms that focuses on the national capabilities of a firm, rather than pigeonhole firms based on location. While we recognize that location can impact on individual practice areas (such as energy in Texas, high-tech in California, finance in New York etc), clients will instruct firms based on quality, and *The Legal 500* reflects this – if the firm is of the highest quality, it will be included in the rankings. *The Legal 500 United States* is the client's guide to the elite in the legal profession.

Understanding the firms is only one aspect of the research process. Ultimately, it is the clients' opinions that matter; the 250,000 references taken up this year are a vital component of our evaluation of the various legal markets covered by *The Legal 500*.

While copies of the book are distributed free every year, it is to our website (at www.legal500.com) that many clients are now increasingly turning, with some 300,000 users per month and four million visits each year. We also publish *The Legal 500 Asia-Pacific*, *The Legal 500 Europe, Middle East & Africa*, *The Legal 500 Latin America*, and *The Legal 500 UK*, covering over 110 different jurisdictions.

This book is primarily a reference tool for buyers of legal services. Law firms themselves will also find much here of interest, be it an independent appraisal of their standing in the market, or an insight into the competition. When reviewing the performance of a firm or department we use various criteria; for example, we take on board a combination of size and strength in depth. Our assessment will be influenced by all the things that make the complete practice in that field. These include:

- Most prestigious clients;
- Individuals with the contacts at, and credibility with, the top clients;
- In-depth capability beyond star partners;
- Very strong technical ability available for the most complex work;
- Capacity for the biggest transactions/cases;
- Market share;
- Historical track record on top deals/cases;
- Clear investment for the future in a particular practice area;
- Progress made with acquiring new clients/ market share;
- Strength in associated areas – eg can an M&A department undertake competition work to an equal standard?;
- Reputation for handling complex, innovative deals;
- Capacity to handle all client requirements in an area – eg international offices/connections;
- Commitment to IT and the use of IT to improve client services; and
- Perception in the market.

How we research The Legal 500

The client research undertaken for *The Legal 500* has two main threads and encompasses both qualitative and quantitative analysis. As well as contacting those clients referred to us by law firms for the purposes of verification of their submissions, we benchmark these findings against a detailed representative sample of the world's leading companies. In particular, we have ensured that we have contacted a statistically valid sample of leading clients when ranked either by market cap, by business sector, or by region.

We contact 250,000 clients asking for feedback on the lawyers they instruct. Additionally, our team has regular contact with commerce and industry throughout the year as part of our ongoing research.

Although interviewees are often in-house counsel, they are by no means exclusively so; in many cases it is the chief executive or finance director who has strategic responsibility for the buying decision, even where it is the in-house function that may have more day-to-day dealings with the actual providers. We interview investment bankers, commercial bankers and accountants who work regularly with lawyers.

Interviews are based on a standard-form questionnaire. However, supplementary questions and more wide-ranging conversations about both specific law firms and the key issues which inform the purchase of legal services are in fact the norm. This is not least because interviews are conducted by experienced journalists and researchers with a considerable depth of market knowledge. All interviews are non-attributable.

Over the course of the year, we also receive numerous unsolicited comments and recommendations from clients.

Each year we write to firms inviting them to provide information on their specialist areas of practice, and requesting specific details of work undertaken in the preceding year (some of which will be confidential and not in the public domain). This approach gives us a standard level and quality of data which, in turn, enables us to benchmark legal services providers with both more precision and more assurance.

We conduct interviews in person or by telephone with specialist attorneys in each subject area – generally the head of department or nominated partner. We also conduct interviews with chief executives, managing and senior partners of law firms, and practice managers. This helps us to obtain a clear picture of the direction the firm is taking and its strategy.

Litigation • Mass tort and class action:
plaintiff representation – toxic tort

Dallas-headquartered Baron & Budd PC has built a strong reputation nationwide in toxic tort multi-district litigation, and it has additional offices in Miami, Los Angeles and Baton Rouge to provide coast-to-coast coverage across the southern US. The firm has several groups that handle toxic tort: the water contamination litigation group, general litigation group and asbestos litigation group. Bruce Steckler serves on the plaintiff's steering committee in *In re Chinese-Manufactured Drywall Products Liability Litigation* in the US District Court for the Eastern District of Louisiana, and in late 2011 a settlement was reached with one of the manufacturers of the defective drywall products. Other matters for the group include its involvement in *In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico*, a case in which Scott Summy serves on the plaintiff's executive committee. Summy is also acting as lead counsel in a number of atrazine (groundwater contamination) cases. 'Known name' Russell Budd and Burton LeBlanc are also highly recommended.

Defense lawyers recognize Weitz & Luxenberg PC's 'particularly strong reputation' in this space. It is renowned for asbestos cases and, in June 2011, it achieved a \$22m asbestos verdict against Goodyear Tire and Rubber Co, and Goodyear Canada. The practice also encompasses a wide variety of environmental contamination matters including arsenic, benzene, lead poisoning, water contamination, and vapor intrusion, as well as the *Deepwater Horizon* Gulf oil spill. The firm has offices in New York, New Jersey and Los Angeles,

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Napoli Bern Ripka, LLP	
Richardson, Patrick, Westbrook & Brickman, LLC	

Firms are listed A-Z within tiers

and fields a number of strong names including Robert Gordon; of counsel Robin Greenwald, who heads the environmental and toxic tort practice; and associates Frank Ortiz and Lisa Nathanson Busch. Joseph Maher left the firm to set up his own practice.

Motley Rice LLC represents plaintiffs in individual cases, mass tort and class actions. The firm is headquartered in Charleston, South Carolina, and has several other offices. Its expertise includes occupational disease and toxic tort, such as asbestos and mesothelioma, and environmental contamination and lead poisoning cases. It is involved in the *Deepwater Horizon* oil spill litigation and also continues to represent military veterans against defense contractors, alleging injuries caused by prolonged exposure to burn pit emissions on military bases in Iraq and Afghanistan. The group has achieved

successes in cases such as *State of Rhode Island v Lead Industries Association* and *Oklahoma v Tyson Foods*. Firm co-founder Joseph Rice has developed a track record in negotiating settlements with asbestos manufacturers emerging from bankruptcy. Name partner Ronald Motley, Anne McGinness Kears, and John Herrick are also recommended.

Napoli Bern Ripka, LLP has a nationally recognized practice, which is reflected in it having offices across the country, including New York, New Jersey, Philadelphia (Pennsylvania), Coconut Grove (Florida), El Segundo (California) and Edwardsville (Illinois). Paul Napoli has been instrumental in a number of successes, including the settlement in *In re World Trade Center Disaster Site Litigation*, in which Napoli had been appointed plaintiff's liaison counsel, and in *In re MTBE (Methyl Tertiary Butyl Ether) Products*

Leading lawyers

Russel Budd Baron & Budd PC
Robert Gordon Weitz & Luxenberg PC
Perry Weitz Weitz & Luxenberg PC

Liability Litigation. In this latter case, Napoli helped to obtain a \$50m-plus settlement with ExxonMobil and other defendants for numerous municipalities and water districts whose drinking water sources were contaminated. The group is also recognized nationally for its strength in plaintiff representation in personal injury and medical malpractice cases. Marc Bern is also recommended.

Richardson, Patrick, Westbrook & Brickman, LLC has expertise in complex dispute resolution across a variety of areas, including toxic torts such as those arising from environmental issues or asbestos, among others. It continues to concentrate on groundwater contamination cases involving vapor intrusion of trichloroethylene (TCE) and benzene into households. Jerry Evans and Gordon Rhea are experts in toxic exposure lawsuits. Michael Brickman is also recommended.

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The
LEGAL
500
UNITED STATES

John Pritchard

Volume III

Litigation

2007

serious player in whatever area they operate' and 'can afford' to litigate anything'.

The 60-lawyer firm focuses exclusively on litigation in all of its practice areas, and is generally called upon to establish the nuts and bolts of mass tort cases, such as proving liability, with claims of individual plaintiffs typically handled by associated local counsel.

In recent years, the firm has dedicated a significant portion of its resources to the pursuit of cases against paint manufacturers, initially prosecuting individual claims on behalf of children who suffered nerve and brain damage as a result of exposure to lead paint, and now typically working in conjunction with government entities. In a recent headline-grabbing success in this area, the firm obtained a jury verdict ordering three paint manufacturers to clean more than 300,000 homes of lead contamination - the first-ever verdict of its kind and recently upheld on appeal.

Asbestos also continues to be a considerable focus for the firm, with lawyers most frequently pursuing claims against companies bankrupted as a result of asbestos litigation. In this regard, Motley Rice recently helped create a \$5.2bn fund with Owens Corning, designed to resolve the fiberglass manufacturer's asbestos liabilities, and is furthermore sitting on the claimants' committee of the CE Thurston bankruptcy.

INDIVIDUALS: One of Motley Rice's most prominent players in the asbestos arena, Anne Kearse, based in Mount Pleasant, South Carolina, maintains a busy practice acting on behalf of both individual and mass claimants affected by asbestos exposure.

MOTLEY RICE

PRACTICE: Once the by-name for record-breaking settlements in the tobacco litigation, South Carolina's Motley Rice is arguably a somewhat more difficult animal to figure out these days. The firm has diversified considerably in recent years, and now boasts capabilities across practice areas as varying as aviation and securities litigation in addition to its well-publicized mass torts practice. The overriding sentiment, however, is that regardless of what particular types of cases this *'highly successful'* firm and its *'very good'* lawyers choose to take on, *'they're a*

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John Herrick, also in South Carolina, is a further key player in the firm's asbestos group and is currently involved in the CE Thurston matter, while John McConnell, is a leader in litigation pertaining to lead paint poisoning and the key partner behind the firm's recent trial success in this area. He is based at the firm's Providence, Rhode Island office.

LITIGATION

**Mass tort and class action:
plaintiff representation: toxic tort**

BARON & BUDD PC

MOTLEY RICE LLC

**Richardson, Patrick, Westbrook &
Brickman, LLC
Weitz & Luxenberg PC**

This section focuses on plaintiff representation of personal injury or public nuisance claims resulting from exposure to toxic substances, whether as a result of occupational hazard or environmental pollution.

BARON & BUDD PC

PRACTICE: Baron & Budd PC had an eventful 2008, with substantial organizational changes and noteworthy victories in litigation. Co-founder Fred Baron died prematurely in October 2008 shortly after the Dallas-headquartered firm had completed a consolidation with two firms, *Silber Pearlman*, also in Dallas, and *LeBlanc & Wadell* in Baton Rouge. The mergers were prompted by changes to the law in 2007, which reduced the potential for asbestosis litigation. The restructured firm now fields some 50 attorneys across offices in Dallas, Austin, Baton Rouge and Beverly Hills, California.

Although the major mass litigation in asbestosis and mesothelioma has passed, the firm continues to bring actions for smaller groups. For example, in March 2009, it successfully resolved a lawsuit in Philadelphia on behalf of six deceased victims of mesothelioma – four deaths resulted from occupational exposure to asbestos and the other two from exposure to adhesive containing asbestos.

In May 2008, the practice represented 153 public water providers – including municipalities, water agencies and private water companies – from 17 states, and achieved the largest settlement to date with the leading US oil companies over drinking water contamination caused by the gasoline additive methyl tertiary butyl ether (MTBE), a potential human carcinogen. The multi-district litigation (MDL) was heard in New York. The settling defendants include BP Amoco, Chevron and ConocoPhillips.

INDIVIDUALS: Russell Budd, who was a major force in asbestosis litigation, now has a more strategic role and advisory role; he brings considerable gravitas to a strong practice. Cary McDougal, who led in the MTBE litigation, is a formidable and experienced trial attorney, clearly capable of controlling the major class actions. Both are based in Dallas.

MOTLEY RICE LLC

PRACTICE: Motley Rice LLC is a strong plaintiff representation firm, currently probably better known for individual and small group representation than national class actions of the type in which the practice appeared in the days of major asbestosis claims. Headquartered in Mount Pleasant, South Carolina, the firm also has offices in Connecticut and Rhode Island. The ability of the practice to deal with complex and disputed claims is undoubted, and it is particularly strong in cases concerning industrial disease caused by toxic exposure. In early 2009, practice members succeeded in a jury trial, which found two defendants liable for injuries suffered by a worker as a result of the failure of his employers to warn of the dangers associated with welding consumables. Other claims currently being pursued include chromium groundwater contamination in New Jersey.

INDIVIDUALS: Anne Kearse, in Mount Pleasant, is an experienced litigator in occupational health claims. John Herrick, also in Mount Pleasant, leads the occupational health practice and has considerable experience of asbestosis-related litigation. John McConnell, in Providence, Rhode Island, is the firm's lead litigator in environmental pollution.

**RICHARDSON, PATRICK,
WESTBROOK & BRICKMAN, LLC**

PRACTICE: Richardson, Patrick, Westbrook & Brickman, LLC is headquartered in Charleston, North Carolina and has two other offices in the state. The 35-attorney firm's toxic-tort practice draws on the expertise of six attorneys who also litigate in other disciplines.

Representative instructions include acting as co-counsel in a class action in the US Virgin Islands arising out of contamination of hundreds of homes by bauxite residue, also known as red dust. In industrial cases, practice members represented 120 workers in West Virginia following their exposure to coal tar and creosote. Attorneys in the practice have considerable expertise in asbestosis-related litigation.

INDIVIDUALS: Charles Patrick is a name partner especially active in asbestos-related cases. Edward Westbrook includes environmental

pollution in his expert practice. Both are based in Charleston.

WEITZ & LUXENBERG PC

PRACTICE: New York-based Weitz & Luxenberg PC has a strong mass-torts practice which includes toxic exposure and pollution. The firm also represents individuals and small groups, particularly in industrial cases, where exposure to toxic materials such as asbestos, creosote and coal tar is alleged to have caused serious illness or death. In 2008, attorneys from the practice achieved a \$16.25m verdict in an asbestos lawsuit on behalf of a terminally ill retired dental technician who had been exposed to asbestosis while making castings for dentures using asbestos-containing dental tape – the case was complicated by the plaintiff's exposure to asbestos while employed in other occupations. The practice also represented parties in the landmark MTBE pollution settlement announced in May 2008 when a number of major oil companies agreed settlement terms – the litigation continues against a minority of the defendants.

INDIVIDUALS: James Long is the practice leader in asbestosis litigation. Douglas von Oiste led in court in the asbestos dental tape trial. Both attorneys are based in New York.

