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From: Health Law360 <news-q2@law360.com>
Sent: Wednesday, March 31, 2021 2:35 AM
To: Lindsey Belongea
Subject: [BULK] Health Care M&A On The Rise Despite Regulatory Uncertainty



HEALTH

Wednesday, March 31, 2021



TOP NEWS

Interview

Health Care M&A On The Rise Despite Regulatory Uncertainty

The health care sector has been a hotbed of mergers and acquisitions activity despite regulatory uncertainty as the federal government focuses on combating COVID-19. Here, Law360 chats with three Debevoise partners on current trends and the future of the sector.

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4 Highlights As JPML Gets Earful On McKinsey Opioid Suits

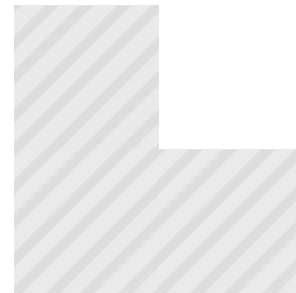
Plaintiffs attorneys diverged late Tuesday on whether a fast-rising tide of opioid-crisis lawsuits against McKinsey & Co. belongs in new or existing multidistrict litigation, but they found common ground in deriding the consulting giant's quest for an MDL near its New York City headquarters.

 9 documents attached | [Read full article »](#)

No Jury, No Forfeiture For 'Pharma Bro' Shkreli In FTC Case

Martin Shkreli dropped demands for a jury trial on Tuesday and, in exchange, seven U.S. states agreed not to seek civil penalties or forfeitures in a Federal Trade Commission-led lawsuit, which claims the former biopharma executive and his company Vyera blocked rivals from developing generic versions of the anti-parasite drug Daraprim.

 Order attached | [Read full article »](#)



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Generics Cos. Argue For Heritage Bellwether In Antitrust MDL

A group of generic-drug makers facing multiple antitrust complaints for allegedly working in concert to inflate medication prices has urged a Pennsylvania federal judge to choose a case against Heritage Pharmaceuticals as the bellwether.

 1 document attached | [Read full article »](#)

Judge Jackson Tapped For DC Circ. In 1st Biden Nominations

President Joe Biden revealed the first 11 judicial nominees of his presidency Tuesday morning, tapping a diverse group with several BigLaw veterans including U.S. District Judge Ketanji B. Jackson, whose elevation to the D.C. Circuit would position her as a leading contender for a future U.S. Supreme Court opening.

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POLICY & REGULATION

Coronavirus Regulations: A State-By-State Week In Review

Efforts to reopen and revitalize the nation's economy amid the continuing COVID-19 pandemic continued over the past week with relaxed visitation rules at long-term care facilities in Delaware and Massachusetts and scaled-back capacity limits in New Jersey, notably in sporting arenas revving up for the spring season.

[Read full article »](#)

ENFORCEMENT & COMPLIANCE

FTC Challenges Illumina's \$8B Deal For Cancer Detection Biz

The Federal Trade Commission on Tuesday moved to block biotechnology firm Illumina Inc.'s planned \$8 billion acquisition of Grail Inc., a cancer-detection company it founded, over concerns about innovation.

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Former Insys Exec Can Delay Prison To Get 2nd Vaccine Jab

A convicted former Insys Therapeutics executive can postpone his prison sentence until he gets his second COVID-19 vaccine dose later next month, but he won't be allowed a longer delay to care for his terminally ill mother, a Massachusetts federal judge said Tuesday.

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LITIGATION

GOP AGs Ask High Court To Revive Public Charge Rule

Fourteen Republican attorneys general asked the U.S. Supreme Court on Tuesday to revive the Trump administration's public charge policy, which penalizes immigrants for using certain public benefits, and to allow the states to intervene in a case challenging the policy after the Biden administration decided not to defend it.

 1 document attached | [Read full article »](#)

DC Circ. Revives Vets Group's Suit Over 'Mar-A-Lago Council'

A veterans advocacy nonprofit has plausibly alleged that members of the Mar-a-Lago Club acted as a formal advisory group to the U.S. Department of Veterans



COMPANIES

- AARP Inc.
- Allergan PLC
- Alvarez & Marsal Holdings LLC
- Amazon.com Inc.
- American Association for Justice
- American Athletic Conference
- American Bar Association
- American Civil Liberties Union
- Apple Inc.
- Avet Pharmaceuticals Inc.
- Bristol-Myers Squibb Co.
- Carlyle Group LP
- Competitive Enterprise Institute
- Dealogic LLC
- Education Law Center Inc.
- Facebook Inc.
- Ford Motor Co.
- Georgetown University
- Getty Images Inc.
- Google Inc.
- Illumina Inc.
- Justice Catalyst Law
- LexisNexis Group
- Marvel Entertainment LLC
- Massachusetts Institute of Technology
- McDonald's Corp.
- McKinsey & Co. Inc.
- Morehouse College
- Mylan NV
- National Association for the Advancement of Colored People
- National Collegiate Athletic Association
- National Football League Players Association
- New York University
- PG&E Corp.

