Tucker Ellis LLP

Life Sciences Litigation

Overview

The Tucker Ellis Life Sciences Litigation Group combines deep industry insight, trial excellence, and strategic vision to defend clients in three core areas: medical devices, pharmaceutical products, and regulated consumer products. Drawing on decades of experience, we translate complex medical, scientific, and technical concepts into compelling narratives to deliver favorable rulings and verdicts. Our attorneys are nationally recognized for innovative guidance, courtroom skills, and a practical, results-driven approach to our clients' most challenging matters.

We deliver comprehensive end-to-end strategies in a range of litigation from single-plaintiff cases to complex aggregated proceedings across the country and beyond. Our lawyers have tried cases to verdict in dozens of states and serve as lead and liaison defense counsel in federal MDL, state coordinated proceedings, and mass tort actions. Over the past decade, we have secured landmark preemption and Rule 702 victories that have dramatically curtailed liability exposure. Our team also has obtained complete defense verdicts in notoriously plaintiff-friendly venues, including state courts in Missouri, California, Georgia, and Illinois. When settlement is the right answer, we leverage our credibility with opposing counsel and the judiciary to negotiate resolutions that regularly close matters at values under projected exposure.

We are trusted by a broad spectrum of companies—from family-owned businesses to Fortune 100 corporations. Our broad client base, national leadership in high-profile litigation, and exceptional trial attorneys distinguish our practice and have earned us significant industry recognition. We are continually ranked in LMG Life Sciences (Product Liability), The Legal 500 United States (Product Liability, Mass Tort and Class Action – Defense: Pharmaceuticals and Medical Devices), and at the Nationwide level in Chambers USA (Product Liability & Mass Torts: The Elite), while numerous partners are individually recognized across these organizations, reflecting the depth of talent within our group.

Clients describe us as a responsive, practically minded firm that applies strategic thinking to deliver results aligned with business goals. We understand the importance of efficiency to our clients, which we can address through alternative fee arrangements, streamlined staffing, and deployment of AI-driven litigation tools where appropriate—such as analyzing complex data sets, pressure-testing briefs, practicing arguments for hearings, simulating direct and cross-examination scenarios, and identifying weaknesses in case theories before they surface in court. Our team understands client needs, communicates effectively, and brings strong business acumen to every engagement.

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Our Capabilities

LITIGATION & TRIAL

- Routinely tries cases to verdict in state and federal courts across the United States
- Coordinates national and regional defense programs for major manufacturers across all product categories
- Serves as lead and liaison defense counsel in federal MDLs, state coordinated proceedings, and mass tort actions
- Develops and deploys technical experts and scientific studies to support defense strategies at trial and in Rule 702/*Daubert*/*Frye* proceedings
- Handles appeals and writ proceedings at the state and federal level

ADVISORY & COMPLIANCE

- Conducts pre-litigation risk assessments and claims evaluations to position clients for early resolution or defense
- Manages product recalls for manufacturers and distributors
- Advises on FDA regulatory strategy, post-market surveillance, warning label development, pharmacovigilance, and product safety compliance
- Counsels pharmaceutical and device manufacturers and clinical trial organizations in data privacy and regulatory matters
- Develops practical approaches to risk management based on litigation experience

Experience

REPRESENTATIVE MATTERS

Trial Counsel and National Coordinating or Regional Counsel in litigation involving:

- infant formula, developing scientific strategy and expert witnesses, coordinating discovery and depositions, and obtaining complete defense verdicts
- intravenous chemotherapy medications approved via an abbreviated hybrid pathway, implicating previously untested federal preemption issues; obtained dismissals in hundreds of cases
- cosmetic talc products alleged to have caused mesothelioma and ovarian cancer, including securing hundreds of dismissals and a complete defense verdict at trial
- lap-band implantations to treat obesity, which are alleged to have caused various gastrointestinal erosions and related complications
- prescription proton-pump inhibitors used to treat gastroesophageal reflux, including managing settlement administration after favorably resolving more than 6,000 cases following eight years of hard-fought litigation

- prescription opioid medications involving federal and state public nuisance lawsuits brought by state attorneys general, local government entities, Native American tribes, and private plaintiffs against dozens of defendants involved in the manufacture, distribution, and sale of prescription opioid products
- prescription SGLT-2 inhibitor medication used to treat diabetes; developed and executed defense strategy encompassing briefing, discovery, expert retention, and trial strategy in federal and state courts
- fertility treatment, including IVF-related equipment failures, wrongful birth claims, negligence in cryopreservation, and reproductive rights
- pelvic sling and pelvic support system products, managing all state court proceedings across the country in two multidistrict litigations; obtained defense verdicts in plaintiff-friendly venues
- prescription pioglitazone oral diabetes medication, serving as national, regional, trial, and subject matter counsel
- metal-on-metal hip implants; managed all facets of defense including regulatory, clinical, expert witness work-up, and trial
- birth control patch, resulting in the resolution of approximately 5,000 cases through dismissal, summary judgment, or settlement
- gastroesophageal reflux disease product; the Supreme Court found failure-to-warn claims against generic manufacturers to be preempted based on the duty of sameness
- heart failure medication; managed more than 600 personal injury cases across federal MDL and coordinated state court litigations in multiple jurisdictions
- anti-epileptic medication, defending claims of serious cutaneous adverse reactions (SJS/TENs) through coordinated scientific and regulatory strategy