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Litigation • Mass tort and class action: plaintiff representation – toxic tort

Baron & Budd PC's core practice is in toxic court representation for individuals, municipalities and water providers. The firm has four offices – Dallas, Houston, Beverly Hills and Baton Rouge – with a complement of some 50 lawyers and 200 support staff. The firm's major seams of work in asbestosis and mesothelioma diminished following the 2007 legislative changes but, even in 2009, the successes continue. Dallas-based John Langdoc and Denyse Clancy succeeded in yet another case, this time in the California Appeal Court against compound manufacturer Georgia Pacific, and in December, Clancy had another success against a gasket manufacturer in Pennsylvania. Many of the firm's attorneys have considerable scientific expertise which has now been redirected into work involving water pollution, and other forms of toxicity including radiation, and industrial and agricultural chemicals. The firm's attorneys are also deeply involved in the "Chinese drywall" litigation, which spans anti-trust and toxic tort practices. In water pollution cases, Scott Summy, who also works from the Dallas office, was the firm's lead attorney in the unprecedented *In re: Methyl Tertiary Butyl Products Liability Litigation* (MTBE), in which, as co-lead counsel, the firm represented 180 municipalities, water providers and private well owners in a successful action against the majority of major oil refiners. Cary McDougal, continues to manage the numerous claims in the MTBE case.

Litigation • Mass tort and class action: plaintiff representation – toxic tort

Baron & Budd PC

Motley Rice LLC

1

Napoli Bern Ripka, LLP

Richardson, Patrick, Westbrook & Brickman, LLC

Weitz & Luxenberg PC

2

Firms are listed alphabetically in tiers which are ranked according to priority

Motley Rice LLC, a strong plaintiff representation firm, has acted in several practice areas, including toxic tort and environmental pollution within a strong practice. The 65-lawyer firm, which also has some 250 support staff, ranks as one of the largest plaintiff representation specialists in the US and is headquartered in Mount Pleasant, South Carolina with offices in New York, Washington DC, Connecticut and Rhode Island. Particular strengths in the practice include industrial toxic exposure, and industrial pollution. A representative action which was settled during 2009 involved lead pollution, Rhode Island-based Vincent Greene settled a lead poisoning case on behalf of 18 children in his home state who, having been exposed to lead in infancy, brought an action against former landlords alleging damage to health.

The firm also settled a soil contamination case during 2009 when the long-running *Corvello vs. New England Gas Co*, was settled. Anne Kearse, in Mount Pleasant, is an experienced litigator in occupational health claims including asbestosis. John Herrick, also in Mount Pleasant, leads the firm's asbestosis group and John McConnell directs the firm's environmental practice.

Napoli Bern Ripka, LLP is a plaintiff representation firm, headquartered in New York with additional offices in New Jersey and Pennsylvania, and with a nationwide practice which will undoubtedly be reinforced by the publicity which the firm received following its successful representation, as co-lead counsel, of over 10,000 police, firefighters, construction workers and others whose health was damaged in

the post 9/11 rescue mission and clean-up Twin Towers. The \$657m settlement with the City of New York and its contractors was announced in March 2010 after lengthy and difficult litigation. Marc Bern led on the case for the firm. The firm has a broad practice within plaintiff representation and environmental pollution and construction accidents both feature as the strong suits.

Richardson, Patrick, Westbrook & Brickman, LLC is headquartered in Charleston, North Carolina and has two other offices in the state. The 35-attorney firm includes a strong toxic tort practice within a wider offering, although the firm's more public profile recently has been in the Delta baggage class action and in connection with white-collar fraud. The firm remains active in asbestosis and mesothelioma actions although these have diminished in volume. The expertise of the firm has been redirected to other forms of toxic injury and recent actions, including bauxite contamination and health damage caused by exposure to coal tar and creosote. Charles Patrick is especially active in asbestos-related cases. Edward Westbrook includes environmental pollution in his expert practice. Both are based in Charleston.

Weitz & Luxenberg PC has a strong mass-tort practice, which includes toxic exposure and environmental pollution. The New York firm, which is noted for determined pursuit in the actions in which it is involved, represents individuals, small groups, municipalities and other institutions in transactions involving any form of toxicity. Historically, the firm is strongest in asbestosis-related claims, and this is still a significant element of the offering with recent successes involving dental tape and brake linings concluded for individual plaintiffs. Inevitably, expertise in other areas has developed as the number of class action asbestos claims has declined; for instance, members of the environmental pollution group represent numerous parties in the landmark MTBE litigation. James Long is the practice leader in asbestosis litigation. Douglas von Oiste has led in court in numerous asbestos actions.

Finance

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Leading lawyers

Max Berger Bernstein Litowitz Berger & Grossmann LLP

Thomas Dubbs Labaton Sucharow LLP

Jay Eisenhofer Grant & Eisenhofer P.A.

Robert Kaplan Kaplan Fox & Kilsheimer

Steven Singer Bernstein Litowitz Berger & Grossmann LLP

Lawrence Sucharow Labaton Sucharow LLP

brought by institutional investor plaintiffs against BankAtlantic. The firm and its co-counsel won millions of dollars in damages following a jury verdict of securities fraud after it was determined that the investors overpaid by \$2.40 per share between April 2007 and October 2007. The firm is also representing a number of US pension funds in a shareholder class action in federal court against Bank of America relating to the defendant's acquisition of Merrill Lynch. David Kessler and Marc Topaz are recommended.

Bernstein Liebhard LLP's successes in securities class action litigation include the high-profile \$400m settlement in *In re Marsh & McLennan Securities Litigation* and also the \$586m settlement in *In re Initial Public Offering Securities Litigation*. The firm's demonstrable expertise in this field means that it is regularly appointed to significant roles in complex or bellwether cases. The firm served as lead counsel in the securities MDL *In re Mutual Funds Investment Litigation*, which received the US District Court for the District of Maryland's final approval of the proposed settlements in October 2010. The case involved allegations that Canary Capital Partners had market-timed and late-traded in certain mutual fund families. The highly respected Stanley Bernstein is recommended along with Jeffrey Haber, Rebecca Katz and U Seth Ottensoser. The class action practice is underpinned by a Supreme Court and appellate practice group, which includes five former clerks of the US Courts of Appeals.

The Delaware litigation practice of **Grant & Eisenhofer P.A.** specializes in securities and derivative litigation as well as corporate governance on behalf of investing institutions. The firm has incrementally built up a sterling reputation in this field under the guidance of its co-founder and joint managing director, Jay Eisenhofer. Significant achievements include the \$2.8bn settlement on behalf of the Teachers' Retirement System of Louisiana and the Louisiana State Employees' Retirement System against Tyco International in a case involving acquisition accounting fraud by the company's former directors and officers. The firm also represented Pacific Investment Management Company in the securities class action in the US

District Court for the Southern District of New York against officers and directors of Rother defendants, a case in which damages have totaled over \$140m. Eisenhofer is founder and joint managing director of the firm. He is also recommended.

Kaplan Fox & Kilsheimer is recognized for its expertise in securities litigation, where its six-partners have been selected as counsel by a number of funds in individual representation as well as class actions. The firm is serving as co-lead counsel for two Ohio public pension funds in a securities class action against Bank of America, which was brought in the US District Court for the Southern District of New York. The consolidated class action complaint (CAC) arises from a dispute between Bank of America and Merrill Lynch. It alleges the defendant violated federal securities laws by making a series of highly material misstatements and omissions on a number of occasions. In 2010, the Court denied the defendant's motion to dismiss and upheld the lead plaintiff's motion allowing the case to proceed to discovery. The firm's partners Robert Kaplan and Frederick Kilsheimer are the practice's key figures.

Robbins Geller Rudman & Dowd LLP is a sizeable firm with offices in San Francisco, New York, Boca Raton, Washington, Philadelphia and Atlanta. It has 180 attorneys who engage in complex litigation in a number of practice areas in addition to securities litigation, including corporate governance and derivative litigation. The firm has a significant practice representing institutional investors, including public and mutual funds, brings standalone cases as well as filing class actions. The firm's reputation is bolstered by its achievement in *In re Enron Securities Litigation*, where it served as lead counsel for Enron investors and secured a settlement of more than \$7.3bn. The firm recently filed a series of complaints alleging violations of the federal laws against securities fraud, including Bank of America, American International Group, Washington Post and Wilmington Trust. The firm's partner Darren Robbins is recommended.

Litigation • Mass tort and class action: plaintiff representation – toxic tort

Baron & Budd PC is an industry leader in the field of toxic tort litigation. The firm represents all types of claimants, from individuals to municipalities, where exposure to toxic substances has led to injuries or economic loss. It fields more than 60 attorneys across offices in Dallas, Houston, Beverly Hills and Baton Rouge, allowing it to resource the most complex cases. Head of the water contamination practice Scott Summy is highly regarded for his work in the MTBE contamination litigation. His reputation saw him recently selected to serve on the plaintiffs' steering committee as well as the executive committee in the Gulf Coast oil spill MDL, which was consolidated in the US District Court for the Eastern District of Louisiana in August 2010. Russell Budd and Bruce Steckler are also recommended.

Weitz & Luxenberg PC's attorneys are 'masters in the field' in asbestos litigation, for years having been at the forefront of these cases and recovered billions of dollars in settlements and verdicts. In 2010, it was selected to serve on the plaintiffs' steering committee in the Gulf Coast oil spill MDL, a selection that consolidated the firm's prominent reputation in toxic tort cases. With 60 lawyers, it is one of the largest personal injury and mass tort plaintiffs' firms in New York. It also has an office in New Jersey and recently opened an office in Los Angeles, which is managed by the seasoned Joseph Maher. Robert Gordon, who co-led the MTBE litigation against the oil and gas industry on behalf of 153 public and private drinking water systems nationally, is the firm's most renowned trial lawyer. The highly rated Robin Greenwald

Litigation • Mass tort and class action: plaintiff representation – toxic tort

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Richardson, Patrick, Westbrook & Brickman, LLC	

Firms are listed A-Z within tiers

heads the environmental toxic tort practice and focuses her own work on vapor intrusion, contaminated water and toxic emissions from landfill. Frank Ortiz and Lisa Nathanson Busch are also recommended.

After beginning its practice representing victims in occupational disease and workers' rights cases, Motley Rice LLC has expanded its practice into a number of toxic tort areas including asbestos and environmental matters such as ground water or soil contamination and vapor intrusion. In addition to its headquarters in Mount Pleasant, South Carolina, the firm also has several other offices including one in Los Angeles (operated as Motley Rice LLP), and another in Washington DC. The firm is currently litigating cases in relation to the catastrophic spill following the explosion of BP's Deep Water

Horizon oil well. In the occupational disease space, it is representing military veterans against several defense contractors including KBR Inc and Halliburton Company, alleging that prolonged exposure to burn pit emissions on military bases in Iraq and Afghanistan caused injuries including chronic illnesses. In December 2010, the US District Court judge in Greenbelt, Maryland, announced a stay of discovery until the Court of Appeals for the Fourth Circuit has ruled on three related cases. Name partners Ronald Motley and Joseph Rice are well established and highly respected figures in the field. Other recommended individuals include Anne McGinness Kears, whose practice focuses on occupational health injuries; John Herrick, who leads the occupational disease practice; and John McConnell, who heads the environmental practice.

Napoli Bern Ripka, LLP is a three-partner firm supported by 24 other lawyers in New York, New Jersey, Pennsylvania and Oklahoma, and which has plaintiffs' personal injury and medical malpractice cases as its core areas of expertise. The firm's capabilities in mass tort litigation were nationally recognized following its role as plaintiffs' co-liaison counsel in achieving the \$657m settlement relating to September 11 injury claims. It also acted for homeowners in Florida in environmental contamination claims that settled favorably. Marc Bern and Paul Napoli are recommended and have expertise including MTBE and other chemical contamination.

Richardson, Patrick, Westbrook & Brickman, LLC, which has three offices across South Carolina, makes toxic tort one of its main practice areas. The firm represents individuals and government entities in complex litigation including class actions and multi-district litigation. Recently, the firm's environmental work has focused on the intrusion of trichloroethylene (TCE) and benzene vapors into households from groundwater contamination. In other work, Jerry Evans and Gordon Rhea recently served as lead counsel for refinery workers as plaintiffs in toxic exposure lawsuits brought against Hess Oil Virgin Islands Corporation and Hess Corporation. The plaintiffs alleged that prolonged exposure to catalyst dust generated during the oil-refining process caused harm. A confidential settlement was reached late in 2010 after three weeks of trial in the Virgin Islands.

Litigation • Product liability and mass tort defense: aerospace/aviation

Condon & Forsyth LLP's 'widely admired' practice provides 'a consistently high level of service' and continues to enjoy a solid reputation as one of the leading firms for aerospace mass tort and product liability litigation. Its attributes include 'industry knowledge that is always in-depth' and its 'excellent value for money'. Among the practice's high-profile roles is its representation of American Airlines in property damage and wrongful death litigation arising from the World Trade Center terrorist attacks; and acting as lead counsel to Colgan Air regarding the crash of Continental Connection Flight 3407 near Buffalo, New York, in 2009. In the World Trade Center litigation, the group also acts as liaison counsel for all other airline, airport and security company defendants. It is also acting for Embraer in connection with the Henan Airlines ERJ-190 accident at Lindu Airport in China in August 2010. Other work includes representing parties in accidents arising from the Sudan Airways Flight 109 in Khartoum, Sudan; Airblue Flight 202 in Islamabad, Pakistan; and Aeroflot-Nord Flight 821 near Perm, Russia. Recent successes include the dismissal of a class action against British Airways in a case arising from transport disruptions involving more than 30,000 passengers. The Los Angeles office complements the New York team and is often involved in military product liability cases. The internationally renowned Desmond Barry and Christopher Christensen in New York, along with Los Angeles-based Frank Silane, 'give practical and user-friendly advice' and 'look for solutions'. Also recommended are Scott Cunningham and Richard Lazenby in Los Angeles, as well as Stephen

Litigation • Product liability and mass tort defense: aerospace/aviation

Condon & Forsyth LLP **1**
 Cozen O'Connor
 Morrison & Foerster LLP
 Perkins Coie LLP

Adler Murphy & McQuillen **2**
 Bryan Cave LLP
 Hogan Lovells US LLP
 Nixon Peabody LLP
 Reed Smith LLP
 Schnader Harrison Segal & Lewis LLP
 Sidley Austin LLP

Debevoise & Plimpton **3**
 Dombroff Gilmore Jaques & French
 Holland & Knight LLP
 Jones Day
 Treece Alfrey Musat & Bosworth

Firms are listed A-Z within tiers

Stegich, David Harrington, John Horenstein and Marshall Turner in New York.