Affairs, the D.C. Circuit ruled on Tuesday, reviving a lawsuit over the VA's use of the group.

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10th Circ. Revives Case Over New Mexico 5G Cell Tower

A Tenth Circuit panel ruled Tuesday that an environmental advocacy group can take another shot with its lawsuit alleging that the installation of telecommunications facilities on public rights-of-way in the City of Santa Fe, New Mexico, exposed residents to dangerous levels of radiation.

 [Opinion attached](#) | [Read full article »](#)

WebMD Can't Slip Trade Secrets Suit From Argentinian Rival

A New York federal judge refused to throw out a trade secrets suit against WebMD Health Corp., ruling that an Argentinian online health care services provider can indeed bring civil Defend Trade Secrets Act claims against WebMD in the U.S. because some of the purported conduct occurred in the U.S.

 [Order attached](#) | [Read full article »](#)

Pa. Justices Snub Appeal Over Axed \$40M Spinal Injury Award

The Pennsylvania Supreme Court on Tuesday refused to take up an appeal following a decision last July voiding a \$40 million verdict in a case accusing an obstetrician of permanently injuring a newborn's spinal cord during an allegedly negligent delivery.

 [Order attached](#) | [Read full article »](#)

Insurers Say Firm Lacks National Class Standing In Virus Suit

Two insurance units of The Hartford have asked a North Carolina federal judge to end a law firm's effort to bring COVID-19-related loss claims on behalf of a national class of policyholders against them, arguing that the firm lacks standing to represent insureds from other states.

 [Memorandum attached](#) | [Read full article »](#)

NJ Dispensary Applicant Can't Bypass Review

A New Jersey state court judge has ordered a company vying to open a medical marijuana dispensary in Hoboken to undergo a full review after a competitor filed a lawsuit accusing the company of using a loophole to bypass a particular review and move forward in the licensing process.

 [Order attached](#) | [Read full article »](#)

Canadian Co. Still On Hook In Pa. Medical Pot Biz Blowup

A Pennsylvania federal judge upheld a default judgment against a company that allegedly pulled out of a deal to lock in a diversity medical marijuana license, ruling Tuesday that the defendant had failed to retain new counsel on the schedule set by the court.

 [Order attached](#) | [Read full article »](#)

BANKRUPTCY

Creditors Say Consulate Health 'Laundering' Claims In Ch. 11

Creditors of bankrupt affiliates of nursing home chain Consulate Health Care are challenging the affiliates' proposed Chapter 11 financing and sale plans, telling a Delaware bankruptcy judge they're a scheme to "launder" the affiliates' liabilities.

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[Purdue Pharma LP](#)
[Retrophin Inc.](#)
[Service Employees International Union](#)
[State Bar of California](#)
[State Bar of Georgia](#)
[Teva Pharmaceutical Industries Ltd.](#)
[The Boeing Co.](#)
[The Catholic University of America](#)
[The State University of New York](#)
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[Turing Pharmaceuticals AG](#)
[Twitter Inc.](#)
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EXPERT ANALYSIS

Expect Aggressive Health Enforcement From Mass. US Atty

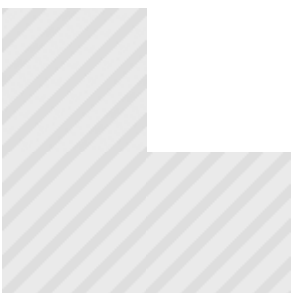
As we await a new presidentially appointed U.S. attorney for Massachusetts, health business leaders and in-house counsel should reexamine their compliance structures, as the office will likely continue to prioritize enforcement efforts against both traditional areas of focus and pandemic-related fraud, say Jack Pirozzolo and Doreen Rachal at Sidley.

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A Uniform Mediation Act Primer As States Continue Adoption

With Georgia expected to soon become the 13th jurisdiction to adopt the Uniform Mediation Act and with more states likely to follow suit amid widespread trial delays, practitioners should familiarize themselves with the act's conflict disclosure requirements and the boundaries of its confidentiality provisions, says Richard Mason at MasonADR.

