

MVP: Williams & Connolly's Joseph G. Petrosinelli

By Jonathan Capriel

Law360 (October 23, 2024, 12:03 PM EDT) -- Joseph G. Petrosinelli led Williams & Connolly LLP teams in successfully defending major U.S. corporate clients, including Pfizer, Gerber and Google, from large class claims often spilling across multiple state and federal courts, earning him a spot as one of the 2024 Law360 Product Liability MVPs.

His biggest accomplishment over the past year:

On what Petrosinelli described as the "eve of trial," he helped secure two summary judgment victories for Pfizer, allowing it to escape state court claims related to its heartburn medication, Zantac.

The wins came just before Cook County, Illinois, and Hillsborough County, Florida, courts were set to begin opening arguments, Petrosinelli said. Zantac has become the subject of one of the largest product liability multidistrict litigations and its "tentacles have found its way into many state courts," Petrosinelli said.

The Tampa-area win came Aug. 15, after Judge Darren D. Farfante agreed to Pfizer's motion seeking to toss the plaintiff's expert. The odds were not exactly in Pfizer's favor, as a Delaware state court had not long before allowed this expert testimony into evidence using the Daubert standard, which Florida also relies on, he said.

Pfizer scored its Illinois judgment May 17, after Circuit Court Judge Daniel A. Trevino accepted Petrosinelli's argument that the claims should be dismissed because the plaintiff had taken the drug during years when it was no longer a Pfizer product. Rather, Sanofi, a co-defendant in the litigation, had taken control of it.

The plaintiff pursued an "innovator liability" legal theory, which essentially puts prior manufacturers on the hook the same as current makers. Petrosinelli noted that Pfizer has lost on this issue in a number of courts, and even at the motion to dismiss phase before Judge Trevino.

"Again, like in Florida, the reason why this was challenging was because there were prior rulings that



had denied our efforts," Petrosinelli said. "So being able to convince this judge that Illinois law doesn't recognize this kind of theory was a big accomplishment. It's actually the first state Zantac case in which we prevailed on that motion."

Other notable cases:

In June, Petrosinelli and his team secured a notable win for Google, which, along with other social media giants, is facing claims that its website, specifically YouTube, is a "public nuisance" that is causing a mental health crisis in young internet users. Specifically, he helped convince a Los Angeles Superior Court to dismiss from the case four public school districts, narrowing the number of plaintiffs.

Petrosinelli also helped Gerber score an early win in Los Angeles in one of the lawsuits over allegations that heavy metal contamination in its baby food caused children to develop autism. The Williams & Connolly team secured summary judgment after convincing a state court to exclude the plaintiff's toxicology expert in August. While the baby food maker still faces claims elsewhere in state and federal courts, this was the first case that was set for trial.

His biggest challenge in the past year:

Along with co-chairing the product liability practice group, Petrosinelli is also in the middle of his second term as chairman of the firm. While this position often comes with a reduced workload at other firms, there is a strong tradition at Williams & Connolly that a chairman should still do "100% of your practice," Petrosinelli said.

"Balancing this role, which includes leading the executive committee and administrative duties, on top of my caseload has been the biggest challenge," he said. "A lot of these MDLs require a lot of travel. It has certainly been a busy year."

Petrosinelli is by no means new to either role. It is his sixth year as chairman, and he has been doing product liability work since he first started at Williams & Connolly 33 years ago, but both the practice group and the firm are growing quickly.

"I love what I do both in my practice and as chairman," he said. "My management role allows me to make a difference. I also get to collaborate with most partners in the firm even if I'm not working with them. It's a lot of work, but I enjoy it."

His proudest moment in the past year:

While Petrosinelli leads the product liability teams across the country, he gives a lot of credit to those younger partners who act as his "second in command." In each of his big wins this year with Pfizer, Gerber and Google, he had a corresponding attorney with him dealing with the day-to-day — Jessica Bodger Rydstrom, Neelum Wadhwani and Ashley W. Hardin, respectively.

"Those are three female litigation partners who are fantastic and played major roles getting those victories," he said. "Seeing how good they are, seeing how the judges are impressed with them, that's the best. That's easily the proudest moment of the year for me."

--As told to Jonathan Capriel. Editing by Vaqas Asghar.

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