Cozen O'Connor's aviation and product liability practice provides comprehensive and

forceful defense of its clients' interests. The firm has proven adept in acting both as national coordinating counsel and as lead trial counsel, and is renowned for its broad-ranging advice. The

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Weitz & Luxenberg PC

2 Motley Rice LLC
Richardson, Patrick, Westbrook & Brickman, LLC

Leading lawyers

Russell Budd - Baron & Budd PC
Robert Gordon - Weitz & Luxenberg PC
Perry Weitz - Weitz & Luxenberg PC

Baron & Budd PC's *'excellent'* team comprises 40 attorneys including nine partners and represents individuals and entities nationally. The team provides *'outstanding'* levels of service throughout the litigation cycle. Having originally developed its reputation specializing in asbestos cases, the firm now has a diversified practice in toxic tort including water contamination, oil spill and Chinese drywall cases. The firm remains strong in litigating asbestos-related mesothelioma cases and trial attorney John Langdoc recently achieved a \$48m verdict on behalf of a mesothelioma patient and his family, including \$18m in punitive damages. Scott Summy, who heads the water contamination practice group, recently served as lead counsel in litigation concerning the contamination of groundwater with atrazine. In May 2012, preliminary approval was granted for a proposed settlement of \$105m granted to public water providers found to have atrazine in their source water. Russell Budd and Steve Baron are key figures in the practice.

Napoli Bern Ripka, LLP is noted for *'tackling difficult cases'* and is *'respected'* by co-counsel. It has increased its geographical profile with the opening of new offices in Delaware and Maryland and an additional office in Orange County in 2012, and now has a total of 11 offices nationally. All offices are able to handle asbestos-related mesothelioma claims and the New York, Colorado and Florida offices also handle environmental toxic tort claims. The *'excellent'* Paul Napoli and Marc Bern achieved a \$10m oil spill settlement against several oil companies for personal injury and property damage on behalf of over 300 Brooklyn residents. Marc Bern was appointed to the plaintiffs' executive committee to oversee a \$7m class action settlement for MTBE contamination, which was approved by the court in June 2012. The firm remains active on 'fracking' cases, where it is currently handling a number of cases for individuals. Ethan Horn, who joined the firm in 2012, acts almost exclusively in asbestos claims and heads the Orange County office.

New York-headquartered **Weitz & Luxenberg PC** represents victims and families in states including New York, New Jersey and Pennsylvania. The firm has a strong reputation in mesothelioma cases and represents client in environmental litigation including 'fracking', lead or mercury poisoning, arsenic contaminated tap water, exposure to benzene, landfill odors, and property damage caused by toxins. The firm's chief trial lawyer, the *'superb'* Robert Gordon, represented individuals and businesses affected as a result of the *Deepwater Horizon* oil spill. Of counsel Robin Greenwald heads the environmental toxic tort litigation group and has represented clients in MTBE groundwater contamination cases. Founding partners Arthur Luxenberg and Perry Weitz are key names and Weitz is well known for his expertise in settlement negotiations.

Motley Rice LLC has offices in South Carolina, Rhode Island, Louisiana, Connecticut, New York, West Virginia, Washington DC and California. The firm has a *'renowned'* practice in asbestos-related mesothelioma claims and represents victims across the US and Canada. The firm's natural resources damages practice represents state agencies in disaster cases following environmental contamination after the release of oil and other hazardous materials. The 22-attorney environmental team litigates property damage and personal injury claims and the firm continues to be active in childhood lead poisoning cases. Fidelma Fitzpatrick is currently litigating nuclear contamination cases on behalf of Pennsylvania and Tennessee residents who allege that local nuclear facilities exposed them to hazardous levels of toxic or radioactive material in the surrounding air, soil and water. Founding partner, Ronald Motley is an *'excellent'*, experienced trial lawyer in asbestos and tobacco cases.

Richardson, Patrick, Westbrook & Brickman, LLC has continued to focus its practice on groundwater contamination cases involving trichloroethylene (TCE) and benzene vapors. Additionally, in 2012, Jerry Evans and of counsel Gordon Rhea negotiated a settlement on behalf of over 70 former workers exposed to toxic dust generated during the oil refinery process

at the Hovensa Oil Refinery in St Croix, US Virgin Islands. Michael Brickman and J David Butler are recommended for asbestos-related claims.

Litigation • Mass tort and class action:
 plaintiff representation – toxic tort

Dallas-headquartered Baron & Budd PC has built a strong reputation nationwide in toxic tort multi-district litigation, and it has additional offices in Miami,

Los Angeles and Baton Rouge to provide coast-to-coast coverage across the southern US. The firm has several groups that handle toxic tort: the water contamination litigation group, general litigation group and asbestos litigation group. Bruce Steckler serves on the plaintiff's steering committee in *In re Chinese-Manufactured Drywall Products Liability Litigation* in the US District Court for the Eastern District of Louisiana, and in late 2011 a settlement was reached with one of the manufacturers of the defective drywall products. Other matters for the group include its involvement in *In re Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico*, a case in which Scott Summy serves on the plaintiff's executive committee. Summy is also acting as lead counsel in a number of atrazine (groundwater contamination) cases. 'Known name' Russell Budd and Burton LeBlanc are also highly recommended.

Defense lawyers recognize Weitz & Luxenberg PC's 'particularly strong reputation' in this space. It is renowned for asbestos cases and, in June 2011, it achieved a \$22m asbestos verdict against Goodyear Tire and Rubber Co, and Goodyear Canada. The practice also encompasses a wide variety of environmental contamination matters including arsenic, benzene, lead poisoning, water contamination, and vapor intrusion, as well as the *Deepwater Horizon* Gulf oil spill. The firm has offices in New York, New Jersey and Los Angeles,

Litigation • Mass tort and class action:
 plaintiff representation – toxic tort

Baron & Budd PC
 Weitz & Luxenberg PC

1

Motley Rice LLC
 Napoli Bern Ripka, LLP
 Richardson, Patrick, Westbrook & Brickman, LLC

2

Firms are listed A-Z within tiers

and fields a number of strong names including Robert Gordon; of counsel Robin Greenwald, who heads the environmental and toxic tort practice; and associates Frank Ortiz and Lisa Nathanson Busch. Joseph Maher left the firm to set up his own practice.

Motley Rice LLC represents plaintiffs in individual cases, mass tort and class actions. The firm is headquartered in Charleston, South Carolina, and has several other offices. Its expertise includes occupational disease and toxic tort, such as asbestos and mesothelioma, and environmental contamination and lead poisoning cases. It is involved in the *Deepwater Horizon* oil spill litigation and also continues to represent military veterans against defense contractors, alleging injuries caused by prolonged exposure to burn pit emissions on military bases in Iraq and Afghanistan. The group has achieved

successes in cases such as *State of Rhode Island v Lead Industries Association* and *Oklahoma v Tyson Foods*. Firm co-founder Joseph Rice has developed a track record in negotiating settlements with asbestos manufacturers emerging from bankruptcy. Name partner Ronald Motley, Anne McGinness Kearse, and John Herrick are also recommended.

Napoli Bern Ripka, LLP has a nationally recognized practice, which is reflected in it having offices across the country, including New York, New Jersey, Philadelphia (Pennsylvania), Coconut Grove (Florida), El Segundo (California) and Edwardsville (Illinois). Paul Napoli has been instrumental in a number of successes, including the settlement in *In re World Trade Center Disaster Site Litigation*, in which Napoli had been appointed plaintiff's liaison counsel, and in *In re MTBE (Methyl Tertiary Butyl Ether) Products*

Leading lawyers

Russel Budd Baron & Budd PC
 Robert Gordon Weitz & Luxenberg PC
 Perry Weitz Weitz & Luxenberg PC

Liability Litigation. In this latter case, Napoli helped to obtain a \$50m-plus settlement with ExxonMobil and other defendants for numerous municipalities and water districts whose drinking water sources were contaminated. The group is also recognized nationally for its strength in plaintiff representation in personal injury and medical malpractice cases. Marc Bern is also recommended.

Richardson, Patrick, Westbrook & Brickman, LLC has expertise in complex dispute resolution across a variety of areas, including toxic torts such as those arising from environmental issues or asbestos, among others. It continues to concentrate on groundwater contamination cases involving vapor intrusion of trichloroethylene (TCE) and benzene into households. Jerry Evans and Gordon Rhea are experts in toxic exposure lawsuits. Michael Brickman is also recommended.

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**MASS TORT AND CLASS ACTION: PLAINTIFF REPRESENTATION
– TOXIC TORT**

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Richardson, Patrick, Westbrook & Brickman, LLC

LEADING LAWYERS

Russell Budd Baron & Budd PC
Robert Gordon Weitz & Luxenberg PC
Perry Weitz Weitz & Luxenberg PC

Baron & Budd PC has four offices across Texas, Louisiana and California and acts for clients nationwide; mandates typically include cases relating to asbestos, groundwater contamination, Chinese drywall, and Proposition 65. Scott Summy, heads the firm's specialist water contamination team, which is a popular choice among public water providers and school districts owing to its '*particular expertise*'; it is currently representing over 30 water providers in atrazine litigation and is co-lead counsel in MTBE contamination litigation. In 2013 John Langdoc served as lead counsel in the *Sidney Mabile v Dow Chemical Co* litigation, where the plaintiff was awarded \$5.95m as a result of suffering exposure to asbestos; Steve Baron leads the firm's asbestos litigation team. Russell Budd is also recommended. The attorneys listed are based in Dallas.

The 20 fee-earner team at **Napoli Bern Ripka Shkolnik LLP** operates from offices in New York, Maryland, New Jersey, Illinois, Delaware, Pennsylvania, Florida and California. From the New York office, Paul Napoli and Marc Bern are representing 1500 plaintiffs who were part of the World Trade Center clean-up operation following 9/11 in a case relating to the victim compensation fund. Bern is also representing plaintiffs in a case currently pending in Atlanta, Georgia concerning contamination from a coal-fired plant in the area around Macon. In 2013 Patrick Haines, who is primarily focused on asbestos litigation, joined from [The Lanier Law Firm](#) and senior associate Diane Coffey joined from a government position.

Weitz & Luxenberg PC is active in mesothelioma and environmental pollution claims such as cases involving benzene, water contamination and pesticides. The firm has recently filed litigation against Northrop Grumman Corporation on behalf of Bethpage, New York's water district in a groundwater contamination case. Other recent work includes representing plaintiffs exposed to asbestos while working as steamfitters, plumbers and construction workers; they were awarded

\$190m by the New York Supreme Court. Among the recommended attorneys are of counsel and environmental head Robin Greenwald, who is *'very respected in groundwater litigation'*, co-founder Perry Weitz and the firm's chief trial lawyer Robert Gordon are recommended. Named attorneys are based in the firm's New York office.

Motley Rice LLC *'commands respect'* from its peers. The firm is active in litigation surrounding mesothelioma and asbestos, benzene and burn pits, as well as environmental contamination, natural resources damage and lead poisoning litigation. The firm is spread through the US, with offices in South Carolina, Rhode Island, Louisiana, Connecticut, New York, West Virginia, Washington, DC and California. In 2013 New York-based Fidelma Fitzpatrick served as co-lead trial counsel in *The People of California v Atlantic Richfield Company et al*, where the firm assisted ten Californian cities and counties in litigation brought against lead paint companies for creating a public nuisance by concealing the dangers of lead, amongst other claims. The court awarded over \$1bn in a ruling finalized in January 2014. Co-founder Joseph Rice, who is based in the firm's Mount Pleasant office, is a *'leader in the toxic tort industry'*.

Richardson, Patrick, Westbrook & Brickman, LLC has four offices across South Carolina and Illinois. A mix of individuals, corporations and governments call upon the group for its expertise in areas such as mesothelioma and asbestos, toxic dust, environmental and natural resources damage litigation. It has recently increased its focus on trichloroethylene TCE and benzene groundwater contamination. Jena Borden, Michael Brickman, Charles Patrick, who are all in the firm's Charleston office, and Edward Westbrook, who is in the firm's Mount Pleasant office, are names to note.

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Leading lawyers

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 - Russell Budd - Baron & Budd, P.C.
 - Robert Gordon - Weitz & Luxenberg PC
 - Perry Weitz - Weitz & Luxenberg PC

The Los Angeles-based group at **Baron & Budd, P.C.** continues to represent plaintiffs in a number of high-profile environmental and asbestos lawsuits across the US, including the oil spill in the Gulf of Mexico. Environmental litigation practice head Scott Summy is currently representing a public school district in Massachusetts against Monsanto in a lawsuit alleging the company was aware of the dangers of polychlorinated biphenyls (PCBs) as early as the 1930s but failed to warn of the severe dangers associated with PCBs and their use in common building materials. Laura Baughman and Thomas

Sims are leading the firm's California Proposition 65 litigation team in representing the Environmental Law Foundation (ELF) against numerous food companies in cases involving elevated levels of lead in food products marketed for children and babies. Steve Baron and Russell Budd are other key names.

Marc Bern and Alan Ripka head the team at **Bern Ripka LLP**, following the demerger of Napoli Bern Ripka Shkolnik LLP. The New York-based team is experienced in a wide range of toxic tort litigation, including asbestos exposure and carbon monoxide poisoning. Trial veteran Joseph Cappelli has particular expertise in identifying chemical-related workplace hazards in the rail industry. Edward Marcowitz has extensive experience of representing individuals who were exposed to toxic chemicals in the aftermath of the 9/11 terrorist attacks.

Paul Napoli (who is now of counsel) and Hunter Shkolnik founded **Napoli Shkolnik PLLC** following the demerger of Napoli Bern Ripka Shkolnik LLP. The firm's strong environmental litigation team regularly handles litigation involving oil spills, water contamination, chemical explosions and pesticide use. It is currently representing individuals in high-profile litigation related to the ongoing Flint, Michigan Water Crisis (pertaining to lead in drinking water). New York-based Marie Napoli, Miami-based Louise Caro and Edwardsville-based Patrick Haines are also recommended.

At **Weitz & Luxenberg PC**, of counsel Robin Greenwald was recently appointed to a leadership role in the high-profile federal MDL against Volkswagen alleging that Volkswagen sold consumers diesel vehicles programmed to pass smog tests by cheating, which resulted in significant pollution and the substantial devaluation of the vehicles. Greenwald is also leading the firm in representing 25 families in a lawsuit against Southern California Gas co. (SoCalGas) and Sempra Energy before the Superior Court for the County of Los Angeles following a gas leak at SoCalGas' Aliso Canyon gas storage facility, which exposed residents in the community to noxious odors, gases, chemicals and numerous other pollutants and contaminants. Co-founder Perry Weitz and trial veteran Robert Gordon are also recommended. All partners listed are based in New York.

Motley Rice LLC has an impressive track record in a wide range of asbestos and toxic litigation, including hazardous chemical exposure, burn pit exposure and lead poisoning. Anne Kearse often represents employees diagnosed with mesothelioma following asbestos exposure in the chemicals, electric power generation and construction industries, as well as victims of residential exposure. Led by Jodi Flowers, the firm continues to file claims on behalf of first responders, clean-up workers and residents exposed to toxic chemicals following the 9/11 terrorist attacks. Joseph Rice is one of the lawyers appointed to the plaintiffs' steering committee in the Volkswagen emissions fraud case in the Northern District of California. The team is based in Mount Pleasant.

