

## Life Sciences Group Of The Year: Dechert

By Adam Lidgett

*Law360 (December 9, 2020, 4:19 PM EST)* -- Dechert LLP has helped Eli Lilly fend off a suit accusing it of infringing a Genentech patent through the sale of a psoriasis drug and continued to guide Purdue Pharma LP through sprawling opioid litigation, earning the firm a place among Law360's 2020 Life Sciences Groups of the Year.

In early 2020, Dechert client Eli Lilly & Co. was named the prevailing party in a suit launched in July 2018 alleging that Taltz, a psoriasis drug that has been on the market since 2016, was infringing a Genentech patent. Genentech moved to voluntarily dismiss the case, which a California federal judge agreed to in March.

Katherine A. Helm, a New York partner in the firm's intellectual property group who focuses on pharmaceutical and biotech litigation, told Law360 that it was really a global dispute, but the U.S. victory helped cascade victories in Europe as well.

"It was a very important case for our client in terms of the allegations directed to its Taltz product and the remedies being sought, which were quite aggressive, both in the U.S. and around the world," Helm said.

Dechert has also been busy representing Purdue Pharma LP and has helped them settle thousands of claims in opioid litigation.

Sheila Birnbaum and Mark Cheffo, co-chairs of Dechert's product liability and mass torts practice, served as part of the defense team for the company, which faced over 2,800 cases in multidistrict litigation brought against it over OxyContin's role in the opioid epidemic.

Birnbaum helped Purdue construct a tentative multibillion dollar settlement in September 2019, and the firm has continued to help the company through the process.

"We have public entities such as attorneys general, cities and counties, and we also have many groups of private claimants, such as personal injury claimants, hospitals, third party payors and various other groups," Birnbaum said. "And working out a settlement of this complexity and complication has been very interesting, to put it mildly."



The firm has also represented Pfizer in defending claims from thousands of drug users alleging Pfizer's medication Lipitor caused them to develop Type 2 diabetes.

For instance, a Missouri state court tossed over 90 cases late last year against Pfizer in which consumers took less than 80 mg doses of Lipitor, according to Cheffo. And in April, a New York federal judge dismissed with prejudice claims by 24 plaintiffs in another suit against Pfizer Inc. over Lipitor.

"These claims were from the beginning, what Pfizer believes and we believed very strongly, completely unsupported by science and medicine, and in fact they were contrary to the science and medicine," Cheffo said.

Beyond litigation, the firm also has represented life sciences companies in the deals space.

Andrea Reid, a Dechert partner who co-leads its global life sciences practice, said the firm helped Kymera Therapeutics ink a deal with Sanofi for the companies to make protein degradation therapies.

"It was a really nice demonstration of the breadth of the types of IP matters we handle and the high level nature of the IP practice," she said.

Reid added that the Kymera deal was "notable not just because of the price point — the \$2 billion collaboration is a very significant deal just on the pure value standpoint — it's notable in its complexity. All of the legal teams involved in that negotiation agreed it's not one of the most complicated deals — it's the most complicated deal we've all worked on."

Dechert has been in the life sciences field for a while, and has a deep relationship with pharmaceutical clients, with about 70 partners and 300 plus counsel and associates across the firm's global life sciences practice, Reid said.

"Our clientele are a who's who of pharma," she said. "The reason that's notable is because for that sort of clientele, Dechert can help them in all phases of a life sciences business cycle."

Cheffo said that in the product liability and mass torts practice, the firm has about 70 lawyers totally dedicated to the practice.

Birnbaum added that everyone in her practice does a little bit of everything, but 40 to 50 attorneys work on just life sciences, which includes areas such as medical devices, pharmaceutical products and consumer products.

Helm said the COVID-19 global health crisis has created a halo effect in which the world is realizing parties she represents have the potential to make a difference in peoples' lives.

"We represent virtually every one of the pharma companies that is involved in the major antibody therapeutic and vaccine efforts, and we are frankly so proud to be a part of that," Helm said.

--Editing by Gemma Horowitz.