

Product Liability & Mass Tort

Partners

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An Efficient and Effective Approach

Peabody & Arnold's Product Liability & Mass Tort team defends leading manufacturers and retailers in product liability cases in Massachusetts and beyond. We are known for our unique ability to tackle the most complex medical and scientific issues efficiently and effectively for our clients who include leading pharmaceutical and medical device manufacturers and major retailers of healthcare and consumer products. Our approach has achieved repeated results in some of the most contested litigation in the product liability field. We are immersed in the process of investigating, managing, and trying claims that have both local and national scope, and we build teams of top experts to support our clients. Our Product Liability & Mass Tort attorneys deliver the most efficient and coordinated approach to effectively evaluate and manage claims, scale litigation strategy, and support our clients' business objectives.

Experienced Trial Attorneys

We are litigators who take pride in our proven record of success in the courtroom. Of note, we have tried to verdict all manner of claims including death cases, multi-plaintiff cases and cases with intense media attention. We have spearheaded successful challenges to the admissibility of expert testimony resulting in the dismissal of thousands of cases and the favorable revision of the law on expert admissibility standards. We have repeatedly secured summary judgment and dismissal of cases through the aggressive pursuit of causation and warning defenses. We are prepared to zealously litigate each case we handle whether the challenge faced is a pharmaceutical mass tort action or an individual consumer product claim.

National, Regional and Local Levels

We have the expertise and flexibility necessary to provide claim and litigation support and coordination at the national, regional, and local levels. Clients look to us for our expertise in a range of services, including:

- Providing advice and preventative counseling in response to potential product liability exposure;
- Assisting in the investigation and evaluation of claims prior to the initiation of litigation;
- Developing collaborative, virtual teams with our clients' retained counsel;
- Establishing and maintaining consistent strategy and themes through all stages of litigation;
- Mobilizing our vast network of preeminent expert witnesses;
- Utilizing our databanks of legal research and medical and scientific literature; and
- Maximizing cost-effective, value-added client service.

We understand that knowledge and collaboration are keys to success in the Product Liability and Mass Tort field. In addition to working closely with our product manufacturer and retailer clients, and our co-

counsel, we are leaders and members of prominent product liability professional organizations, including committees of the Defense Research Institute (DRI) and American Bar Association (ABA).

Notable Cases

- *In re: Accutane Litigation*, 234 N.J. 340 (2018) (New Jersey Supreme Court adopts Daubert factors and affirms exclusion of plaintiff's experts resulting in dismissal of over two thousand cases).
- *Freeman v. Hoffman-La Roche Inc.*, 300 Neb. 47 (2018) (affirming exclusion of causation expert).
- *Stupak v. Hoffman-La Roche Inc.*, 326 Fed. Appx. 553 (11th Cir. 2009).
- *Palazzolo v. Hoffmann-La Roche Inc.*, No. A-3789-07T3, 2010 WL 363834 (N.J. Super. Ct. App. Div. Feb. 3, 2010).