Richardson, Patrick, Westbrook & Brickman, LLC has extensive experience in handling asbestos and environmental litigation, with particular expertise in representing plaintiffs who have suffered property damage arising from the removal of asbestos from their homes or places of business. Karl Novak has a strong track record of filing claims on behalf of workers who developed cancer and lung disease as a result of asbestos exposure. Environmental experts Jerry Evans and of counsel Gordon Rhea successfully assisted the Virgin Islands with negotiating settlements amounting to over \$125m arising from groundwater contamination caused by oil refineries along the southern coast of St. Croix. Barnwell-based J David Butler, Gregory Lofstead and Charleston-based Michael Brickman are also recommended. All lawyers are based in Mount Pleasant unless otherwise stated.

Simmons Hanly Conroy often represents clients in high-stakes complex litigation across its offices in Illinois, New York, California and Missouri. The highly experienced Jayne Conroy in New York acted as co-chair of the Environmental Testing Committee in the MDL arising from the Deepwater Horizon oil spill in the Gulf of Mexico, which recently concluded with a total national settlement of \$20.9bn. Founder John Simmons, who is based in Chicago, has an impressive track record of obtaining significant verdicts and settlements for plaintiffs in asbestos litigation. Paul Hanly in New York and Michael Angelides in Chicago are also recommended.

Watson, Erin S.

From: Mike Nash <editorial@legal500.com>
Sent: Wednesday, June 03, 2015 7:21 AM
To: Thompson, Laura E.
Subject: The Legal 500 United States 2015 rankings released

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Ms Thompson,

The Legal 500 United States 2015 is now available to view online. You can view the results at <http://www.legal500.com/c/united-states>.

Motley Rice LLC has been recommended in the following practice area:

UNITED STATES

- Litigation - Mass tort and class action: plaintiff representation - toxic tort

3 lawyers are recommended in The Legal 500 United States 2015 editorial (listed below)

UNITED STATES

Litigation - Mass tort and class action - plaintiff representation – toxic tort
- John Herrick
- Joseph Rice
- Robert McConnell

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If you have any questions please do not hesitate to get in contact

Kind regards

Mike Nash
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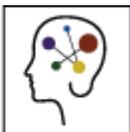
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Baron & Budd, P.C. continues to handle a diverse range of environmental litigation brought against high-profile companies, covering water contamination, PCB and Proposition 65-related cases. Dallas-based environmental litigation head Scott Summy has been acting as co-counsel to the State of Rhode Island in an MTBE groundwater contamination lawsuit brought against nearly three dozen oil companies. Also in Dallas, John Fiske has been leading the representations for the city of Portland in a lawsuit brought against Monsanto before Oregon District Court regarding widespread PCB contamination in various Portland water bodies, including the Willamette River and Columbia Slough. The firm continues to act for plaintiffs in

various litigation, including the Porter Ranch gas leak and Butte Wildfire lawsuits. Co-founder Russell Budd and of counsel Mark Pifko are recommended in the firm's Dallas and Los Angeles offices respectively.

New York-based firm **Napoli Shkolnik PLLC** excels in representing plaintiffs in a broad range of environmental and asbestos litigation, including personal injury and mass tort work. The firm continues to represent a number of plaintiffs in a class action lawsuit concerning the high-profile Flint water crisis in Michigan. It has also been acting for plaintiffs in the Wheatfield lawsuit arising from claims of chemical contamination from the Niagara Sanitation Landfill site. The group has also been acting for military personnel who resided in Camp Lejeune, North Carolina between 1953 and 1987 in a water contamination case. Key partners include Marie Napoli, Hunter Shkolnik and of counsel Paul Napoli.

Weitz & Luxenberg PC specializes in bringing asbestos, water contamination and other environmental lawsuits against members of the oil and gas industry. New York-based of counsel Robin Greenwald, who heads the environmental pollution group, has been leading the team in representing a number of plaintiffs in a class action lawsuit filed in Payne County, Oklahoma concerning claims of fracking-induced earthquakes. In Cherry Hill, Jerry Kristal obtained a \$75m verdict for two plaintiffs in asbestos litigation brought against Dana Companies and Fel-Pro, which were among other defendants that previously settled. Associate Danny Kraft in New York successfully won a \$12.5m verdict brought against Caterpillar on behalf of an individual who developed lung cancer due to asbestos exposure. Key names include co-founder Perry Weitz and of counsel Robert Gordon, both of whom are in New York.

Motley Rice LLC has deep experience acting for plaintiffs in asbestos and toxic exposure cases. The firm has been representing various plaintiffs in long-term asbestos litigation brought against Matson regarding the deaths of three seamen caused by asbestos exposure; in 2016, a Third Circuit appellate panel overturned a 2014 decision to dismiss the lawsuit. Charleston-based associate John Guerry has been representing a former Tennessee senator in asbestos exposure litigation. Notable partners include Jodi Flowers and Joseph Rice, who continues to act for clients on the plaintiffs' steering committee in the high-profile Volkswagen emissions fraud case. All partners are based in Mount Pleasant, South Carolina unless otherwise stated.

Richardson, Patrick, Westbrook & Brickman, LLC's Mount Pleasant-based group often handles class actions and MDLs concerning asbestos and environmental litigation. Christopher Tuck represented a number of homeowners in a class action against Horry Electric following the discovery of mold growing in the plaintiffs' shrink-wrapped homes; in 2016, the defendant's motion to disqualify certain plaintiffs as class members was opposed and the South Carolina Court of Appeals affirmed the terms of the \$6m settlement. The team includes J David Butler in Barnwell, Michael Brickman in Charleston and Gregory Lofstead. Jay Ward is now at McGowan, Hood & Felder, LLC.

[Simmons Hanly Conroy](#) has deep experience handling historical asbestos and chemical exposure cases, as well as oil-related contamination work. New York-based co-head Jayne Conroy is often appointed as a member of plaintiffs' steering committees in high-profile litigation, including the Volkswagen 'clean diesel' MDL. In Alton, Illinois founder John Simmons concentrates on asbestos litigation. The firm is also led by Michael Angelides in Alton and New York-based Paul Hanly, whose experience prior to joining the firm included serving as national trial and settlement counsel to corporations in asbestos litigation. Paul Lesko is now at **Peiffer Rosca Wolf Abdullah Carr & Kane**.



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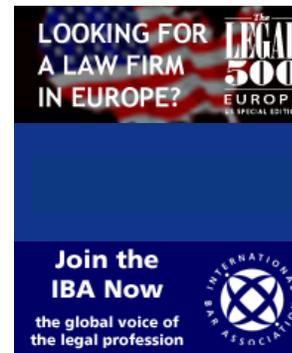
HOW THE LEGAL 500 WORKS

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- How does the research work
- Who uses The Legal 500 and how
- Meet the editors
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THE LEGAL 500 HISTORICAL DATA

Track your firm's progress via our interactive historical rankings data service

THE LEGAL 500 BY COUNTRY

- Afghanistan
- Albania
- Algeria
- Angola
- Argentina
- Armenia
- Australia

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THE LEX 100



The student guide to law

US ROUNDTABLE

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Azerbaijan
Bahamas
Bahrain
Bangladesh
Belarus
Belgium
Benin
Bermuda
Bolivia
Bosnia and Herzegovina
Botswana
Brazil
British Virgin Islands
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Cayman Islands
Chad
Chile
China
Colombia
Congo
Costa Rica
Croatia
Cyprus
Czech Republic
Côte d'Ivoire
Denmark
Dominican Republic
Ecuador
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6-10	15.8%
11-25	20.2%
26-50	12.3%
51-100	10.1%
100+	9.2%

Size of company turnover

\$10bn+	15.9%
\$5.1 – 10.6bn	5.2%
\$1.1 – 5bn	19.4%



GCs from companies with a market capitalization of \$1,223bn share their experiences

\$500 – 999m	10.8%
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- The Legal 500 Paris

Whilst the editorial is independent a profile ensures that the firm is highly visible in The Legal 500. It allows readers to find out everything they need to know about the firm, e.g. all areas in which it is recommended by The Legal 500; the key USPs of the firm; and the depth and quality of the firm/team and individuals. Profiles provide a composite package of online and print visibility.

THE PROFILE PACKAGE CONSISTS OF:

- "The Legal 500 rankings" - Those firms that profile are highlighted in bold within the editorial rankings. This means that clicking on the name links to a firm microsite that highlights all areas in which the firm is ranked.
- "Firm profile" – Those firms that profile benefit from 450 words highlighting your capabilities and expertise.
- "Main contacts" - comprehensive contact details including key contacts.
- "Lawyer profiles" - online biographies for ALL lawyers.
- Link from www.legal500.com to your firm's website
- Social media campaign at (e.g. Twitter, LinkedIn address)

The microsite allows firms to provide clients with a complete picture of their expertise through additional tabs, eg:

- Diversity
- Pro bono
- Sector and practice area
- Blogs
- Multimedia
- Press releases
- Thought leadership articles

Banners, **press releases**, **thought leadership articles** and **firms in the spotlight** are additional opportunities to differentiate your firm from peers and provide your firm further exposure at www.legal500.com

To maximize exposure and develop your business through The Legal 500 portfolio please contact a member of **The Legal 500 team**.

Alternatively please contact Head of Sales Amy McDermott (amy.mcdermott@legal500.com +44 207 396 5648) to learn more about marketing your firm.



[United States](#) > Dispute resolution > Product liability, mass tort and class action: toxic tort - plaintiff > Law firm and leading lawyer rankings

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Leading lawyers

1. 1
 - o Russell Budd - Baron & Budd, P.C.
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Trusted Advisor - with Finnegan



IP specialist Finnegan detail how their collaborative approach makes for a unique culture which is designed to allow them to work with clients in a way which is cognizant of the challenges facing all companies today.

Texas-based **Baron & Budd, P.C.** regularly takes lead roles in high-profile toxic tort lawsuits, arising from catastrophes, environmental pollution and chemical products. Dallas-based Scott Summy heads the environmental litigation department. Led by Summy and John Fiske, also based in Dallas, the team continues to represent a number of cities, including San Diego, Long Beach, Oakland and Portland in lawsuits against Monsanto in relation to the contamination of water with

PCBs. Another highlight includes the ongoing advice to Sonoma County on planned actions against PG&E in connection with its alleged connection to wildfires. Key figures in the department include name partner Russell Budd in Dallas and Mark Pifko in Los Angeles.

Headquartered in New York City, the sizable team at **Napoli Shkolnik PLLC** represents plaintiffs in product liability and mass tort lawsuits arising from accidents, asbestos and environmental contamination. Together with **McDivitt Law Firm**, the firm filed a class action suit in El Paso County, Colorado, in relation to the contamination of drinking water with perfluorinated chemicals. In other work, the team continues to represent several plaintiffs in the Flint Water Crisis class action. The firm is jointly headed by Marie Napoli, Hunter Shkolnik and Paul Napoli.

Weitz & Luxenberg PC covers the full array of sector-related plaintiff-side work, including lawsuits related to environmental pollution, catastrophes and chemical products. In one recent highlight, the team obtained a \$20m verdict on behalf of plaintiffs in a lawsuit involving claims that a ship repairman developed malignant mesothelioma due to exposure of asbestos-containing equipment manufactured by Crane. Led by of counsel Robin Greenwald, the team continues to represent plaintiffs in personal injury lawsuits against Monsanto, in relation to its allegedly toxic herbicide Roundup. Of counsel Robert Gordon and Perry Weitz are other key figures. All named partners are based in New York.

Motley Rice LLC has vast experience representing plaintiffs in product liability lawsuits, class actions and mass torts. Anne Kearse and John Herrick handle asbestos exposure-related litigation; together with Fidelma Fitzpatrick in Providence, Rhode Island, Kearse also heads the toxic exposure subgroup, that handles lawsuits arising from oil spills, chemicals, radiation, asbestos and silica exposure. Joseph Rice and Jodi Flowers are other key figures. All partners are based in Mount Pleasant, South Carolina unless otherwise indicated.

Richardson, Patrick, Westbrook & Brickman, LLC handles plaintiff-side work related to asbestos and mesothelioma lawsuits, environmental and natural resource damage, catastrophes and accidents. Aaron Dias, Jerry Evans, Gordon Rhea and Edward Westbrook are the primary contacts in the firm's environmental practice. The department is headquartered in Mount Pleasant, South Carolina, where all named partners are based.

Simmons Hanly Conroy's mass torts practice is jointly headed by [Paul Hanly](#) and [Jayne Conroy](#) in New York, and [John Simmons](#) and [Michael Angelides](#) in Alton, Illinois. Key features of the practice include handling cases related to mesothelioma and asbestos, toxic products and environmental contamination. Led by New York-based Daniel Blouin, the team recently won a \$4.6m award for a plaintiff who contracted mesothelioma due to exposure to asbestos-containing workplace equipment. In other work, Conroy continues to serve on the steering committee for class action lawsuits brought against Syngenta Corn, in relation to its genetically modified corn.



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THE LEX 100



The University of Law
Leading the College of Law

The student guide to law

US ROUNDTABLE



GCs from companies with a

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Bahrain
Bangladesh
Belarus
Belgium
Benin
Bermuda
Bolivia
Bosnia and Herzegovina
Botswana
Brazil
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Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Cayman Islands
Chad
Chile
China
Colombia
Congo
Costa Rica
Croatia
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Czech Republic
Côte d'Ivoire
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Whilst the editorial is independent a profile ensures that the firm is highly visible in The Legal 500. It allows readers to find out everything they need to know about the firm, e.g. all areas in which it is recommended by The Legal 500; the key USPs of the firm; and the depth and quality of the firm/team and individuals. Profiles provide a composite package of online and print visibility.

THE PROFILE PACKAGE CONSISTS OF:

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FROM THE EDITOR

The Legal 500 United States 2019 is now online. Please use the left-hand menu to navigate through the practice areas.

The US edition of The Legal 500 is now in its 12th year and, like the other established editions of the guide, is relied upon by millions of buyers of legal services worldwide when they need to instruct outside counsel.

The basis for inclusion

Our team of experienced researchers – which includes both qualified journalists and lawyers – spend several months each year conducting in-depth research into the market. The primary source of our information is the law firms themselves, and the information they provide is often not for public consumption. This allows us to properly assess them against one another, practice area by practice area. We also gather feedback from peers and clients to assess their overall visibility and reputation. The process culminates in detailed rankings and editorial, providing buyers of legal services with an objective analysis of the US market that is updated annually.

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Elite approach

We organise each practice area into a single national ranking, eschewing a state-by-state approach. Only a small number of firms in the US have a truly national presence coupled with the capability to handle sophisticated and complex work; these are the ones we choose to highlight here. This is not a game of numbers – indeed many of the firms included are small, single-office firms – but simply a question of quality.

