

The
LEGAL
500
UNITED STATES

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The following excerpts regarding Chadbourne & Parke
are taken from the 2007 edition of the US Legal 500

“ *One of the top firms in the country in product litigation and compares favorably with any firm* ”

Product liability and mass tort defense - consumer products

Highly regarded, and with strong international capabilities, Chadbourne & Parke is a notable contender in the consumer products space. However, on recent evidence it lacks the sheer scale of operations and the headline-making recent mandates to match the firms ahead of it in the table.

In all, 33 US-based attorneys provide the core manpower for the products liability practice at Chadbourne & Parke, supported by 20 legal assistants and scientific experts including numerous PhDs. Most of the lawyers are located in New York, with three serving the West Coast from Los Angeles. There is also an increasingly international aspect to the firm's product liability activities, with the team having consulted on cases as far-flung as Kazakhstan and New Zealand during 2006.

Despite the slight question marks mentioned above, client satisfaction runs impressively high. Clients consider the firm's work to be of the highest standard – variously described as *'first class'*, *'splendid'*, *'top tier'* and *'top notch'* – and typical feedback from clients includes a comment that the practice is *'one of the top firms in the country in product litigation and compares favorably with any firm'*. Others say that *'the professionalism and service is of the highest quality'*.

The practice is noteworthy particularly because its services for the cosmetics and alcohol industries are not relegated into second place behind practice areas such as life sciences, although the firm does handle work in that arena too. Offering its services both as national coordinating counsel and trial counsel, Chadbourne & Parke actively provides risk assessment and counseling on liability prevention.

The firm serves as national counsel to the distiller, Jim Beam Brands, for alcohol-related health suits. The firm made headlines in this area as far back as 1989, when it won dismissal of *Thorp v Jim Beam*, and has served Jim Beam ever since. In that case the plaintiff alleged failure-to-warn liability in relation to the risks of fetal alcohol syndrome (FAS), whereby heavy and persistent intake of alcohol during pregnancy can affect the fetus in later life – causing learning difficulties and physical deformities. This was the first-ever FAS product liability case.

New York partners Donald Strauber, Phoebe Wilkinson and Mary Yelenick are all praised by clients, who say *'their work exuded great sophistication, expertise and knowledge of the matters at issue'*. Wilkinson also *'greatly facilitated our work together as a virtual law firm'*. Thomas Riley, Bruce Sheffler and David Wallace, all also in New York, are said to *'stick out due to their knowledge and experience'* whilst being deemed *'super smart'*.

US Legal 500 Volume III pp316

“ *Their excellence in product liability work makes their retention essential* ”

Product liability and mass tort defense - tobacco

Chadbourne & Parke's 41-lawyer products liability practice spans the Atlantic, a situation that is ideal for one of its two senior tobacco industry clients, British American Tobacco. The group includes 22 lawyers that have worked on tobacco issues. The firm offers national coordinating and trial counsel capabilities, and has several lawyers experienced in dealing with regulatory agencies, such as the FTC and ATF, and numerous product counseling experts. Its broad experience and international tobacco expertise places Chadbourne & Parke among the leading firms in this area.

Clients say that *'Chadbourne & Parke has one of the best practices globally'*, and *'their excellence in product liability work makes their retention essential'*, describing the work product as *'first class'* and *'top notch'*. Fielding a highly talented team, it is the firm's broad capabilities throughout the US and internationally that marks it out from the crowd.

In early 2006, Chadbourne & Parke successfully defended its clients' position in *Eiser v Brown & Williamson Tobacco Corp et al* when a Pennsylvania appeals court upheld the decision of the Philadelphia County Court of Common Pleas to reject the liability claims of the plaintiff, which had been brought on the basis that low-tar cigarettes had been falsely advertised, constituting consumer fraud and therefore making the defendants liable for damages. This was the first such consumer fraud case to be brought in relation to 'Light' cigarettes.

The New York office is home to Chadbourne & Parke's best tobacco litigators. **Thomas Bezanson** in New York has over 40 years' experience and is lauded by clients as an attorney with *'a first-class brain'* who *'is always calm under pressure and incisive in his advice'*. **Gregory Loss** and **Thomas Riley** – head of the firm's litigation department – are both considered *'excellent'*. **Bruce Sheffler** is simply *'one of the best trial advocates in the US'*, while **David Wallace** is also of high caliber. Riley, Sheffler and Wallace have all been called *'super smart'* and *'have a likeability factor that is invaluable in front of a jury'*. **Jerome Katz** is described as *'very savvy'*, particularly when dealing with the media.

US Legal 500 Volume III pp333

CHADBOURNE & PARKE MAJOR CLIENTS

Avon Products
British American Tobacco
Brown & Williamson
Fortune Brands
Gallaher
Jim Beam
RJ Reynolds
Souza Cruz

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