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LEGAL INDUSTRY

Murky World Of Mass Torts Left Clients At Girardi's Mercy

Months after the 2000 film "Erin Brockovich" dramatized a legal battle between the small California town of Hinkley and a corporation that poisoned its water, Thomas Girardi and the rest of the movie's attorney-heroes geared up for a case that seemed fit for a sequel.

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Calif. State Bar Files Disciplinary Action Against Tom Girardi

The California State Bar has filed a disciplinary action against disgraced trial attorney Thomas Girardi, claiming he stole roughly \$2.26 million from his clients in three recent cases, lied about his actions and flagrantly violated client fund accounting rules, among other things.

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- Debevoise & Plimpton
- Dechert
- Del Sole Cavanaugh
- Duane Morris LLP
- Edelson PC
- Engstrom Lipscomb
- Faegre Drinker
- Fick & Marx
- Flanagan Bilton
- Foley & Lardner
- Fox Rothschild
- Freshfields
- Girardi & Keese
- Goodwin Procter
- Greenberg Traurig
- Hagens Berman
- Herrick Feinstein
- Hogan Lovells
- Jones Day
- Kang Haggerty
- Kasowitz Benson
- Katz Marshall
- Kelley Drye
- Kirkland & Ellis
- Kline & Specter
- Lamb McErlane
- Latham & Watkins
- Lewis Brisbois
- Lowenstein Sandler
- Marshall Dennehey
- Mayer Brown
- McDermott Will
- Milberg Coleman
- Morgan Lewis
- Morrison & Foerster
- Norton Rose
- Paul Hastings
- Pearson Simon
- Perkins Coie
- Pillsbury Winthrop
- Pitt McGehee
- Polsinelli PC
- Porzio Bromberg
- Post & Post
- Pritzker Levine
- Raynes Lawn

Titan Of The Plaintiffs Bar: Cohen Milstein's Julie G. Reiser

Julie Goldsmith Reiser realized she was supposed to represent plaintiffs while she was defending against one.

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Bonus Spotlight

6 More BigLaw Firms Hand Out Special Bonuses

The list of BigLaw firms offering a pair of special bonuses this year continues to grow, with six new firms announcing plans to match what has become the industry standard, Law360 learned Tuesday.

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Top Court's NCAA Matchup: WilmerHale Vs. Winston & Strawn

Wednesday's U.S. Supreme Court oral arguments in a closely-watched antitrust case challenging NCAA amateurism rules will pit a prominent high court litigator against one of the most recognizable names in sports law, not to mention the acting solicitor general's first appearance in that role.

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Interview

Minn. Judge Calls For More Zoom Trials – Pandemic Or Not

The District of Minnesota will keep holding Zoom civil jury trials even after the pandemic has abated, according to its chief judge, who said virtual proceedings can help to relieve the criminal trial backlog and can still be held in the middle of a St. Paul blizzard.

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5-Atty Wilson Sonsini Patent Team Joins Greenberg Traurig

Greenberg Traurig LLP has brought on five Wilson Sonsini Goodrich & Rosati PC patent attorneys, the latest in a string of hires aimed at bolstering the firm's intellectual property and life sciences practice, the firm said Tuesday.

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DOL Whistleblower Atty Rehired Under Biden Is Leaving Again

A top U.S. Department of Labor litigator who was rehired in February following her firing in January after she claimed the agency decided to drop its \$400 million pay bias case against Oracle because the company was led by an ally of former President Donald Trump is departing for a nonprofit, she confirmed Tuesday.

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Flint Water Victims Slam Attys' \$202M Fee Bid

Some members of the \$641 million Flint water settlement class urged a Michigan federal judge Monday to reject lawyers' bid for \$202 million in fees, saying the payment scheme doesn't comply with legal standards.

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Texas AG Says Twitter Too Quick To Draw In Retaliation Suit

Texas Attorney General Ken Paxton urged a California federal judge Monday to toss a suit against him by Twitter over his investigation of the social media platform's content moderation practices, saying the lawsuit is premature and his office's request for documents is "neither unusual nor injurious."

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Renne Public Law Group

Rhine Law Firm PC

Riker Danzig

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Susman Godfrey

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Willkie Farr

Wilmer Hale

Wilson Sonsini

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Executive Office of the President

Federal Bureau of Prisons

Federal Judicial Center

Federal Maritime Commission

Federal Trade Commission

Florida Department of Transportation

Food and Drug Administration

Internal Revenue Service

Michigan Attorney General's Office

Nevada Gaming Control Board

Office of Federal Contract Compliance Programs

Pennsylvania Supreme Court

Texas Attorney General's Office

U.S. Army

U.S. Attorney's Office

U.S. Attorney's Office for the District of Massachusetts

U.S. Bankruptcy Court for the District of Delaware

U.S. Court of Appeals for the District of Columbia Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. Department of Homeland Security

MAGA Attorney Lin Wood Wants Judge Off Psych Exam Case

L. Lin Wood, the conspiracy-peddling Atlanta lawyer who aided former President Donald Trump's bid to contest the 2020 presidential election, wants a new judge overseeing his suit fighting a push for a psychiatric exam by the State Bar of Georgia, saying the presiding jurist will likely be called as a witness.