Emphasis on teams, not individuals

With the notable exception of our leading trial lawyers list, we do not rank individual lawyers. We do highlight certain key individuals within the editorial paragraphs, but our principal aim is to provide a snapshot of the market based on our assessment of the overall strength and depth of a practice group.

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Ian Deering
Editor, The Legal 500 United States

Current rankings and information taken from The Legal 500 United States 2019 edition.

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THE LEGAL 500 UNITED STATES

Finance > Commercial lending

THE LEGAL 500 UNITED STATES

Government > Government contracts

THE LEGAL 500 UNITED STATES

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Leading lawyers

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 - Elizabeth Cabraser - Lief Cabraser Heimann & Bernstein, LLP
 - Jayne Conroy - Simmons Hanly Conroy
 - Robert Gordon - Weitz & Luxenberg PC
 - Russ Herman - Herman, Herman & Katz LLC
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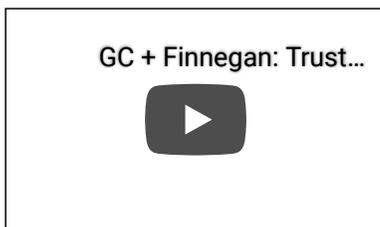
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In a cross-platform collaboration between GC magazine and leading IP law firm Finnegan, key

partners and senior in-house clients explore the challenges for women in assuming leadership roles in the legal profession.





Lieff Cabraser Heimann & Bernstein, LLP is one of the leading addresses in personal injury and product liability lawsuits, and is regularly involved in high-stakes litigation in the automotive, consumer products, pharmaceuticals and medical devices sectors. Jointly led by 'formidable' founding partner Elizabeth Cabraser, Robert Nelson and Lexi Hazam, the team is serving on the plaintiffs' steering committee in the national litigation against Takata Corporation regarding the manufacturing of defective airbags, and is also representing women from across the US, whose ovarian cancer was allegedly caused by the use of Johnson & Johnson's talcum powder products. In addition, the team is defending former professional football players and their spouses in a class action lawsuit seeking damages for the repetitive head traumas suffered during their careers. In New York, Wendy Fleishman acted for the plaintiff's side in the DePuy ASR Hip Implant MDL. Named partners are based in San Francisco unless stated otherwise.

Motley Rice LLC represents plaintiffs in product liability lawsuits, class actions and mass torts across a wide range of areas, including pharmaceuticals and medical devices, automotive and environmental litigation. Notably, founding partner Joseph Rice has been appointed co-lead counsel in the prescription opioid MDL relating to the alleged deceptive marketing of highly addictive prescription painkillers to treat common chronic pain conditions. He is also serving in the plaintiffs' executive committee in the General Motors ignition litigation. Together with John Herrick, toxic tort exposure specialist Anne Kearse is regularly involved in asbestos-related litigation; automotive and aviation group head Mary Schiavo in New York is also recommended. All partners are based in Mount Pleasant, South Carolina unless otherwise indicated.

The Lanier Law Firm has outstanding expertise in pharmaceuticals and medical devices litigation and is regularly involved in product liability, personal injury and medical malpractice claims. In a landmark decision, the team led by the highly regarded Mark Lanier in Houston obtained a \$4.7bn verdict against Johnson & Johnson on behalf of 22 women alleging the use of talc-based products containing asbestos caused them to develop ovarian cancer. In other work, the team is acting as lead trial counsel in a lawsuit against Johnson & Johnson and DePuy relating to defective hip implants, and is also involved in lawsuits regarding opioids, diabetes medication Actos and hernia mesh. Mass tort practice head Richard Meadow in Houston is another name to note.

Headquartered in Dallas, **Baron & Budd, P.C.** is well known for handling high-profile toxic tort lawsuits and for representing plaintiffs in class actions in the automotive sector. Head of the water contamination litigation group Scott Summy is representing several municipalities and the State of Washington in an environmental lawsuit filed against Monsanto alleging contamination of water due to the manufacturing of toxic chemical PCB; he is also serving on the plaintiffs' executive committee in the Gulf oil spill MDL. Los Angeles-based Roland Tellis, who leads the class action practice group, is taking a leading role in Takata airbag litigation, the Volkswagen clean diesel class action and the opioid MDL. Other key figures in the practice are and Russell Budd and Steve Baron, who heads the asbestos and mesothelioma law practice.

Dispute resolution boutique **Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.** in Montgomery provides comprehensive support in product liability and mass tort litigation involving wrongful death, personal injury, and failure to warn claims. Active in the automotive, aviation, consumer products, and medical drugs and devices sectors, the team is serving as co-lead counsel in the talc products MDL against Johnson & Johnson, and is representing the State of Louisiana, the State of Alabama and the State of Georgia in the nationwide opioid litigation. Mass tort group head Andy Birchfield, toxic exposure litigation expert Rhon Jones and Leigh O'Dell are the key members of the practice.

Burg Simpson Eldredge Hersh & Jardine, P.C. has vast experience representing plaintiffs in nationwide product liability litigation related to pharmaceuticals and medical devices, and is also recognized for its mass tort and MDL expertise. In recent highlights, **Janet Abaray** acted as lead counsel in the mass action involving claims that the medication Depakote caused birth defects when taken during pregnancy, and **Seth Katz** is acting for the plaintiffs' executive committee in several testosterone replacement therapy lawsuits filed against AbbVie and Auxilium. In other work, **Peter Burg** is representing the plaintiffs in the Wright Medical MDL alleging that the Conserve hip implant increases the risk of hip failure, while practice head **Michael Burg** is representing plaintiffs injured in the Merrimack Valley Gas Explosion caused by excessive pressure in worn natural gas lines. **Kerry Jardine** and **Meghan Quinlivan** are other key members of the Denver-based firm.

Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A. in Pensacola stands out for its litigation expertise in the pharmaceuticals and medical devices sectors. Jeff Gaddy is acting as counsel for the plaintiff in litigation against manufacturers and distributors of opioids, while Troy Rafferty is representing Jesse Mitchell against AbbVie in a lawsuit alleging misrepresentation of the potential risks of testosterone replacement medication AndroGel. Rafferty is also serving on the plaintiff's executive committee in the Abilify product liability litigation. Founding partner Mike Papantonio is another key contact in the practice.

Seeger Weiss LLP regularly takes lead roles in high-profile toxic tort, consumer products, pharmaceuticals and medical devices lawsuits. In the technology sector, Stephen Weiss represented putative class members in a nationwide lawsuit against Intel claiming that the company's processors suffer from inherent security flaws, while David Buchanan continues to act as lead trial counsel in a pharmaceutical MDL against AbbVie involving testosterone replacement therapy drug AndroGel. Other highlights included Christopher Seeger acting for the plaintiffs as co-lead counsel in the NFL concussion litigation, and the group representing the plaintiff's side in the proton-pump inhibitor MDL and opioid litigation. Parvin Aminolroaya was made partner in January 2018. All named partners are based in New York.

Jointly led by John Simmons and Michael Angelides in Alton, and Paul Hanly and Jayne Conroy in New York, the litigation team at **Simmons Hanly Conroy** handles class actions, MDLs and product liability litigation involving pharmaceuticals, medical devices, environmental and toxic tort claims. Hanly was recently appointed by a federal judge to be co-lead counsel in all federal litigation relating to the marketing of prescription opioid painkillers, Conroy is part of the plaintiff's executive committee of the Volkswagen clean diesel MDL, and Ted Gianaris in Alton is acting in the Roxana litigation filed against Shell Oil and ConocoPhillips following the contamination of groundwater emanating from the Wood River Refinery. Trent Miracle leads the firm's pharmaceuticals team, which recently welcomed Justin Presnal and Luther Simmons from Fisher, Boyd, Johnson & Huguenard LLP and the Third Circuit Judicial Court, respectively. Five lawyers were recently made partner, including environmental expert Jo Anna Pollock.

Leveraging its extensive experience in class actions, **Cohen Milstein Sellers & Toll PLLC** is regularly involved in environmental, automotive and consumer products litigation. Recent highlights include filing a putative nationwide class action against Apple alleging that iOS software operating system updates slow down the

processing on iPhones, acting as co-lead class counsel in a toxic tort lawsuit brought against DuPont and its subsidiary Chemours by North Carolinians alleging exposure to toxic chemicals from water supply, and defending plaintiffs against hardwood flooring retailer Lumber Liquidators in a product liability litigation concerning the presence of carcinogenic chemicals in Chinese-manufactured laminate flooring. Theodore Leopold and Leslie Kroeger in Palm Beach and Andrew Friedman in Washington DC jointly lead the practice group.

Herman, Herman & Katz LLC in New Orleans is especially active in pharmaceuticals, medical devices and toxic tort litigation. The team continues to be part of the plaintiffs' steering committees of the Fosamax and Granuflo MDLs, and also acts as co-lead counsel in the Deepwater Horizon MDL filed against BP relating to the explosion of an oil rig and subsequent oil spill in the Gulf of Mexico. Stephen Herman, Leonard Davis and Russ Herman are the key contacts in the practice group.

Philadelphia-based **Levin Sedran & Berman** specializes in class actions and mass torts as well as personal injury litigation in the pharmaceuticals and medical devices sector. The team continues to act for plaintiffs in the Xarelto MDL alleging that defendants Bayer and Janssen did not properly warn patients and doctors about the risks of uncontrolled bleeding from taking the blood thinning medication. Founding partners Laurence Berman and Arnold Levin are the main contacts in the practice.

Napoli Shkolnik PLLC is headquartered in New York and handles product liability and mass tort lawsuits arising from defective medical devices, asbestos exposure, accidents and environmental contamination. In recent highlights, founding partner Marie Napoli and Nicholas Farnolo were appointed to the plaintiffs' steering committee in litigation involving a defective model of Zimmer hip prosthesis, while Hunter Shkolnik is acting as co-liaison counsel in personal injury, property damage, and wrongful death cases arising from the contamination of Flint's water supply with corrosive lead and bacteria. Paul Napoli is another name to note.

Weitz & Luxenberg PC in New York regularly takes a leading role in high-profile lawsuits in the pharmaceuticals and medical devices sectors, and also has experience of toxic tort matters. Ellen Relkin, who leads the pharmaceuticals and medical devices practice alongside Paul Pennock, is acting for plaintiffs in the DePuy and the Stryker hip implants lawsuits, as well as in the Xarelto and the Invokana product liability litigation. Head of the environmental, toxic tort and consumer protection group Robin Greenwald is acting on the plaintiff's side in the consumer class action against General Motors concerning ignition switch defects that caused catastrophic injuries. Trial lawyer Robert Gordon and founding partner Perry Weitz are other key members of the practice.



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If you have feedback on the Legal 500 series of any kind, please do get in touch with me.

Ian Deering

Editor, The Legal 500 United States

Current rankings and information taken from The Legal 500 United States 2020 edition.

It's an election year in the US, and with the presidency up for grabs there are several potential consequences for the legislative and regulatory landscape that law firms will be keeping an eye on. Regulation and agency enforcement in a few closely watched industries have been relaxed, and in fact, President Trump and the GOP are fairly open about their desire to ease environmental and financial services regulations in particular. However, with the House now controlled by Democrats, Congressional investigations committees have taken a more active role in certain somewhat polarizing industries, and this stance may become the norm at the federal level if the Democrats were to take the White House in 2020.

Looking first at environmental regulation, the President's clear commitment to deregulate was reflected in the submission of the country's intent to withdraw from the Paris Climate Agreement. International implications aside, this decision is particularly controversial given that the process will not be completed until after the 2020 US elections. Domestically, the EPA has abandoned the Obama-era Clean Power Plan in favor of an approach that allows states more autonomy in determining their own rules on carbon emissions. It was also announced in 2019 that the EPA will change the way calculates the health risks of air pollution.

In response to deregulation at the federal level, lawyers have reported a marked increase in state enforcement actions, with California (as expected) being among the most active environmental regulators and enforcers. Moreover, a rise in the area of ESG investing across the board is perhaps an encouraging indication that though the federal government is taking a passive approach to environmental

sector have developed a greater sense of moral responsibility in the preservation of the environment.

One of the areas most affected by the rise in ESG investing is, of course, oil and gas. Although US oil and gas production is close to an all-time high, funding into the sector, at least from the large commercial banks, has been noticeably reduced. As a result, exploration and production companies have had to look elsewhere for capital, and have found private equity investors to be among the most willing participants in the industry. The lack of liquidity in the market has also had an impact on M&A, particularly in the upstream segment. As a caveat, there has been some interest in US E&P stocks, both from foreign investors and private equity. Indeed, lawyers had hinted that, on top of what are fairly deflated public company prices, there is a sense among some investors that these companies are being undervalued, making them all the more attractive for potential investments.

Despite the speculation, however, and despite truly impressive figures for US oil and gas production, energy stocks have still been an outlier in what was otherwise a thriving equity market. Indeed, energy stocks have been among the worst performing stocks over the past decade. Moreover, in the S&P 500 sector weightings, energy has dropped from 15% in 1990 to only 5% in 2019. This performance may seem counter-intuitive in a de-regulated (and de-regulating) industry, encouraged as it may be by a president championing US energy independence; however, there is a clear rationale behind the relatively weak performance in the public market. After all, to say that oil prices are skittish and unpredictable sounds like quite the understatement, bearing in mind the market anomaly that occurred with the WTI in April 2020.

A final point to note in the energy market is the strong performance in the renewables sector over the past year, and actually, over the past two decades. The country's renewables sector has grown remarkably since 2000, and while fossil fuels still account for the largest proportion of energy consumption, according to the Energy Information Administration, in April 2019 the US generated more electricity from renewable sources than coal for the first time ever, with renewable sources providing 23% of US electricity generation during that month, compared with coal's 20%. Further, although President Trump has been vocal about his intention to revitalize the US coal industry, a considerable number of coal-fired plants have been closed over the course of his term. Of course, oil and natural gas remain the primary sources of energy, though there is no doubting which direction the market is heading.

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The bulk of the research took place before Covid-19 hit the US, and although energy has been one of the most volatile areas since the virus phenomenon, in 2019 all eyes remained firmly fixed on international trade, and specifically on its implications for US-China relations. Following allegations by the Trump administration regarding China's currency manipulation, the US Department of the Treasury concluded in its most recent report to Congress that such manipulation had not occurred, but China and nine other trading partners were still added to the Treasury's monitoring list.

In January 2020 a pact was concluded between the two countries, which are looking clearly like trading competitors rather than trading partners. The pact was signed with the aim to ease the escalated tension and relax some of the retaliatory tariffs adopted by both countries; however, certain key issues were left out of the agreement, including those surrounding the countries' rivalry in the telecoms sector, China's subsidy programs, and a number of other tariffs that remained in place. As least for trade, the Covid-19 crisis came with what seemed to be silver linings: in February 2020, China cut tariffs on \$75bn in US goods, while the White House considered lifting further tariffs in seeking economic relief. However, this was followed by President Trump's announcement that new tariffs may be imposed due to China's response to and involvement in the coronavirus outbreak.

