

## Rising Star: Covington's David Sneed

By Jonathan Capriel

*Law360 (July 31, 2023, 2:59 PM EDT)* -- David Sneed, a partner at Covington & Burling LLP, helped the firm convince the Fourth Circuit to overturn a \$1.25 million jury verdict against pharmaceutical company Boehringer Ingelheim, earning him a spot among the product liability attorneys under age 40 honored by Law360 as Rising Stars.

### *His proudest moment as an attorney:*

While working at Covington, Sneed has maintained a pro bono criminal defense practice. In June, he was able to secure the release of a "juvenile lifer," a man who was sentenced to life in prison without the chance of parole when he was 15 years old. Sneed's client is now 60.

"He's not the same person he was at that age," Sneed said. "The way our brains work when we get past our juvenile years changes. We shouldn't put children away for the rest of their lives with no real way of getting out."

For nearly nine years, Sneed struggled to secure resentencing for his client, who entered prison in 1978 on felony murder charges. One such rehearing in 2018 resulted in the same life sentence, which devastated Sneed and his client, he said.

In 2021, however, the Maryland Legislature passed the Juvenile Restoration Act, which allows people serving life to file a motion seeking a reduction of their sentence after they have served two decades. The court accepted Sneed's bid and ordered that his client be freed on July 12.

"So the best moment was standing by my client as the court decided that motion," Sneed said. "He was a child when he went in. To get to this day, that's the most special moment I've had."

### *The biggest case of his career:*

Covington represented Boehringer Ingelheim in a series of lawsuits across the country in connection to its blood thinner Pradaxa. When Sneed joined in 2014, he was immediately put on to help draft filings related to the litigation.

2023

 **LAW360**<sup>®</sup>  
**RISING  
STAR**



**David Sneed**  
Covington & Burling

**Age:** 36

**Home base:** Washington, D.C.

**Position:** Partner

**Law school:** Columbia Law School

**First job after law school:**  
Clerk for U.S. District Judge  
Richard W. Roberts.

Sneed was also selected to work with key company witnesses, pharmaceutical scientists in Germany, as they prepared for their depositions. Most challenging of all was overcoming what could have been jury bias against the company, Sneed said.

"You walk into this case and the plaintiffs lawyers are pointing their finger at a large pharmaceutical organization and claim it's putting profits over people," Sneed said. "The most important thing to overcome those challenges is to put in front of the jury the people who worked so hard to develop a medication that has helped so many people."

Covington scored Boehringer Ingelheim several trial court wins. But a jury hit the drug company with a \$1.25 million judgment on one plaintiff's claims of failure to warn. Leaning on the work Sneed and others did, the firm was able to reverse that on appeal at the Fourth Circuit in January 2021 by arguing the warning labels were approved by the Food and Drug Administration and therefore preempted.

#### ***What motivates him:***

In one word, legacy.

"I have such a strong connection and appreciation for the legacy of my parents who worked very hard to provide opportunities for me," Sneed said. "They instilled in my siblings a standard of excellence, hard work, respect and faith in God. These are the foundational pieces of what I do."

As a father to a 6- and 5-year-old, Sneed says it's important to pass these principles down to the next generation.

Professionally, Sneed says his path was paved by so many Black attorneys and judges whom he clerked for.

"That sense of legacy, of standing on the shoulders of so many, is a big part of what motivates me to work hard in my firm and put my best foot forward," he said.

#### ***On the future of the industry:***

Sneed said it's an exciting time to work in law, due in part to artificial intelligence and automated systems.

"Technology is changing the legal industry," Sneed said. "People joke about the lawyer who submitted the brief with the cases from the chatbot. But artificial intelligence, digital health [and] connected automated vehicles — these types of technologies are here to stay and they are going to change the legal industries like they change every industry."

— *As told to Jonathan Capriel.*

*Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2023 Rising Stars winners after reviewing more than 1,350 submissions. Attorneys had to be under 40 as of May 1, 2023, to be eligible for this year's award. This interview has been edited and condensed.*