COMPOUND AND MEDICAL DEVICE LIABILITY

LeClairRyan has played an important role in many mass tort actions related to compound and medical device liability. We have represented consortiums of professional liability insurers as well as compound and medical device manufacturers and distributors in multidistrict litigation related to pharmaceutical compounds, breast implants, pedicle screws, latex gloves, and the diet-drug combination Fen-Phen, among other products. Our team members have also served as national coordinating counsel for major medical malpractice insurance companies and a leading medical supply distributor.

The approach our Tort Defense team takes in defending compound and medical products claims is the same one we use for all liability defense. We come at it from the perspective of how we would win this case at trial, and what we would need to achieve victory. Such a focus-driven approach allows us to avoid dilutive efforts, such as engaging in fruitless motion practice or deposing every possible individual. Often, this results in lower legal fees and lower indemnity payments for our clients. We embrace a true partnership model in client relationships, working closely with clients to ensure clear communication of their goals and laying out an explicit roadmap of how we intend to achieve them. From start to finish, our focus remains fixed on the end result.

*The special skill sets of mass tort litigation*

LeClairRyan’s team includes attorneys who focus specifically on mass tort litigation and have the special skills needed to pursue these often complicated and challenging cases to a resolution most beneficial to our clients. Representing businesses and individuals in state and federal courts nationwide, we are called on not only for our demonstrated ability in the courtroom, but also for our ability to manage the documentation aspects of mass torts most effectively. Tapping our extensive experience and knowledge in this legal area, we have developed and implemented proven processes to handle the daunting task of document management that mass torts often entail. Using these processes, we have successfully managed legal databases for cases involving latex, breast implants, Fen-Phen and numerous other mass tort claims. We have extensive experience managing and coordinating counsel around the country efficiently and effectively.

*Representative engagements:*

- Represented pharmaceutical company in defense of state and federal product liability cases involving various drugs.
- Serve as national coordinating counsel for several medical devices manufacturers, handling more than 1,100 claims to dismissal, settlement or trial in courts across the nation.
- Represent pharmaceutical company in numerous products liability personal injury and wrongful death cases involving generic medications.
- Serve as national counsel for an ophthalmic medical device maker, handling several hundred cases to conclusion. Almost all the plaintiffs in those cases required corneal transplants or lost their vision.
- Represent pharmaceutical company in a personal injury case involving an antibiotic.
- Represent a pharmaceutical company in a wrongful death case involving generic medication.
- Served as national trial counsel for pharmaceutical company in litigation involving intrauterine birth control device.
- Represented a medical device manufacturer in a five-week trial of products liability claims for a design defect and breach of warranty concerning an instrument used to introduce a heart surgery catheter. The patient sustained an air embolism leading to a persistent vegetative state condition when the device allegedly separated in the ICU. The product was found “not defective” after a multimillion-dollar settlement during trial by codefendant hospital, doctors, and ICU nurses.
- Obtained defense verdict in a matter in which the plaintiff claimed a 69-year-old man died of liver failure from alleged toxicity from cholesterol medication. Defendant did not order liver function testing as recommended by the medication package insert.
- Represented pharmaceutical company in PPA hemorrhagic stroke litigation.
- Represented pharmaceutical company in diabetes medication litigation.
- Longstanding national e-discovery counsel pharmaceutical manufacturers in a wide range of class action and individual products liability lawsuits.
- Represented pharmaceutical company in hormone replacement therapy litigation.
- Represented phentermine distributors in fen-phen litigation.
- Represented contact lens manufacturer in contact lens solution litigation.