All of this means that trade lawyers are likely to remain extremely busy on the trade remedies front. While the US-China trade war seemed to dominate headlines and the agenda of the 45th G7 summit during the past year, the current administration's protectionist approach to trade, coupled with the President's criticism of global governance institutions and multi-lateralism, led to other wide-ranging consequences for the global trade regime. In particular, the dispute settlement system (DSS) of the WTO was paralyzed in December 2019, following the US' refusal to participate in the appointment of new judges to the Appellate Body (AB). Although the US was the most passionate proponent of the establishment of the AB over two decades ago, this barely came as a surprise under the current administration, which essentially left the WTO's top adjudicatory organ with only one acting member. As a result, lawyers who handle issues in the WTO realm are not expected to act in relation to pending AB disputes; however, they are still advising on other stages of the DSS, such as WTO panel proceedings.

As far as any domestic legislative changes are concerned, the Foreign Investment Risk Review Modernization Act of 2018 (FIRRMA) remains a widely discussed topic in the market. The FIRRMA essentially expanded the jurisdiction of the Committee on Foreign Investment in the United States (CFIUS) and subjected new types of transactions to

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national security review. The two final regulations issued by the CFIUS entered into force in February 2020, and broadened its reach to cover certain real estate transactions, among other changes. In this area, general compliance advice and the newly introduced mandatory filing system will continue to generate a stable flow of work for trade law practitioners.

Returning to the theme of deregulation, both federal antitrust enforcement bodies in the US, the Federal Trade Commission (FTC) and the DOJ, are perceived to be increasingly politicized. While the DOJ's Antitrust Division is often reported to be open to settlements, Democratic commissioners at the FTC are rather more proactive, and have asserted the agency's authority in cases where they consider the DOJ to be too lenient. Put simply, the authorities' respective antitrust strategies are often divergent and unpredictable. That aside, the agencies jointly released a draft for revised vertical merger guidelines on January 10, 2020. The announcement serves as a subtle recognition that the current guidelines (which date back to 1984) are unequipped to serve the current market. A clear reminder of that reality was the DOJ's unsuccessful court challenge to AT&T's merger with Time Warner in 2019.

Lawyers have also reported that the corporate investigations and white-collar criminal defense space has remained quieter under the Trump administration, not only in relation to antitrust offenses, but also in the area of financial crime. There is a feeling that the main federal enforcement agencies lack a grand strategy, and as such, enforcement has slowed down. It was hoped that William Barr, who became Attorney General in 2019, would settle the waters at the DOJ; however, many practitioners have lamented his time as AG, and indeed, some feel that his tenure will be stained by partisanship.

There is still, however, a buzz of activity in the market. Federal investigations are still being launched in relation to alleged Foreign Corrupt Practices Act violations, and, reflecting the administration's political priorities, there has been an increase in investigations in the healthcare industry; for instance, those concerning False Claims Act violations and opioids. In this regard, the combined actions of state and federal enforcement agencies and AGs has had implications for lawyers handling product liability litigation. The past year has seen an uptick in cases going to trial – particularly higher exposure cases. This is partly thanks to some extremely large verdicts, most notably in opioid-related cases.

Where federal agencies have quieted down, state attorneys general, including New York's Letitia James, have picked up some of the slack. There has also been an increase of work involving foreign enforcement agencies across Latin America and work

in the white-collar crime and investigations space has demonstrated a continued trend of multi-jurisdictional and multi-agency response.

As previously mentioned, this research cycle does not reflect the market tumult of the first half of 2020. Though there were hints at panic in the Asian equity markets early in 2020, the coverage in this guide reflects the undeniable strength of the US capital markets throughout 2019.

The US corporate bond market bounced back in 2019, following a contraction in 2018 that saw debt value drop by around 19%. Record-low interest rates, combined with a more stable investor climate put the debt market back on track, with investment grade bonds returning 14.2% in 2019 — the best performance since the financial crisis. In the first week of September alone, \$140m worth of new corporate bonds were issued globally, which marked the largest weekly volume on record. Of note, US investment grade issuers were the main contributors to that total, raising roughly \$72bn over 45 deals. The boom lasted well into the end of the year, with AbbVie selling \$30bn worth of bonds in November to support its acquisition of Allergan, which represented the fourth-largest bond deal in history.

High-yield debt markets also made significant recoveries during 2019, after a notably turbulent 2018, which saw high-yield bond issuance plummet by 40% year-on-year. A promising start to 2019 saw US high-yield bonds post their strongest quarterly return since 2009 in the first three months of the year. Moreover, an active fourth quarter sealed a solid annual performance: over the course of 2019 high-yield bond issuance climbed by 50%, reaching the second-highest volume since 2015.

As for equities, the volatile stock market swings that characterized the second half of 2018 led to some initial investor trepidation going into 2019, but lingering fears of trade wars and potential recession were sufficiently subdued early on in the year. Overall, US equity markets surged during 2019 to post the biggest gains from stocks since 2013, driven by low interest rates, a strong economy and a booming technology sector. Among the key market indices, the S&P 500 produced gains of 29%, while the tech-heavy Nasdaq Composite recorded gains of 35%.

The US IPO market also remained strong, with 196 IPOs pricing, largely concentrated in three sectors: special purpose acquisition companies (which accounted for a sizeable 30% of IPOs during 2019); life sciences; and technology. However, equities began to stumble going into 2020 as coronavirus pandemic fears ac

towards the end of February sharp declines wiped out year-to-date gains for the Dow Jones Industrial Average.

Further afield, 2019 was also a strong year for global bonds on the back of low interest rates and increased expectations of a US-China trade deal (see above). Emerging markets performed particularly well, with a resurgent Latin America proving a big draw to investors. On the equity side, global stock markets recorded their best year since the aftermath of the financial crisis. The MSCI World Index, which tracks stocks across 23 developed markets, climbed by nearly 24% during 2019, underpinned by the performances of US technology companies, a resilient Eurozone, and strong Asian markets. That said, fewer foreign private issuers came to US markets. That said, equities and international securities have been extremely volatile following widespread measures to curb the global pandemic, and indeed, global equities are looking vulnerable at the time of writing.

A final note in the securities space, players in the capital markets have been focused on the proposed replacement of LIBOR as a benchmark interest rate. Unlike LIBOR, which was calculated by banks' submitted estimates of how much it would cost them to borrow, the proposed replacement Secured Overnight Financing Rate (SOFR) is calculated based on overnight transactions in the US treasury market. While SOFR is not prone to the manipulation that dogged LIBOR in the wake of the 2008 crash, it also does not feature different time-frames in the same way LIBOR does.

Circling back one more time to contentious (and highly politicized) federal enforcement activity, immigration continues to be a hot topic across the legal landscape. The Trump administration paved the way to uncertainty through its rhetoric relating to reduced business immigration and generally more restrictive policies. Moreover, anxieties in the immigration market have only been exacerbated by the more aggressive application of existing immigration rules. In an already diluted market, firms have been adapting swiftly to the changes and have adopted more creative lawyering and advocacy practices which can be seen in their use of technology.

Looking specifically at the firms in the market, there have been some fairly significant partner moves and firm mergers over the past year. Faegre Baker Daniels completed its merger with Drinker, Biddle & Reath LLP in February 2020, forming Faegre Drinker Biddle & Reath LLP. Another significant expansion, at the time of writing, Troutman Sanders and Pepper Hamilton are less than a month away from their combination, creating Troutman Pepper, which is set to launch on July 1, 2020. There were a

the East Coast corporate and litigation markets, where Freshfields Bruckhaus Deringer and Baker Botts, respectively, have made some major gains. One more move that might grab a reader's attention: Robert Mueller re-joined WilmerHale in 2019, having completed his Special Counsel assignment in the highly publicized investigation into Russian interference in the 2016 US elections.

On a grander scale, for over a decade, law firms have been coming to terms with the fact that a dedicated appellate practice is a necessity rather than a luxury, and indeed, a number of those firms have clearly decided that a good way to establish a well-respected practice is by hiring a well-respected practice leader. 2019 started with the jaw-dropping hire by Paul, Weiss, Rifkind, Wharton & Garrison LLP of Kannon Shanmugam, who chairs the firm's newly opened appellate group. A firm that quickly followed suit was McDermott Will & Emery, which secured the double hire of Michael Kimberly and Paul Hughes after a decade of experience at their prior firm. Then, to kick off 2020, O'Melveny announced the appointment of former Deputy Solicitor General Michael Dreeben, who has a stellar record at the US Supreme Court, and gained recent widespread recognition for defending then Special Counsel Robert Mueller against constitutional challenges relating to the (in)famous Russia election interference investigations.

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UNITED STATES

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PRODUCT LIABILITY, MASS TORT AND CLASS ACTION - PLAINTIFF

- 1** **Lieff Cabraser Heimann & Bernstein, LLP**
Motley Rice LLC
Simmons Hanly Conroy
The Lanier Law Firm

- 2** **Baron & Budd, P.C.**
Beasley, Allen, Crow, Methvin, Portis & Miles,
P.C.
Burg Simpson Eldredge Hersh & Jardine, P.C.
Cohen Milstein Sellers & Toll PLLC

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- 3** Herman, Herman & Katz LLC
 - Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.
 - Levin Sedran & Berman
 - Napoli Shkolnik PLLC
 - Weitz & Luxenberg PC
-

HALL OF FAME

- Russell Budd - Baron & Budd, P.C.
 - Robert Gordon - Weitz & Luxenberg PC
 - Russ Herman - Herman, Herman & Katz LLC
 - Mike Papantonio - Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.
 - Christopher Seeger - Seeger Weiss LLP
 - Perry Weitz - Weitz & Luxenberg PC
-

LEADING INDIVIDUALS: HALL OF FAME

- Andy Birchfield - Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.
 - Michael Burg - **Burg Simpson Eldredge Hersh & Jardine, P.C.**
-

LEADING LAWYERS

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Andrew Friedman - **Cohen Milstein Sellers & Toll**

PLLC

Paul Hanly Jr. - Simmons Hanly Conroy

Seth Katz - **Burg Simpson Eldredge Hersh & Jardine,**

P.C.

Mark Lanier - **The Lanier Law Firm**

Theodore Leopold - **Cohen Milstein Sellers & Toll**

PLLC

Joseph Rice - Motley Rice LLC

Law Firm Directory

Browse all firms with extended profiles for United States

COVERAGE BY EDITION

PRODUCT LIABILITY, MASS TORT AND CLASS ACTION - PLAINTIFF IN UNITED STATES

TIER 1 FIRMS

Lieff Cabraser Heimann & Bernstein, LLP

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also has expertise in individual injury and accident cases, and environmental harm class actions. In particular, the firm has been involved in multiple actions against California utilities concerning 2017 and 2018 wildfires caused by insufficiently maintained electrical equipment. Jointly leading the team from San Francisco are Elizabeth Cabraser, who acts in financial and consumer fraud, competition class actions, injuries from harmful drugs and products, and illegal employment practices; Robert Nelson, whose experience includes mass tort, automotive, aviation, defective product and tobacco; and Lexi Hazam, who represents clients in mass torts cases and qui tam actions. The team has also taken a leading role in the country's highly publicized opioid litigation, acting on behalf of a number of cities, counties, Native American tribes and health organizations.

Practice head(s): Elizabeth Cabraser; Robert Nelson; Lexi Hazam

Other key lawyers:

Paulina do Amaral; Sarah London; Mark Chalos; Wendy Fleishman; Steven Fineman

Key clients

- Cities, counties, municipalities, and Native American tribes and health organizations injured by opioid drug epidemic.
- Aliona Brichkov, Tonatiuh Franco, and Tamara McMullan on behalf of minor child "K.B." after injuries following use of JUUL electronic cigarettes
- University of Southern California female students who were abused by gynecologist George Tyndall, M.D.
- Individuals suffering from improperly manufactured HIV pharmaceuticals
- Nationwide class of drivers and passengers injured by malfunctioning airbags.
- Victims of the 2017 Northern California Wildfires
- Victims of the 2017 Southern California fires and Montecito mudslides

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in San Francisco in 2018.

The estate of Ernest Francis “Ernie” Foss, killed in the November 2018 Camp Fire

Students who attended The Hotchkiss School and experienced abuse

Abuse victims of Dr. Patrick Sutton and Huntington Hospital

Work highlights

- Serves on the Plaintiffs’ Steering Committee in the national litigation against Takata Corporation. Nearly 34 million vehicles, mostly manufactured prior to 2009, have been recalled worldwide due to defective and dangerous airbags manufactured by Japanese-based Takata Corporation that can explode in an accident, shooting metal casing debris towards drivers and passengers.
- Filed five separate injury and fraud lawsuits on behalf of teenagers from California and Illinois against JUUL Labs, Inc. in Federal and State Courts in California in September of 2019. The suits bring claims for a variety of lung and cardiovascular injuries as well as common claims for strict products liability, design defects, failure to warn, negligence, failure to recall, fraudulent concealment, intentional misrepresentation, and violations of California Unfair Competition Laws as well as violations of the California Consumer Legal Remedies Act.
- Announced that a \$215 million settlement had been reached in the class action lawsuit filed earlier in 2018 on behalf of thousands of women who were sexually abused, harassed, and molested by gynecologist George Tyndall, M.D. while they were students at the University of Southern California.
- In February 2019, Andrew R. Vara, the Acting United States Trustee for Region 3, appointed an official committee of tort claimants to represent the interests and act on behalf of all persons with tort claims against PG&E, including wildfire victims, in the bankruptcy proceedings. Lief Cabraser represents Angela Foss Loo as a member of the Official Committee of Tort Claimants.
- Represents individuals against pharmaceutical company Gilead Sciences

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stock of existing inferior drugs.

Motley Rice LLC

Plaintiff firm Motley Rice LLC is experienced in cases relating to asbestos, medical devices and pharmaceuticals, consumer fraud, automotives liability and environmental incidents. The key figure in this space is founding partner Joseph Rice, who is based in Mount Pleasant, South Carolina.

Other key lawyers: Joseph Rice

Simmons Hanly Conroy

Simmons Hanly Conroy has experience in mass tort, multi-district product liability and sexual abuse matters, but is particularly well known for asbestos product liability cases and opioid litigation. The team is co-led by expert trial lawyer John Simmons; New York-based Paul Hanly Jr, who focuses on mass tort and other complex civil cases; product liability specialist Jayne Conroy, also in New York; Trent Miracle, who leads the pharmaceutical litigation group; and Perry Browder, who heads the firm's asbestos department. The team's strength-in-depth was further boosted by the 2019 arrivals of asbestos experts Jennifer Alesio and Donald Blydenburgh, who joined in San Francisco and New York from Brayton Purchase LLP and Levy Konigsberg, respectively; and also by the arrival of Jason Barnes, who joined from the Missouri General Assembly in 2018. In a standout matter, the firm is acting for plaintiffs seeking reimbursement as part of the National Prescription Opiates MDL, which spans 34,000 US cities and counties. Named attorneys are based in Alton, Illinois unless otherwise stated.

