



Counsel

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Services

Product Liability and Mass Torts > Litigation > Complex Commercial Litigation >
Life Sciences >

Jonathan S. Tam is experienced litigator and trusted advisor who has represented major pharmaceutical companies, medical device companies, and consumer electronic companies in some of the most complex mass tort product liability litigations, consumer fraud actions, and class actions in the country, including cases filed by State Attorneys General.

He has led, managed, and handled various aspects of complex, nationwide litigations in state and federal courts, including motions to dismiss, expert discovery, summary judgment, trials, and appeals. In particular, he has extensive experience drafting briefs concerning the admissibility of expert testimony under *Daubert*. He was a key member of teams that secured the dismissal of plaintiffs' general causation testimony under *Daubert* and the entry of summary judgment for a pharmaceutical manufacturer in two major mass torts, and also helped draft the briefs that ultimately cemented those victories in the federal appellate courts. See *In re Lipitor (Atorvastatin Calcium) Mktg., Sales Practices & Prod. Liab. Litig. (No II) MDL 2502*, 892 F.3d 624 (4th Cir. 2018); *In re Zoloft (Sertraline Hydrochloride) Prod. Liab. Litig.*, 858 F.3d 787 (3d Cir. 2017). These *Daubert* decisions are routinely cited by courts and parties around the country

His publications include "Jury Selection in Federal Court" in *Practical Law Journal* and "Liability for Failure to Warn Under New York Law" in *Products Liability in New York: Strategy And Practice*.

Prior to joining Dechert, Mr. Tam was an associate at Quinn Emanuel Urquhart & Sullivan LLP, and Skadden Arps Slate Meagher & Flom LLP.

EXPERIENCE

- Represent a major pharmaceutical company in a nationwide litigation in federal and state courts involving opioid medications in lawsuits filed by State Attorneys Generals, cities, counties, private entities, and individuals alleging false and misleading marketing, fraud, violations of consumer protection statutes, negligence, and public nuisance.
- Represent a major pharmaceutical company in a federal multi-district litigation in the Southern District of Florida involving an acid-reducing medication and product liability claims, class actions, and request for medical monitoring.
- Represent a major technology company in putative class actions filed in the Northern District of California involving consumer electronics and claims of misleading marketing and for medical monitoring.
- Represent a major pharmaceutical company in a federal multi-district litigation in the Eastern District of New Orleans involving product liability claims and a chemotherapy treatment.
- Represent a major pharmaceutical company in the Southern District of New York in product liability cases involving an antidepressant.
- Represented a major pharmaceutical company in an appeal in the U.S. Court of Appeals for the Fourth Circuit involving a cholesterol-lowering medication, resulting in the affirmance of the exclusion of plaintiffs' general causation experts under *Daubert* and summary judgment for the company in a federal multi-district litigation involving thousands of cases. See *In re Lipitor (Atorvastatin Calcium) Mktg., Sales Practices & Prod. Liab. Litig. (No II) MDL 2502*, 892 F.3d 624, 631 (4th Cir. 2018).
- Represented a major pharmaceutical company in federal multi-district litigation in the Eastern District of Pennsylvania involving an antidepressant, resulting in the exclusion of plaintiffs' general causation of experts under *Daubert* and summary judgment summary judgment for the company in all cases, and also represented the company in securing the affirmance of these decisions in the U.S. Court of Appeals for the Third Circuit. *In re Zoloft (Sertraline Hydrochloride) Prod. Liab. Litig.*, 858 F.3d 787 (3d Cir. 2017); *In re: Zoloft (Sertraline Hydrochloride) Prod. Liab. Litig.*, 2015 WL 7776911, at *7 (E.D. Pa. 2015); *In re Zoloft (Sertraline Hydrochloride) Prod. Liab. Litig.*, 26 F. Supp. 3d 449 (E.D. Pa. 2014).
- Represented a major medical device company at trial in Washington Superior Court involving a robotic surgical device.

EDUCATION

- University of California, Berkeley, B.A., 2004, with Distinction
- Duke University School of Law, J.D., 2009

ADMISSIONS

- California
- New York
- Supreme Court of the United States
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Second Circuit
- United States District Court for the Northern District of California
- United States District Court for the Central District of California
- United States District Court for the Eastern District of California
- United States District Court for the Southern District of California
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York

EXTERNAL ARTICLES

Daily Journal – Federal court: Expert’s testimony doomed by misuse of data

Practical Law - Jury Selection in Federal Court

Liability for Failure to Warn Under New York Law - Products Liability in New York: Strategy And Practice

SPEAKING ENGAGEMENTS

ABA’s Current Issues in Pharmaceutical and Medical Device Litigation Conference, Panel on “Hot Topics in Products Liability Litigation” (Nov. 14, 2013).

Knowledge Group’s Product Liability: Practical Tips and Strategies in Handling Multiple Fronts of Litigation (Apr. 30, 2020).