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Ex-Wells Fargo In-House Attorney Joins Cadwalader

A former senior counsel at Wells Fargo is returning to private practice as a partner at Cadwalader Wickersham & Taft LLP, becoming the latest official for the major bank to find a new home at a BigLaw firm in recent months.

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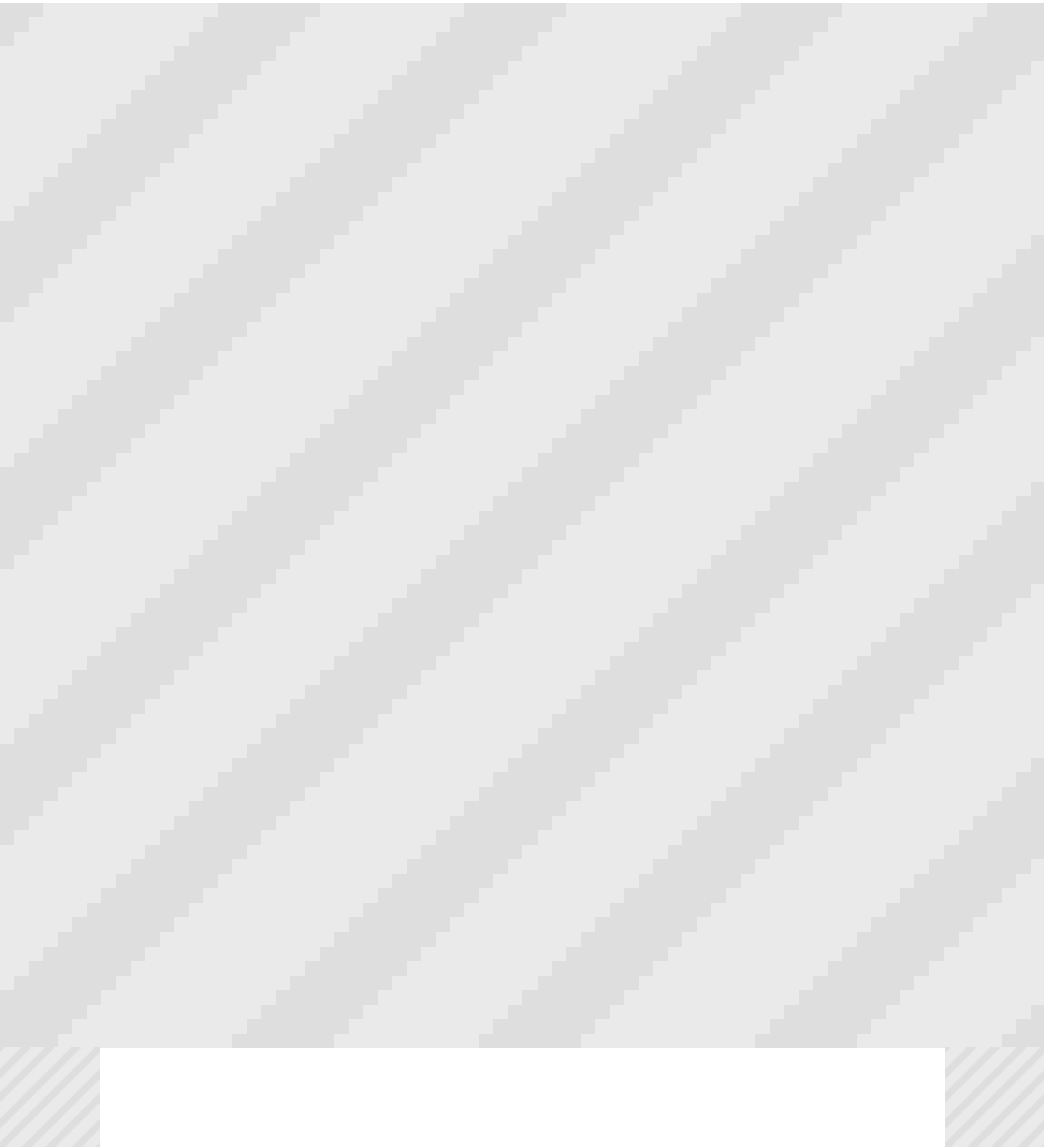
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