Practice head(s):

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Testimonials

'The group was so experienced in dealing with mesothelioma'

'Any question we had was answered in detail'

'It was obvious they were well informed with a long history of case experience'

Key clients

Arthur Putt, Norris Morgan, J. Walter Twidwell, Thomas McGlynn, the family of Pietro Macaluso and hundreds more individuals and their families in product liability litigation related to asbestos

New York City in prescription opioid litigation

Cook County, IL in prescription opioid litigation

Consolidated litigation on behalf of New York City and NY counties against opioid manufacturers for their role in causing the opioid epidemic, on-going in New York Supreme Court

More than 200 counties, cities and unions harmed by the opioid epidemic who have joined the

Prescription Opioid MDL based in Ohio

St. Louis County, MO in prescription opioid litigation

More than two-thirds of Wisconsin counties in prescription opioid litigation

Thousands of clients injured by dangerous drugs and medical devices in pharmaceutical product liability litigation, including Transvaginal Mesh MDL, Testosterone Replacement Therapy, Actos, Yaz and more

More than 100 famers nationwide in the Syngenta MIR 162 Corn MDL

Owners of Volkswagen vehicles recalled as a result of the emissions scandal

Work highlights

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- Secured a \$34m verdict against Ford Motor Co. on behalf of Aurthur Putt, a former auto mechanic who developed mesothelioma after being exposed to asbestos as an auto mechanic.
- As part of the Depuy Pinnacle MDL, the firm has secured nearly \$1bn in verdicts on behalf of plaintiffs who have suffered serious injuries from metal-on-metal hip replacements manufactured by Johnson & Johnson.
- As part of the Testosterone Replacement MDL, Simmons Hanly Conroy has secured more than \$300m in verdicts on behalf of hundreds of men injured by TRT.
- The firm secured a \$30m verdict on behalf of Norris and Lori Morgan against J-M Manufacturing Company.

The Lanier Law Firm

The Lanier Law Firm represents plaintiffs in a range of product liability matters, with particular expertise in asbestos exposure, mesothelioma, medical malpractice and pharmaceutical liability litigations. Mark Lanier in Houston is the key contact at the firm.

Other key lawyers: Mark Lanier

TIER 2 FIRMS

Baron & Budd, P.C.

Baron & Budd, P.C. has represented plaintiffs in class actions across the US, including the high-profile opioid litigation. The firm has a particularly strong track record in toxic tort and asbestos claims, as well as in pharmaceuticals and

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Other key lawyers: Russell Budd

Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. acts in mass tort and class action matters for plaintiffs. The firm's areas of expertise include automotive, consumer products, pharmaceuticals and medical devices. Andy Birchfield heads the mass tort group from Montgomery.

Other key lawyers: Andy Birchfield

Burg Simpson Eldredge Hersh & Jardine, P.C.

Multi-district litigation specialist **Burg Simpson Eldredge Hersh & Jardine, P.C.** is well regarded for mass tort cases, particularly in relation to dangerous pharmaceutical products and medical devices. Founding shareholder Michael Burg jointly leads the practice with Seth Katz. Both are based in Denver.

Practice head(s): Michael Burg; Seth Katz

Cohen Milstein Sellers & Toll PLLC

Cohen Milstein Sellers & Toll PLLC is experienced in personal tort issues nationally and internationally. In particular, the firm has core strengths in representing consumers in environmental mass torts and product liability class actions, as well as in novel cases relating to data breach and guardrail safety. The practice group also is also rated for its personal injury work, including matters related to insurance fraud of injured persons. Florida-based mass tort specialist

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privacy breaches.

Practice head(s): Theodore Leopold; Leslie Kroeger; Andrew Friedman

Testimonials

'The sophistication of their team stands out from others'

'They have significant experience in these areas and the resources to handle anything'

'They are willing to fight hard for their clients, but they are also practical and good to deal with'

+ More
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Seeger Weiss LLP

Seeger Weiss LLP has acted for consumer classes, injured persons, defrauded investors and corporate whistleblowers in individual, mass tort, class action and qui tam litigation across the country. New York-based Christopher Seeger is particularly well known for multi-district litigation and class actions involving prescription drugs, toxic tort and personal injury.

Other key lawyers: Christopher Seeger

TIER 3 FIRMS

Herman. Herman & Katz LLC

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toxic tort litigation. Senior partner Russ Herman in New Orleans also has experience in complex maritime litigation, and also maintains an active appellate practice.

Other key lawyers: Russ Herman

Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.

Pensacola-based Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A. specializes in representing plaintiffs in a range of matters related to prescription drugs, medical devices, defective products, and various other claims involving personal injury. Founding partner Mike Papantonio has a reputation for handling mass tort cases.

Other key lawyers: Mike Papantonio

Levin Sedran & Berman

Specializing in class actions and mass torts, Levin Sedran & Berman is known for handling pharmaceutical and medical device lawsuits, as well as consumer products liability and personal injury litigation. Contacts in the team include founding partners Laurence Berman and Arnold Levin in Philadelphia.

Other key lawyers: Laurence Berman; Arnold Levin

Napoli Shkolnik PLLC

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York-based founding partners Marie Napoli and Hunter Shkolnik are contacts at the firm.

Other key lawyers: Marie Napoli; Hunter Shkolnik

Weitz & Luxenberg PC

New York-based Weitz & Luxenberg PC has a strong track record in asbestos exposure, pharmaceutical and medical devices litigation, as well as in toxic torts and environmental matters. Co-founding partners Robert Gordon and Perry Weitz are the key figures at the firm..

Other key lawyers: Perry Weitz; Robert Gordon

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PRODUCT LIABILITY, MASS TORT AND CLASS ACTION - PLAINTIFF

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Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

Burg Simpson Eldredge Hersh & Jardine, P.C.

Seeger Weiss LLP

The Lanier Law Firm 🌐

3 DiCello Levitt Gutzler LLC

Grant & Eisenhofer P.A.

Herman, Herman & Katz LLC

Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.

Napoli Shkolnik PLLC

Weitz & Luxenberg PC

HALL OF FAME

Andy Birchfield-Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

Russell Budd-Baron & Budd, P.C.

Michael Burg-**Burg Simpson Eldredge Hersh & Jardine, P.C.**

Robert Gordon-Weitz & Luxenberg PC

Russ Herman-Herman, Herman & Katz LLC

Mike Papantonio-Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.

Christopher Seeger-Seeger Weiss LLP

Perry Weitz-Weitz & Luxenberg PC

LEADING LAWYERS

Elizabeth Cabraser - **Lieff Cabraser Heimann & Bernstein, LLP**

Jayne Conroy-Simmons Hanly Conroy

Andrew Friedman-**Cohen Milstein Sellers & Toll PLLC**

Paul Hanly Jr.-Simmons Hanly Conroy

Seth Katz-**Burg Simpson Eldredge Hersh & Jardine, P.C.**

Mark Lanier-**The Lanier Law Firm** 

Theodore Leopold-**Cohen Milstein Sellers & Toll PLLC**

Joseph Rice-Motley Rice LLC

NEXT GENERATION PARTNERS

Amy Keller-DiCello Levitt Gutzler LLC

Annika Martin - **Lieff Cabraser Heimann & Bernstein, LLP**

COVERAGE BY EDITION

PRODUCT LIABILITY, MASS TORT AND CLASS ACTION - PLAINTIFF IN UNITED STATES

TIER 1 FIRMS

Cohen Milstein Sellers & Toll PLLC

With a depth of experience in environmental mass torts, personal data theft, consumer false advertising, wrongful death, property damage, and automotive and highway safety, **Cohen Milstein Sellers & Toll PLLC** has represented plaintiffs in several high-profile matters. Most recently the team's involvement, led by renowned Washington D.C.-based practice head Theodore Leopold, in the Flint Water case resulted in a monumental settlement. The firm also has strengths in the field of data breaches and consumer security, evidenced by its recent success in a class action led by Washington D.C.-based co-head Andrew Friedman against Equifax. Leslie Kroeger in Florida also heads the practice, focusing on product liability, wrongful death and managed care abuse allegations.

Practice head(s): Leslie Kroeger; Theodore Leopold; Andrew Friedman

Lieff Cabraser Heimann & Bernstein, LLP

Litigating a variety of cases related to negligent conduct and defective products **Lieff Cabraser Heimann & Bernstein, LLP**, a 100-attorney-strong firm, has been part of some of the most significant civil cases in the country in the past 25 years. In a matter against PG&E representing California wildfire victims, San Francisco-based Elizabeth Cabraser and Lexi Hazam reached a settlement of historic proportions. Other recent successes include a favorable conclusion of a mass tort against an automotive company, led by New York-based David Stellings and a mass tort victory lead by New York-based Jonathan Selbin and Annika Martin on behalf of thousands of victims of sexual abuse. San Francisco-based Robert Nelson draws o

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ange

of issues and has acted for plaintiffs in numerous class actions. March 2020 saw the extension of the firm's reach with the opening of its first international office in Munich.

Practice head(s): Elizabeth Cabraser; Robert Nelson; Lexi Hazam

Other key lawyers:

David Stellings; Annika Martin; Jonathan Selbin; Sarah London; Mark Chalos

Work highlights

- Individual and class lawsuits against California utility giant PG&E for losses relating to the devastating October 2017 North Bay Fires and 2018 Camp Fire; participated in negotiations with PG&E culminating in an historic settlement (approximately \$13.5 billion trust) on behalf of fire victims.
- Individual lawsuits seeking justice from the manufacturers, distributors and dispensers of prescription opioid drugs for the unprecedented destructive opioid epidemic raging across the U.S.
- Groundbreaking 18,000-student-victim sexual abuse case against USC and Dr. George Tyndall regarding 20+ years of abusive gynecological conduct; landmark \$215-million settlement negotiated in part by the firm. Affecting thousands of women directly and millions more through its outcome, validations, and precedent, the Tyndall case has had a nationwide impact, a domino case for women taking back their agency and gaining long-deferred justice.

Motley Rice LLC

Motley Rice LLC represents a diverse list of clients in a growing variety of complex civil litigation matters both nationally and internationally with the experienced team routinely handling large and high-profile class actions and MDLs. The firm specializes in medical drugs and devices, product recalls, vehicle defects and other hazardous products, including tobacco and opioid misuse. In addition it is active in environmental matters, in a recent highlight Mount Pleasant-based firm co-founder Joseph Rice led a team that was involved in reaching a vital settlement in the landmark Flint water crisis. Nationally recognized plaintiff lawyer Fidelma Fitzpatrick in Rhode Island and New York

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has recently achieved a significant settlement in a medical device matter. Daniel Lapinski, based in New Jersey, is another name to note in the firm.

Practice head(s):

Joseph Rice; Fred Thompson; Donald Migliori; Anne McGinness Kearse; John Herrick; Michael Elsner; Kevin Dean; John Baden; Linda Singer; Fidelma Fitzpatrick; Kimberly Barone Baden; Daniel Lapinski; Esther Berezofsky

Work highlights

- Lead counsel for thousands of women who suffered severe effects caused by Essure permanent birth control.
- Serving as co-lead counsel and a member of the Plaintiffs' Executive Committee for the National Prescription Opiate MDL, comprised of claims filed by more than 2,800 cities counties towns and other jurisdictions impacted by the opioid crisis.
- Serving on the Plaintiffs' Executive Committee as class counsel for residents exposed to lead contaminated water.

Simmons Hanly Conroy

With extensive experience in mass tort, multi-district product liability and sexual abuse matters, Simmons Hanly Conroy has in recent years reached beyond its previous successes in asbestos product liability cases and opioid litigation to become an all-round force in the US legal sphere. At the helm of the practice is Alton Illinois-based expert trial lawyer John Simmons together with civil trial lawyer and mass tort specialist Paul Hanly Jr and product liability and pharmaceutical specialist Jayne Conroy, both based in New York. In the Alton office Trent Miracle is head of the pharmaceutical litigation department, which has been involved in high-profile nationwide matters and Perry Browder leads the firm's strong asbestos department.

Practice head(s):

John Simmons; Paul Hanly Jr.; Jayne Conroy; Trent Miracle; Perry Browder

Other key lawyers: Jennifer Alesio; Jason Barnes; Donald Blydenburgh

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TIER 2 FIRMS ^

Baron & Budd, P.C.

National plaintiff firm Baron & Budd, P.C. , which can draw on over four decades of experience in this space, is known across the the country for its impressive successes in litigation surrounding environmental damages, asbestos exposure, and dangerous drugs and medical devices among others. The firm has experience of taking on litigation that spans decades, as well as large class actions. Leading the firm is Dallas-based firm president and managing shareholder Russell Budd.

Practice head(s): Russell Budd

Beasley, Allen, Crow, Methvin, Portis & Miles, P.C.

The mass tort and class action specialists at Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. have been and continue to be involved in some of the most high-profile cases in the country including litigation surrounding water contamination and asbestos exposure. The firm's expertise also extends to product liability matters in the automotive, consumer products and pharmaceutical space. Montgomery-based Andy Birchfield heads the firm's mass tort section as well as specializing in drug and medical device litigation.

Practice head(s): Andy Birchfield

Burg Simpson Eldredge Hersh & Jardine, P.C.

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Known for their expertise in mass torts and multi-district litigation the lawyers at **Burg Simpson Eldredge Hersh & Jardine, P.C.** have continued to provide nationwide legal representation to clients in a wide scope of matters. The team represents plaintiffs in claims relating to dangerous pharmaceutical products, and medical devices as well as in catastrophic personal injury and wrongful death claims. The successes and trial experience of Denver-based Michael Burg and Seth Katz have made the firm a formidable force.

Practice head(s): Michael Burg; Seth Katz

Seeger Weiss LLP

Operating in a multitude of areas, Seeger Weiss LLP has gained significant results around the US for its work with consumer classes, defrauded investors, corporate whistleblowers and qui tam litigation, mass torts and class action cases. This has included most recently concussion cases relating to the NFL. Founding partner Christopher Seeger is based in New York. He is renowned nationwide for his expertise in multi-district litigation and class actions involving prescription drugs, toxic tort and personal injury. The firm has also moved further into the environmental sphere with the recent opening of an environmental practice in Massachusetts.

Other key lawyers: Christopher Seeger

The Lanier Law Firm

With over 60 attorneys in offices in Houston, New York and Los Angeles **The Lanier**

Law Firm represents its plaintiff clients across the country in a number of product liability matters, drawing on experience in matters relating to asbestos exposure, mesothelioma, medical mal

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ation

and personal injury. Houston-based Mark Lanier is the leading figure at the firm and has achieved several very successful verdicts in high-profile matters. The firm's appellate practice plays a key role in its litigation strategy.

