



**Jennifer L. Greenblatt**

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"Jennifer Greenblatt's experience at handling high-profile cases is considerable and she continues to secure a litany of successes for clients." – *The Legal 500* (ranked 2017-2024)

"With a poise and confidence that judges and juries both appreciate, Jennifer Greenblatt is laser focused on winning, be it in a final trial or through briefing and arguing dispositive motions." – *The Legal 500* (ranked 2017-2024)

"She is very smart, has a very good sense of strategy and is very easy to deal with." – *Chambers USA* (ranked 2022-2024)

"Jen Greenblatt is a superb partner who has outstanding trial skills and is an absolute pleasure to work with." – *The Legal 500* (ranked 2017-2024)

"Jennifer is very good and creative when it comes to analyzing challenges, finding ways to meet them and putting forward the best argument." – *Chambers USA* (ranked 2022-2024)

"Jen Greenblatt was excellent at oral argument. She was very prepared and persuasive. The judge paused in the middle of argument to compliment her and say how much he was enjoying their exchange. She also came up with a novel argument that our other firms had not considered and that we are now relying on in multiple cases." – *The Legal 500* (ranked 2017-2024)

"Jennifer Greenblatt is a great team leader. Her deep knowledge and agile mind stand out." – *The Legal 500* (ranked 2017-2024)

A "first-rate" trial lawyer who according to *The Legal 500* comes "highly recommended," Jen Greenblatt has "outstanding" "full service capabilities in terms of case work up and trial work." She "offers a diverse practice spanning complex commercial, product liability, and antitrust litigation" securing wins "across the country," says *Benchmark Litigation*. As reported in *The Legal 500* product liability, mass tort and class action defense section: "Jennifer Greenblatt stands out for her strong track record in multi-district litigation, particularly in the healthcare and life sciences field." *Chambers USA* notes that Jen is further "recognized for her expertise defending complex antitrust allegations" with *The Legal 500* observing she shows "significant experience with putative antitrust class actions, opt-out suits and price-fixing cases." Clients repeatedly report high praise to *The Legal 500* and *Chambers USA*: Jen is "very skilled and sharp." She is "very good at developing and expressing legal theories and defenses." Jen is "laser-focused on winning the day, the hour, the minute. And she has a poise and confidence that judges and juries both appreciate." She has "the right balance of 'tough' and 'friendly'" with an

"innovative legal mind and old-fashioned common sense." Jen is "very smart, very strong, and very good at what she does" and "is also remarkable in terms of her knowledge of the facts and relevant law."

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## Representative Litigation

### In re Zetia (Ezetimibe) Antitrust Litigation

Strategic and trial counsel for Merck in defending antitrust class actions and opt-out actions in MDL in which direct and indirect purchasers claim that Merck's settlement of a Zetia® Hatch-Waxman patent case violated federal and state antitrust laws resulting in billions of dollars in overcharge damages. Argued dispositive motions and took and defended expert depositions. Argued and won motion to exclude one of plaintiffs' liability experts. Argued and won key motions *in limine*. Prepared to conduct cross and direct examination of several trial witnesses when case settled during jury selection. Lead counsel for pending remanded opt-out case.

### Gadolinium Retention Contrast Dye Products Liability Litigation

Lead counsel for Bayer in nationwide litigation regarding Bayer's Magnevist® contrast dye. Plaintiffs claim that they developed a variety of injuries as a result of retaining gadolinium in their body following use of Bayer's gadolinium-based contrast agent Magnevist® and other contrast agents during MRI procedures. Secured dozens of voluntary dismissals, in addition to court-ordered dismissals, over the course of the litigation.

