

Law360's Weekly Verdict: Legal Lions & Lambs

By **Aebra Coe**

Law360 (May 10, 2018, 6:09 PM EDT) -- Linklaters snagged the title of top legal lion this week, guiding Takeda in its \$62.1 billion acquisition of rare disease-focused drugmaker Shire, while Arnold & Porter ended up on the legal lambs list after a federal judge sanctioned the law firm for filing frivolous motions on behalf of Boston Scientific in a patent infringement suit.

Legal Lions

Attorneys from Linklaters LLP representing Takeda Pharmaceutical Co. Ltd. top this week's legal lions list, helping the Japanese pharmaceutical giant win over Dublin-based Shire PLC with a cash-and-stock deal worth roughly £46 billion (\$62.1 billion) on Tuesday, after it lobbed a series of takeover offers at the rare disease-focused drugmaker last month. Takeda is advised by a Linklaters LLP team including corporate partner James Inglis, alongside global corporate chair Matthew Middleditch and corporate partners Aisling Zarraga and Sarah Flaherty as well as global U.S. practice head Tom Shropshire and Japan corporate partner Hiroya Yamazaki.

Next up on the legal lions list are plaintiffs law firms Haffner Law PC and Stevens LC. A California federal judge on Wednesday awarded \$97.28 million to a class of 4,481 Golden State-based Wells Fargo & Co. home mortgage consultants who were denied rest breaks, rejecting the bank's arguments that it shouldn't have to pay more than \$24.5 million for the labor violations. Lead plaintiff Jacqueline Ibarra is represented by Joshua H. Haffner and Graham G. Lambert of Haffner Law PC and Paul Stevens of Stevens LC.

Perkins Coie LLP and Mayer Brown LLP snagged spots on the list Monday when an Illinois federal judge threw out a proposed class action against real estate website Zillow Inc. over its home value "Zestimates," finding there was no evidence supporting the class' claims it was duped by numbers into hiring the site's preferred brokers. Zillow is represented by Eric D. Brandfonbrener and Rebecca S. Engrav of Perkins Coie LLP and Eugene Volokh of Mayer Brown LLP.

Butler Snow LLP, Covington & Burling LLP and Shipman & Goodwin LLP scored a big win on Monday when a Connecticut state jury sided with their client, Boehringer Ingelheim Pharmaceuticals Inc., in a second bellwether trial as part of a consolidated state proceeding over the alleged bleeding risk of its blood thinner Pradaxa, rejecting a woman's claims that taking the drug landed her in the hospital. Boehringer Ingelheim is represented by Orlando Richmond and Mark Dreher of Butler Snow LLP, Phyllis Jones and Michael Imbroscio of Covington & Burling LLP and Patrick Fahey of Shipman & Goodwin LLP.

Rounding out this week's pride of legal lions are Hogan Lovells, Gibson Dunn & Crutcher LLP and Shardul Amarchand Mangaldas & Co. for their work advising Walmart Inc. in its \$16 billion acquisition of a majority stake in Indian e-commerce platform Flipkart, as the big-box store looks to tap into India's growing retail market. The Hogan Lovells team is led by M&A partner Rick Climan, along with Stephanie Keen, the Singapore office managing partner, and partner Chris Moore. The Gibson Dunn team includes partners Kelly Austin, Michael Farhang and F. Joseph Warin and associate Oliver Welch.

Legal Lambs

Leading this week's herd of legal lambs is Arnold & Porter, which a California federal judge sanctioned on Tuesday to the tune of \$2,500 for filing frivolous motions to seal public documents on behalf of Boston Scientific Corp. in its fight against Nevro Corp.'s patent infringement suit, warning that "next time, the sanction will be far heavier." BSC is represented by Krista M. Carter, Thomas T. Carmack, Matthew M. Wolf, Edward Han, Marc A. Cohn and Amy L. DeWitt of Arnold & Porter.

Next up on the lambs list are attorneys from two small law firms, the Law Office of Louise A. Herman and the Law Office of Jeremy L. Friedman, who were chastised by a federal judge Monday for displaying "evidentiary incontinence" and asking "pointless" questions in a False Claims Act retaliation bench trial over allegations their client was wrongfully fired for raising red flags about overbilling at Massachusetts nursing homes. Former clinical director Rosemary Morgan-Lee is represented by Louise A. Herman of the Law Office of Louise A. Herman, and Jeremy L. Friedman of the Law Office of Jeremy L. Friedman.

The Federal Circuit on Monday dealt a blow to a team of attorneys from Kirkland & Ellis LLP and Oblon McClelland Maier & Neustadt LLP, upholding U.S. Patent Trial and Appeal Board rulings invalidating parts of three oil exploration patents owned by the law firms' client, Schlumberger Ltd. unit WesternGeco, weeks after the U.S. Supreme Court heard arguments about how much the company can recover in damages in an infringement suit over the same patents. WesternGeco is represented John O'Quinn, William Burgess, Timothy Gilman and Leslie Schmidt of Kirkland & Ellis LLP and Michael Kiklis and Christopher Ricciuti of Oblon McClelland Maier & Neustadt LLP.

A North Carolina federal judge on Monday overturned a jury's decision to award \$5 million in punitive damages to each of the 10 neighbors who sued a hog farm owner for its failure to properly dispose of the animals' urine and feces, saying that state law caps the amount of punitive damages at \$250,000 apiece, and landing the plaintiffs' attorneys at Wallace & Graham PA and the Kaeske Law Firm on this week's legal lambs list. The neighbors are represented by Mona Lisa Wallace and John Hughes of Wallace & Graham PA and Michael Kaeske, Lynn Bradshaw and Eric Manchin of the Kaeske Law Firm.

Citing in part a missed opportunity for a lower court pleading, the Delaware Supreme Court on Thursday refused to revive a proposed class challenge to a Fortress Investment Group LLC affiliate's \$1.5 billion acquisition of a mortgage servicing company in April 2015. "The plaintiff, for tactical reasons, chose not to take that opportunity, but now attempts to raise issues for the first time on appeal," Chief Justice Leo Strine Jr. said. "Therefore, we will not indulge these arguments" further. The Chester County Employees' Retirement Fund is represented by Michael Hanrahan, Paul A. Fioravanti, Corinne Elise Amato and Kevin Davenport of Prickett Jones & Elliott PA, and Marc A. Topaz, Lee D. Rudy, Michael C. Wagner and Stacy A. Greenspan of Kessler Topaz Meltzer & Check LLP.

--Additional reporting by Jeff Montgomery, Rachel Graf, Ryan Davis, Alison Noon, Dorothy Atkins, Chelsea Naso, Diana Novak Jones and Emily Field. Editing by Katherine Rautenberg.

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