Other key lawyers: Mark Lanier

TIER 3 FIRMS

DiCello Levitt Gutzler LLC

With Chicago-based veteran litigator Adam Levitt and mass tort specialist Marc DiCello in Mentor at the helm, DiCello Levitt Gutzler LLC is a noteworthy firm for its variety of focus areas, including personal class actions and automotive claims. Most recently Levitt and Chicago-based lawyers John Tangren and Amy Keller, a name to note, have reached a substantial settlement in litigation against Navistar. The firm also handles work for various state attorneys general as well as acting for municipalities, and the interests of states in *qui tam* cases. The team has grown with two new hires from the United States Department of Justice; Frank Amanat joined in August 2020 and Bruce Bernstein in September 2020.

Practice head(s): Adam Levitt; Marc DiCello

Other key lawyers: John Tangren; Amy Keller

Key clients

State of New Mexico, Office of the Attorney General

State of Illinois

Norwegian Air Shuttle ASA

Arctic Aviation Assets DAC

State of Michigan

Work highlights

- Served as co-lead counsel in the high-profile class action litigation against Navistar arising out of the exhaust gas recirculation (EGR) setups the company used on its previous MaxxForce 11-liter and 13-liter diesel engines at

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landmark settlement in the automobile industry. The firm helped a class of truck consumers reach a \$135 million settlement to end multidistrict litigation in Illinois federal court alleging the company knowingly sold defective diesel engines. Per the settlement, class members were able to choose a “no questions asked” cash payment of up to \$2,500 per truck; a \$10,000 rebate off of the best negotiated purchase price of a new truck; or provable out-of-pocket costs up to \$15,000 per truck related to the EGR setup.

- One of the firm’s lawyers served as co-lead counsel in the massive Equifax data breach MDL. The litigation stemmed from Equifax’s insufficient and allegedly negligent cybersecurity practices that led to the exposure of names, birth dates, social security numbers, and other sensitive personal information. Played a pivotal role in securing the latest settlement in a data breach to date, including a cash fund of up to \$505 million, and a commitment from Equifax to invest \$1 billion in security changes. Equifax also had to guarantee that it would cover credit monitoring for each and every single class member who wanted it—which could result in the credit monitoring company paying more than \$3 billion in damages under the settlement.

Grant & Eisenhofer P.A.

With a focus on complex pharmaceutical and medical device litigation Grant & Eisenhofer P.A., led by San Francisco based '*practical plaintiffs*' lawyer' Elizabeth Graham , is well equipped for state court coordinated proceedings and multidistrict litigation matters. The firm has been involved in some of the most high-profile matters in the country such as litigation surrounding the birth control device Essure.

Wilmington-based Adam Gomez specializes in complex pharmaceutical medical device and environmental disputes. Sindhu Daniel, a lawyer with 20 years of experience in this space, joined the firm from Baron & Budd in September 2020.

Practice head(s): Elizabeth Graham

Other key lawyers: Adam Gomez; Sindhu Daniel

Testimonials

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'This firm is very good at resolving cases in a practical way and understanding what their opponents need to find ways to settle.'

'Beth Graham is one of the most practical plaintiffs' lawyers with whom I have settled cases. She represents her clients very well, but she understands how to negotiate and structure agreements in a way that maximizes the chances of achieving resolution.'

Work highlights

- Served as one of the four lead firms in negotiating the terms of an overall \$1.6 billion Essure settlement achieved for thousands of women, including the almost 2,000 clients represented by G&E.
- Representing members of the HIV community injured by Gilead Sciences, Inc.'s negligent design of tenofovir-based antiretroviral medications.
- Representing victims of the Paradise, California Camp Fire—the deadliest in the state's history—where plaintiffs allege that fires were sparked by aging, unsafe electrical infrastructure maintained by Pacific Gas & Electric.

Herman, Herman & Katz LLC

The New Orleans-based personal injury specialists at Herman, Herman & Katz LLC offer their services to clients with claims related to brain and burn injuries, wrongful death, medical malpractice, dangerous products, as well as car accidents. The team also works on behalf of survivors and their families in cases of church sexual abuse. Also based in New Orleans is senior partner Russ Herman, an experienced litigator who runs an active appellate practice.

Other key lawyers: Russ Herman

Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.

Specializing in a range of matters related to prescription drugs, medical devices, defective products, personal injury and environmental mat [Privacy & Cookies Policy](#) Levin

Papantonio Thomas Mitchell Rafferty & Proctor, P.A. looks back on over 60 years as a plaintiff firm. Award-winning founding partner Mike Papantonio has handled thousands of mass tort cases and numerous trials, earning him a stellar reputation as a plaintiff lawyer.

Other key lawyers: Mike Papantonio

Napoli Shkolnik PLLC

Representing clients in a number of high-profile mass torts and litigations, including matters related to opioids, asbestos exposure, e-cigarettes and 3M earplugs, Napoli Shkolnik PLLC is active across the country with offices from Washington DC to Texas. The firm has also seen nationwide success for workers compensation claims, medical malpractice cases, personal injury claims and arbitration. Based in the New York city principle office are both founding partners Marie Napoli and Hunter Shkolnik.

Other key lawyers: Marie Napoli; Hunter Shkolnik

Weitz & Luxenberg PC

Weitz & Luxenberg PC is a New York-based firm with a focus and depth that spans across a variety of areas ranging from asbestos exposure to pharmaceutical and medical device litigation, as well as toxic tort issues, environmental matters and workers' rights. The firm has grown considerably over the years whilst retaining the original co-founders Robert Gordon and Perry Weitz, who are both indispensable members of the team.

Other key lawyers: Perry Weitz; Robert Gordon

**HOW IT WORKS**

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HOW DOES THE LEGAL 500 RANK FIRMS / SETS

When reviewing the performance of a firm or department we use various criteria; our focus is on the bench strength of the team (including partners and associates), and the consistency of quality of the individuals within the team. Our assessment will be influenced by all the things that make the complete practice in that field. Areas that are considered include (but are not limited to):

- Very strong technical ability available for the most complex and innovative work
- Most prestigious clients
- Individuals with the contacts at, and credibility with, the top clients
- In-depth capability beyond star partners
- Capacity for the biggest transactions/cases
- Market share
- Historical track record on top deals/cases
- Clear investment for the future in a particular practice area
- Progress made with acquiring new clients/ market share
- Strength in associated areas – eg can an M&A department undertake competition work to an equal standard?
- Reputation for handling complex, innovative deals
- Capacity to handle all client requirements in an area – eg in

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- Commitment to IT and the use of IT to improve client services
- Perception in the market.

HOW DOES THE LEGAL 500 RESEARCH WORK?

The client research undertaken for The Legal 500 has two main threads and encompasses both qualitative and quantitative analysis. Each year we write to firms inviting them to provide information on their specialist areas of practice, and requesting specific details of work undertaken in the preceding year (some of which will be confidential and not in the public domain). This approach gives us a standard level and quality of data which, in turn, enables us to benchmark legal services providers with both more precision and more assurance.

We conduct interviews in person or by telephone with specialist attorneys in each subject area – generally the head of department or nominated partner. We also conduct interviews with chief executives, managing and senior partners of law firms, and practice managers. This helps us to obtain a clear picture of the direction the firm is taking and its strategy.

We contact 300,000 clients asking for feedback on the lawyers they instruct. Additionally, our team has regular contact with commerce and industry throughout the year as part of our ongoing research. Although interviewees are often in-house counsel, they are by no means exclusively so; in many cases it is the chief executive or finance director who has strategic responsibility for the buying decision, even where it is the in-house function that may have more day-to-day dealings with the actual providers. We interview investment bankers, commercial bankers and accountants who work regularly with lawyers.

Interviews are based on a standard-form questionnaire. However, supplementary questions and more wide-ranging conversations about both specific law firms and the key issues which inform the purchase of legal services are in fact the norm. This is not least because interviews are conducted by experienced journalists and researchers with a considerable depth of market knowledge. All interviews are non-attributable. Over the course of the year, we also receive numerous unsolicited comments and recommendations from clients.

As well as contacting those clients referred to us by law firms for the purposes of verification of their submissions, we benchmark these findings against a detailed representative sample of the world's leading companies. In particular, we ensure that we have contacted a statistically valid sample of leading clients when ranked either by market cap, by business sector, or by region.

WHO USES THE LEGAL 500 AND HOW?

The Legal 500 falls into two distinct parts: the editorial section and the directory section. The editorial section is a mixture of factual information and commentary. This commentary consists of a general review of which firms do what types of work, and which firms are generally reckoned by their clients and peers to have a 'good name'. The editorial is based largely on the combined opinions of the many corporate counsel and law firm clients who cooperated in the research in each practice area. Accordingly, it is important to appreciate that the editorial lists should not be taken as a definitive statement on law firms, but rather as a starting point for discussion.

All editorial comments and listings are completely independent and no firm has been able to secure its inclusion within the editorial sections through payment.

The directory section is made up of professional cards based on information supplied by the firms and approved by them prior to publication.

The Editorial

The views expressed in the editorial sections represent the opinions of the editors, with no assumption of legal liability or responsibility for mistakes or inaccuracies. The research for the editorial is based on the combined opinions of the many attorneys interviewed in each practice area, commentary from corporate clients and analysis of deals or contentious issues reported. It is important to note that the editorial is therefore a subjective overview, based on systematic research. The tables of recommendations are divided into groups: firms are listed in tiers in order of priority, and alphabetically within tiers. Furthermore, the firms have been sorted alphabetically by using the first name or initial of the firm (ie the last firm listed in a group is as strongly recommended as the first firm listed in that tier).

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The Directory

The directory section contains professional cards placed by firms. These cards have profiles based on information provided by the participating firms. These profiles, having been approved by the firms prior to publication, are completely separate and different from the editorial. The professional cards are designed for use by corporate counsel who want to know more about a firm’s practice.

It is important to appreciate that a firm cannot buy inclusion within the editorial section. In particular, buying a professional card within the directory section is not a way of securing inclusion within the editorial section. Our editorial is wholly independent. Professional cards can be viewed either by using the search function at the top of the page, by clicking on the firm name (which is a hyperlink) within the editorial, or by visiting the “Directory” tab at the top of each page.

Readership Research

The Legal 500’s readership research project spoke to 2,536 GCs via legal500.com, at events such as the Association of Corporate Counsel annual meeting, and through our face to face interviews with in-house departments. The results are as follows:

Industry breakdown

18.2%	Financial services
10.5%	Energy and natural resources
6.3%	Manufacturing
5.2%	Consumer goods
5.1%	Insurance
4.7%	Real estate
3.9%	Transport

Size of department

1-5	32.4%
6-10	15.8%
11-25	20.2%
26-50	12.3%
51-100	10.1%
100+	9.2%

Size of company turnover

\$10bn+	15.9%
\$5.1 – 10.6bn	5.2%
\$1.1 – 5bn	19.4%
\$500 – 999m	10.8%
\$100 – %499m	10.3%
\$50 – 99m	7.8%
Less than \$50m	30.6%

How often do you use the Legal 500?

Daily	3%
Weekly	8%
Monthly	38%
Annually	36%

Have you referred to a legal directory recommendation before instructing a law firm?

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Yes – 69%

Have you used Legal 500 to help choose a law firm to instruct?

Yes – 66%

Have you used Legal 500 to instruct a law firm outside your home jurisdiction?

Yes – 48%

Do you use the Legal 500 for:

Primary research	68%
Validation	32%

Do you prefer Legal 500:

Online	66%
In print	31%
eBook	3%

Purpose of visit to Legal 500 website?

To look up a ranking of a firm I'm considering working with	35%
To look up a ranking of a firm I'm instructing	26%
To look for a firm for a specific piece of work in my jurisdiction	8%
To look for a firm in a jurisdiction outside of my own	19%
To look for a specific lawyer	21%
To look for a specific practice area	14%

How easy is the site to navigate?

Easy – 92%

Have you used other legal directories in the past 12 weeks?

IFLR1000	14%
BestLawyers	7%
Chambers & Partners	64%
Superlawyers	3%
Not used other legal directories	28%

Of the directories you have used, which do you prefer?

The Legal 500	48%
Chambers & Partners	39%
IFLR1000	2%
BestLawyers	2%
Superlawyers	1%

Do you read any of the following on www.legal500.com?

Law firm profiles	77%
Lawyer profiles	74%
Published articles/legal developments	34%
Press releases	31%

HOW TO PROFILE YOUR FIRM IN THE LEGAL 500

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The Legal 500 provides your firm with the perfect platform to promote the expertise and capabilities of your firm to corporate clients and law firms.

Market-leading research guides

There are a number of opportunities available across The Legal 500 portfolio to maximize exposure and develop your business, globally.

Operating globally The Legal 500 Series includes:

- [The Legal 500 Asia Pacific](#)
- [The Legal 500 Canada](#)
- [The Legal 500 Caribbean](#)
- [The Legal 500 Deutschland](#)
- [The Legal 500 Europe, Middle East & Africa](#)
- [The Legal 500 Latin America](#)
- [The Legal 500 Paris](#)
- [The Legal 500 United Kingdom – Solicitors](#)
- [The Legal 500 United Kingdom – The Bar](#)
- [The Legal 500 United States](#)

Whilst the editorial is independent a profile ensures that the firm is highly visible in The Legal 500. It allows readers to find out everything they need to know about the firm, e.g. all areas in which it is recommended by The Legal 500; the key USPs of the firm; and the depth and quality of the firm/team and individuals. Profiles provide a composite package of online and print visibility.

The Profile Package

- “The Legal 500 rankings” – Those firms that profile are highlighted in bold within the editorial rankings. This means that clicking on the name links to a firm microsite that highlights all areas in which the firm is ranked.
- “Firm profile” – Those firms that profile benefit from 450 words highlighting your capabilities and expertise.
- “Main contacts” – comprehensive contact details including [key contacts](#)

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- “Lawyer profiles” – online biographies for ALL lawyers.
- Link from www.legal500.com to your firm’s website
- Social media campaign at (e.g. Twitter, LinkedIn address)

The microsite allows firms to provide clients with a complete picture of their expertise through additional tabs, eg:

- Diversity
- Pro bono
- Sector and practice area
- Blogs
- Multimedia
- Press releases
- Thought leadership articles

Banners, [press releases](#), [thought leadership articles](#) and [firms in the spotlight](#) are additional opportunities to differentiate your firm from peers and provide your firm further exposure at www.legal500.com

To maximize exposure and develop your business through The Legal 500 portfolio please contact a member of [The Legal 500 team](#).

Alternatively please contact Head of Sales Amy McDermott (amy.mcdermott@legal500.com +44 207 396 5648) to learn more about marketing your firm.