- *In re Gadolinium-Based Products Liability Litigation* (J.P.M.L.) Argued for Bayer defendants before the Judicial Panel on Multidistrict Litigation. Defeated plaintiffs' petition to create an MDL.
- *Fischer v. Bayer HealthCare Pharmaceuticals Inc.* (D. Ariz.) In bellwether cases, argued and won exclusion of plaintiffs' four general causation experts resulting in an 85-page opinion followed by full summary judgment. Plaintiffs voluntarily dismissed their appeal to the Ninth Circuit.
- *McGrath v. Bayer HealthCare Pharmaceuticals Inc.* (E.D.N.Y.) Argued and won motion to dismiss based on a novel preemption theory resulting in a widely-cited published opinion.
- *Combs v. Bayer HealthCare Pharmaceuticals Inc.* (N.D. Ohio) Argued and won motion to dismiss on statute of limitations grounds based on plaintiff's statements at an FDA advisory committee meeting.
- *Sabol v. Bayer HealthCare Pharmaceuticals Inc.* (S.D.N.Y.) Won motion to dismiss based on a novel preemption theory resulting in published opinion.
- *Klein v. Bayer HealthCare Pharmaceuticals Inc.* (D. Nev.) Won motion to dismiss based on a novel preemption theory not previously accepted by any district court in the Ninth Circuit.
- *Goodell v. Bayer HealthCare Pharmaceuticals Inc.* (D. Mass.) Won motion to dismiss based on lack of personal jurisdiction over in-state plaintiff's claims as well as preemption.

### Roundup Products Liability Litigation

Trial counsel for Monsanto in nationwide litigation in which plaintiffs claim the herbicide Roundup® caused non-Hodgkin's lymphoma.

- *Hawai'i State Court Trial*: Successfully argued for and against motions to exclude key expert witnesses and motions *in limine* in first trial in state. Prepared to conduct cross-examination and direct of numerous witnesses when summary judgment granted minutes before opening statements.
- *California State Court Trial*: In final weeks leading up to trial, deposed plaintiff's only specific causation expert. One week later, and the day before scheduled to depose plaintiff's general causation expert, plaintiff voluntarily dismissed the entire case with prejudice.
- *California State Court Trial*: Co-led all final pretrial evidentiary strategy and negotiations. After completing the final pre-trial conference, and after preparing to conduct the cross-examination and direct of numerous witnesses, the case settled one week before trial.

### IVC Filter Products Liability Litigation

Second-chair trial counsel for IVC filter manufacturer in a product liability case set to be tried before a jury in the Pennsylvania Court of Common Pleas. The case settled days before jury selection.

### Hurricane Katrina Litigation

Trial counsel for large cement company defending against claims by a governmental entity for over \$400 million in alleged property damage. Plaintiff brought these claims under maritime law, alleging that a barge that broke free during Hurricane Katrina caused the failure of a floodwall alongside a New Orleans neighborhood. The case settled on terms favorable to our client days before trial.

### In re K-Dur Antitrust Litigation

Second-chair trial counsel for Merck in class action and consolidated opt-out antitrust lawsuits brought by wholesalers and major pharmacy retail chains that directly purchased K-Dur® 20, an extended-release potassium chloride supplement. Plaintiffs sought over \$800 million alleging a patent settlement with a generic maker of K-Dur® 20 was anticompetitive. The matter settled shortly before

trial.

**Haley et al. v. Bayer HealthCare Pharmaceuticals Inc.**

Lead counsel for Bayer in California federal court wrongful death action involving alleged birth defects from in utero exposure to prescription calcium channel blocker. The day Bayer's motion to dismiss was due, plaintiffs voluntarily dismissed Bayer from the case without prejudice for 90 days and with prejudice thereafter.

**Pan v. Medtronic, Inc.**

Won summary judgment on behalf of Medtronic in product liability and wrongful death case pending in California state court concerning Medtronic's nerve-monitoring endotracheal tube after successfully moving to exclude plaintiff's medical causation expert.

**Home Depot U.S.A., Inc. v. Lafarge North America Inc.**

Lead counsel for defendant in an opt-out MDL antitrust matter brought by the largest direct purchaser concerning an alleged nationwide conspiracy to fix prices in the drywall industry. Argued motions for summary judgment before MDL court. Argued interlocutory appeal before Third Circuit.

**Plumbers and Pipefitters Local 572 Health and Welfare Fund et al. v. Merck & Co., Inc.**

Obtained complete pre-discovery voluntary dismissal with prejudice for Merck in a putative class action brought by health benefit payors alleging Merck's co-pay subsidy programs violated RICO and antitrust statutes and tortiously interfered with contracts. With only the tortious interference claim remaining, unearthed the key contracts at issue through online research and filed a dispositive motion that ended the case days before the first pretrial conference.

**Pro Slab Inc. v. Argos North America Corp.**

Lead counsel for defendant in antitrust putative class action involving alleged conspiracy to fix prices, rig bids, and allocate territories and customers in certain markets for ready-mix concrete.

