

## Consumer & Healthcare Products



In recent years, Selendy & Gay partners have served as national or lead trial counsel in some of the most cutting-edge products liability initiatives around the country; our clients have included consumer, medical device, and pharmaceutical companies.

High-stakes products litigation is almost always enterprise-threatening and resource-intensive. It can require simultaneous representation of our clients in parallel civil, regulatory, and criminal arenas. Often, we are simultaneously involved in multi-district and class action litigation, individual personal injury claims, internal preventative assessments and pro-active audits, consumer fraud investigations by state attorneys general, False Claims Act, and qui tam actions.

By joining knowledge of our clients' needs and objectives with our deep experience with prosecutors, regulators, and in courtrooms around the country, we have worked efficiently across these complex and competing arenas to produce game-changing, and, in some instances, save-the-company results for nationally known clients.

### **Our representative engagements include:**

- **A leading biotechnology company**, in successfully obtaining a judgment dismissing a complex patent infringement suit brought by a multinational pharmaceutical company that sought over \$500 million in damages.
- **UMB Bank**, as Trustee for holders of Celgene contingent value rights (“CVRs”), seeking over \$6 billion in damages arising from Bristol Myers’ alleged failure to timely secure regulatory approval for the drugs associated with the CVR payout.
- **A dermatologic pharmaceuticals company**, providing advice regarding potential arbitration following the sale of a patent of a topical skin treatment and the subsequent breach of the duty to reasonably market and commercialize the product.
- **A Fortune 500 consumer products company**, defending and obtaining a key appellate ruling from an en banc panel of the Fourth Circuit that federal judges may vacate otherwise unappealable remand orders where there is evidence of attorney fraud associated with the remand.
- **An international beauty products company**, advising on potential litigation resulting from a contractual dispute with an advertising agency.