

Life Sciences

We know your business from the inside out. Our team is led by former senior in-house counsel with broad knowledge and experience in biotech, medical devices, and specialty pharmaceuticals, as well as lawyers with a range of advanced science degrees. We represent our clients in sophisticated transactions throughout their life cycle and handle their litigation, including bet-the-company white collar and antitrust cases. We also provide compliance and regulatory counsel to help with day-to-day management of their businesses. Our clients—including life sciences companies and their investors and bankers—count on us for effective counsel across the full range of their legal needs. They rely on our commitment to their success and our collaborative, practical approach to all their legal matters.

EXPERIENCE

- > Counsels a pharmaceutical company in the response to an industrial accident, including on-site coordination of the response to the federal, state, and local issues arising immediately after the incident; and the continued compliance with state site cleanup obligations. This representation also includes negotiation of a sale of the property to redevelopers.
- > Represented LifeCell Corporation as trial counsel for approximately 800 products liability cases involving cutting-edge medical technology.
- > Led the defense of Bristol-Myers Squibb against several hundred toxic tort lawsuits designated as a "mass tort" by the New Jersey Supreme Court, with parallel cases pending in the District of New Jersey.
- > Won a decision from the Third Circuit affirming dismissal of RICO, Consumer Fraud Act, and other claims brought by a putative class of third-party payors against Merck, in which the plaintiffs' alleged injury arose from the defendant's supposed marketing of oncology drugs for "off label" indications. This victory was profiled in *Law360*, "How They Won It," July 10, 2012, and is considered to be one of "**The Best Prescription Drug/Medical Device Decisions of 2012**" by some industry experts.
- > Defended Schering-Plough against securities fraud claims that it misled investors about its manufacturing problems and the risks those problems supposedly posed to FDA approval of a new blockbuster antihistamine drug.
- > Prevailed on all claims following a lengthy evidentiary hearing on behalf of LifeCell Corporation in an arbitration brought by a licensed distributor that claimed it was entitled to exclusive distribution rights to LifeCell's xenograft porcine tissue product.
- > Represented a pharmaceutical scientist charged with misbranding pharmaceutical products, including parallel licensing and FDA regulatory matters.
- > Represented a physician accused of participating in a conspiracy to improperly bill Medicare and Medicaid.
- > Represented a biotechnology company and two individual defendants in defense of claims of a hostile work environment and discrimination on the basis of gender, sexual orientation, race, and skin color; quid pro quo sexual harassment; and retaliation.
- > Represented a health care company to resolve a dispute with its employment practices insurer and the insurer's "panel" defense counsel. The dispute involved tripartite relationship conflict issues, bad faith, and a "noncooperation" defense asserted by the insurer.
- > We are representing Aravive Biologics, Inc., as co-counsel, in its pending merger with a wholly owned subsidiary of Versartis, Inc. (Nasdaq:VSAR) in an all-stock transaction.
- > Represented Vesey Street Capital Partners (VSCP), as part of the recapitalization of HealthChannels, the parent company of ScribeAmerica. VSCP, a strategic private equity firm dedicated to health care services investments, led the recapitalization alongside HealthChannels' management team.
- > Represented the owners of TGaS Advisors in its acquisition by Trinity Partners.
- > Centivo, a new type of self-funded health plan, in its \$34 million Series A financing led by Bain Capital Ventures, with additional investments from F-Prime Capital Partners, Maverick Ventures, Bessemer Venture Partners, Ingleside Investors, Rand Capital, Grand Central Tech Ventures, and Oxeon Investments.
- > Aetion, Inc. in its \$36.4 million Series B financing, in a round led by New Enterprise Associates (NEA) and including, as a new investor, Amgen Ventures, alongside existing investors Flare Capital Partners, Lakestar, and Oxeon Ventures. We previously represented Aetion in its \$11.2 million Series A financing led by Flare Capital Partners and joined by Lakestar.