**Tula Foods v. Kroger et al.**

Trial counsel for plaintiff Tula Foods, the maker of Better Whey of Life® Greek yogurt, in a 6-week jury trial in Ohio state court. Tula Foods asserted claims of fraud, breach of contract, and misappropriation of trade secrets in suit against The Kroger Co. and Weber Flavors.

**Federal Trade Commission v. Staples, Inc. and Office Depot, Inc.**

Represented Staples, Inc. in its proposed \$6.3 billion acquisition of Office Depot, Inc., which the Federal Trade Commission moved to enjoin in D.C. federal court.

**Fosamax Products Liability Litigation**

Represented Merck & Co., Inc. in litigation concerning Fosamax®, a prescription drug used for the treatment and prevention of osteoporosis and other bone disorders.

- *Su v. Merck Sharp & Dohme Corp.* Represented Merck in New Jersey state court in the first Fosamax® trial based on an alleged atypical femur fracture. A mistrial was declared midway through the trial due to the plaintiff's unrelated medical problems.
- *Secrest v. Merck & Co., Inc.* Represented Merck in federal MDL case in New York. Plaintiff claimed she developed a bone condition known as osteonecrosis of the jaw as a result of taking Fosamax®. Three-week jury trial ended in defense verdict for Merck. Represented Merck on appeal, where the Second Circuit affirmed the judgment for Merck rejecting plaintiff's many evidentiary and jury instruction challenges.
- *Hester v. Merck & Co., Inc.* Represented Merck in Fosamax® federal MDL case to be tried in New York. Plaintiff alleged she suffered jaw bone injuries from using Fosamax®. Within one month of trial and days after Merck filed for summary judgment, plaintiff voluntarily dismissed the case with prejudice.
- *Carballo v. Merck & Co., Inc.* Represented Merck in Fosamax® case to be tried in Miami. Plaintiff alleged she suffered jaw bone injuries from using Fosamax®. With about a month left until trial and days after Merck filed for summary judgment and moved to exclude testimony from plaintiff's key experts, plaintiff voluntarily dismissed the case without prejudice.
- *Halperin et al. v. Merck Sharp & Dohme Corp. et al.* Represented Merck in three-plaintiff consolidated case in Illinois state court. Plaintiffs each alleged atypical femur fractures from use of Fosamax®. Took key fact and treating physician depositions. Secured voluntary dismissals from two plaintiffs during discovery. Shortly before trial and after Merck successfully opposed a continuance, last remaining plaintiff voluntarily dismissed the case with waiver of right to refile in Illinois.

**Nephrogenic Systemic Fibrosis Contrast Dye Products Liability Litigation**

Represented Bayer in federal litigation regarding Bayer's Magnevist® contrast dye. Plaintiffs claim that they developed a progressive, incurable disease known as nephrogenic systemic fibrosis (NSF) as a result of exposure to Bayer's gadolinium-based contrast agent Magnevist® and other contrast agents during MRI procedures.

- *Gaillard v. Bayer Corp.* Argued and won motion for judgment on the pleadings on behalf of Bayer in negligence and product liability case based on allegations exposure to Bayer's contrast dye caused nephrogenic systemic fibrosis. The Eastern District of New York district court ruled in Bayer's favor on statute of limitations grounds.
- *Dent ex rel. Dialyn Rae v. Bayer HealthCare Pharmaceuticals Inc.* Represented Bayer in Middle District of Florida federal district court in negligence, product liability, and wrongful death case based on allegations that Bayer's contrast dye caused nephrogenic systemic fibrosis. After deposing plaintiffs and key treating physicians, plaintiffs voluntarily dismissed the case with prejudice.
- *Regal v. Bayer HealthCare Pharmaceuticals Inc.* Represented Bayer in Northern District of New York federal district court in suit asserting negligence, product liability, warranty, and other claims based on allegations that Bayer's contrast dye caused nephrogenic systemic fibrosis. After completing depositions and with Bayer's motion for summary judgment pending, plaintiffs voluntarily dismissed the case with prejudice.

#### **In re Ethicon, Inc., Pelvic Repair System Products Liability Litigation**

Represented Johnson & Johnson and Ethicon in federal MDL concerning prescription pelvic mesh products used for the treatment of pelvic organ prolapse and stress incontinence. Deposed over a dozen plaintiffs.

