

Meet The Attys At The Opioid MDL's Negotiating Table

By Jeff Overley and Emily Field

Law360, New York (February 20, 2018, 11:52 AM EST) -- The fate of multidistrict litigation over the opioid crisis now rests heavily with 18 elite attorneys who have been tasked with negotiating a settlement in the historic case.

The negotiators, who were chosen earlier this month, are split into two camps: seven attorneys representing local governments that allege grievous financial harm from the opioid crisis, and 11 attorneys representing opioid manufacturers and distributors. Their assignment is daunting: broker a quick and meaningful deal that earmarks money for health care and law enforcement, while also helping to curb opioid prescribing and abuse.

Here, Law360 presents the names and faces of the negotiators, along with details about some of their biggest cases and notable achievements.

PLAINTIFF NEGOTIATORS

JOE RICE
MOTLEY RICE



BIG CASE:
Lead plaintiffs' counsel in landmark, \$246 billion tobacco settlement.

NOTABLE:
Won PGA Tour's 2009 Pebble Beach Pro-Am with professional player Dustin Johnson.

PAUL J. HANLY JR.
SIMMONS HANLY



BIG CASE:
Represented families of victims of 9/11 terrorist attacks in MDL.

NOTABLE:
Was a defense attorney for 20 years in asbestos litigation.

ELIZABETH CABRASER
LIEFF CABRASER



BIG CASE:
Class counsel in litigation over 1989 Exxon Valdez oil spill.

NOTABLE:
Lecturer at the University of California, Berkeley, School of Law.

TROY
RAFFERTY

LEVIN PAPANTONIO



BIG CASE:
Plaintiffs steering committee member in \$5 billion Vioxx settlement.

NOTABLE:
Sponsors the "Rafferty Cup," a yearly athletic competition among high schools in the Pensacola, Fla., area.

PAUL
GELLER

ROBBINS GELLER



BIG CASE:
Reached a landmark \$1.6 billion settlement in securities fraud class action against HSBC.

NOTABLE:
A lifelong martial artist who once made headlines by rescuing a pregnant woman and her dog from a bloody attack involving two pit bulls.

CHRIS
SEEGER

SEEGER WEISS



BIG CASE:
Negotiated \$1.5 billion settlement with Syngenta over its alleged role in China's blocking of U.S. corn shipments.

NOTABLE:
Holds a black belt in Brazilian jiu jitsu and won a gold medal in his division in 2012 at the Brazilian Jiu Jitsu Pan American games.

RUSSELL
BUDD

BARON & BUDD



BIG CASE:
Brokered \$177 million settlement for seven states with GlaxoSmithKline over drug marketing after declining to join earlier multistate settlement.

NOTABLE:
A major Democratic donor whose home has hosted fundraisers attended by President Barack Obama and Vice President Joe Biden.

DRUG COMPANY NEGOTIATORS

SHEILA L.
BIRNBAUM

QUINN EMANUEL



BIG CASE:
Two wins at U.S. Supreme Court: the reversals of a \$145 million judgment against State Farm Automobile Insurance and a \$79.5 million award against Philip Morris.

NOTABLE:
Special Master of Sept. 11 Victim Compensation Fund program. Served for five years pro bono and distributed \$2 billion to victims.

REPRESENTS



STEVEN A.
REED

MORGAN LEWIS



BIG CASE:
Won dismissal of insurer's suit seeking to recover \$22 million in workers' compensation claims from Cephalon Inc. over off-label use of fentanyl painkillers.

NOTABLE:
Ex-deputy general counsel at Cephalon.

REPRESENTS



TEVA PHARMACEUTICAL INDUSTRIES LTD.

CHARLES C.
LIFLAND

O'MELVENY & MYERS



BIG CASE:
Won Ninth Circuit decision halving \$5 billion Exxon Valdez oil spill verdict.

NOTABLE:
Serves on boards at the RAND Institute for Civil Justice and the Western Justice Center Foundation.

REPRESENTS



JONATHAN L. STERN

ARNOLD & PORTER



BIG CASE:
Represented Endo Pharmaceuticals Inc. in New York attorney general's probe into marketing of now-discontinued Opana ER.

NOTABLE:
Served as trial division chief at the D.C. Public Defender Service.

REPRESENTS



MARK FILIP

KIRKLAND & ELLIS



BIG CASE:
Led defense of BP PLC in government investigation of 2010 Deepwater Horizon oil spill.

NOTABLE:
Served as Illinois federal judge and acting U.S. attorney general.

REPRESENTS



BRIEN T. O'CONNOR

ROPES & GRAY



BIG CASE:
Won dismissal of felony charges against Stryker Biotech LLC in exchange for misdemeanor plea and \$15 million fine in criminal case alleging illegal marketing of bone surgery device.

NOTABLE:
Ex-chief of public corruption unit in U.S. Attorney's Office for Massachusetts.

REPRESENTS



J. MATTHEW DONOHUE

HOLLAND & KNIGHT



BIG CASE:
Represented Oregon in high-profile dispute with Oracle Corp. over Cover Oregon, the state's Affordable Care Act marketplace, which ended in \$100 million deal.

NOTABLE:
Current president of Multnomah Bar Foundation.

REPRESENTS



ENU MAINIGI

WILLIAMS & CONNOLLY



BIG CASE:
Represented CVS Caremark Corp. in Third Circuit's recent major interpretation of the Supreme Court's landmark Escobar decision.

NOTABLE:
Served as transition chair for Florida Gov. Rick Scott.

REPRESENTS



GEOFFREY HOBART

COVINGTON & BURLING



BIG CASE:
Represented McKesson Corp. in Cherokee Nation opioid suit.

NOTABLE:
Ex-prosecutor once honored by U.S. attorney general for prosecuting 16 members and associates of Hells Angels Motorcycle Club.

REPRESENTS



JACK SMITH

FLAHERTY SENSABAUGH



BIG CASE:
Prevailed at Fourth Circuit on behalf of insurers that sought to avoid defending patent infringement litigation.

NOTABLE:
Appointed as special counsel by West Virginia bankruptcy court to handle insurance matter involving equipment lost in mine collapse.

REPRESENTS



ROBERT NICHOLAS

REED SMITH



BIG CASE:
Won \$47 million in damages for safety equipment maker MSA Safety Inc. in long-running insurance coverage dispute.

NOTABLE:
Ex-prosecutor in Manhattan District Attorney's Office.

REPRESENTS

