

## Life Sciences Group Of The Year: Covington

By Julia Arciga

*Law360 (December 8, 2020, 6:03 PM EST)* -- Attorneys at Covington & Burling LLP served this year as counsel to Gilead Sciences during its quest for emergency use authorization of a COVID-19 treatment and defeated claims that a pharmaceutical company took part in helping fund an anti-American militia in Iraq, winning the firm a spot among Law360's 2020 Life Sciences Groups of the Year.

Covington served as Gilead Sciences' lead and regulatory counsel during the company's approval process for its treatment for severe coronavirus cases — the antiviral Veklury, otherwise known as remdesivir. The U.S. Food and Drug administration granted the emergency authorization in May, after a National Institutes of Health trial showed promising results for the drug. In late October, the drug was the first to win full approval from the FDA.

Covington also played a role this year in Merck's acquisition of Themis — a vaccine and immune-modulation therapy company targeting infectious diseases and cancer — part of its entry in the COVID-19 vaccine race.

Denise Esposito, the co-chair of the firm's food, drug and device regulatory group, told Law360 that the group has been "incredibly busy on matters relating to FDA's review of medical products to combat COVID-19." She said her work supporting Gilead in connection with the first antiviral product approved for the coronavirus was a "good case study" for the firm's pandemic-related work.

"Our group has worked on the full range of issues associated with FDA-regulation of medical countermeasures against COVID-19," she said. "We're working with life sciences companies that are developing diagnostic tests, therapeutics, vaccines and other products to detect, treat and prevent COVID-19."

Esposito also noted the practice group and the firm have adapted to the times by establishing a firmwide COVID-19 task force that was able to serve clients dealing with regulatory matters and other issues, like state and employment law.

"We established a rapid-response team in the regulatory group and a firmwide task force that pulled together all practices. It was a great challenge," she said.



John Hurvitz, the co-chair of the firm's life sciences industry group, said the task group highlighted the firm's expertise of working across practice groups in order to serve clients' needs best.

"We strive to provide a holistic offering to our clients, and the collaborative culture of the firm has enabled us to develop a truly integrated, multidisciplinary life sciences practice. We do not operate in silos but instead work seamlessly as a team across our offices and practices. We all are broadly knowledgeable about the business and legal environment of the life sciences industry, which enables us to assist our clients overcome challenges and create opportunities for their businesses," he said.

"Our deal lawyers are knowledgeable across the range of life sciences issues, and if a new question does arise, we're able to brainstorm with our deep bench of specialists at the firm to get answers quickly," he continued.

The firm's life sciences practice — as lead counsel — was also able to defeat claims against pharmaceutical company F. Hoffmann-La Roche, which was accused of knowingly helping to fund an anti-American militia through business transactions with the Iraqi Ministry of Health. This came after the firm helped the company dodge charges in a U.S. Department of Justice inquiry in the matter under the Foreign Corrupt Practices Act.

The case, according to trial attorney Paul Schmidt, was an example of how the firm's litigation practice was able to handle a "complicated, idiosyncratic case" through its "broad-scale capabilities."

"What makes the practice unique as far as litigation is concerned is our substantive knowledge in the life sciences world paired with our broad litigation skills," he said, adding that this made the practice "high-impact" and enabled it to "deal with the most complex legal issues."

According to Esposito, the way the Covington team is able to home in on complicated legal issues and work collaboratively across offices and practice areas is a "key differentiator" in advising their clients on everything from regulatory, government contracts, funding and intellectual property to transactional and risk management advice.

"What really sets Covington apart is the integrated nature of our life sciences practice. We collaborate to serve the broad needs of our clients," she said. "We're there for our clients. We have a team of people who specialize in this industry, and we have depth and breadth of knowledge. This is something we do day in and day out."

--Additional reporting by Hailey Konnath and Dave Simpson. Editing by Gemma Horowitz.