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#### **Additional Representative Litigation**

##### **Golden Archer Investments, LLC v. SkyNet Financial Systems, LLC**

Achieved complete pre-trial victory for software development company SkyNet Financial in a commercial lawsuit filed by investment firm Golden Archer in Southern District of New York. Following oral argument, won summary judgment that dismissed Golden Archer's multi-million dollar contract claim and awarded SkyNet Financial substantial damages on its counterclaim for overdue development fees and punitive damages on its counterclaim for violation of Illinois eavesdropping statute.

##### **Discovery Clothing Co. v. Priceless Clothing Co.**

Represented plaintiff Discovery Clothing, the largest independently owned chain of women's clothing stores in Chicago, in a trade dress infringement and unfair competition suit filed in federal court in the Northern District of Illinois. Shortly after our client moved for a preliminary injunction, Defendant agreed to settle the case on favorable terms for Discovery. In the stipulation dismissing the case, Defendant conceded that Discovery is the prevailing party, acknowledged the validity of Discovery's trade dress, agreed to dramatically change the appearance of its retail stores, agreed to pay our client's lost profits and attorneys' fees, and dismissed all counterclaims with prejudice.

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#### **Private Practice**

Partner, Goldman Ismail Tomaselli Brennan & Baum LLP

Associate, Goldman Ismail Tomaselli Brennan & Baum LLP

Associate, Susman Godfrey LLP

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#### **Education**

##### **Stanford Law School (J.D., with distinction)**

- *Stanford Law Review*, Notes Editor and Senior Editor
- *Stanford Law and Policy Review*, Associate Editor for health care symposium and Personnel Manager
- Criminal Prosecution Clinic

##### **Cornell University (B.S., with distinction)**

- Valedictorian

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## Judicial Clerkship

The Honorable Richard Clifton, U.S. Court of Appeals for the Ninth Circuit

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## Publications

Jennifer Greenblatt and Edward Dumoulin, [Personal Jurisdiction: Clinical Trial Contacts after BMS](#), ABA Section of Litigation

Ken Baum, Jennifer Greenblatt & Julie Cantor, [Assessing the Post-Riegel Landscape: The Effect of Sales Representatives' Actions on Preemption Analyses](#), Drug, Device and Biotechnology IADC Committee Newsletter

Jennifer Greenblatt, *Using the Equal Protection Clause Post-VMI to Keep Gender Stereotypes Out of the Public School Dress Code Equation*, 13 U.C. Davis J. Juv. L. & Pol'y 281

Jennifer Greenblatt, *Putting the Government to the (Heightened, Intermediate, or Strict) Scrutiny Test: Disparate Application Shows Not All Rights and Powers Are Created Equal*, 10 Fla. Coastal L. Rev. 421

Jennifer Greenblatt, *What's Dignity Got to Do with It?: Using Anti-Commandeering Principles to Preserve State Sovereign Immunity*, 45 Cal. W. L. Rev. 1

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## Of Note

Ranked eight years running by *The Legal 500* in Product Liability, Mass Tort and Class Action Defense: Pharmaceuticals and Medical Devices

Selected by *Law360* as one of five [Rising Stars](#) in products liability

Ranked seven years running by *Benchmark Litigation* as a Local Litigation Star and Top Litigator 40 & Under

Selected numerous times by *Super Lawyers* as an Illinois Rising Star

Selected by *Lawdragon* as among the "all-star litigators" "who excel at representing principally corporations and other organizations" in complex litigation, including antitrust and product liability, in the 500 Leading Litigators in America guide

Board Member, *Law360* Competition Editorial Advisory Board

Panelist, Protracted MDLs Bench-Bar Leadership Conference (Cleveland State University College of Law)

Ranked repeatedly by *Chambers USA* in Illinois Antitrust which notes she is "recognized for her expertise defending complex antitrust allegations"

Repeatedly shortlisted for *Legal Media Group's* Rising Stars Awards for best in product liability

Profiled as one of 10 partners by *Financier Worldwide* in [Product Liability Power Players: Distinguished Advisors](#) with [individual Q&A](#)

Selected numerous times by *Leading Lawyers* as an Emerging Lawyer

Board Member, *Law360* Product Liability Editorial Advisory Board

Panelist, *Amendments to Federal Rule of Evidence 702: What's New, What's Not for Expert Testimony Gatekeeping*, Inaugural Central Texas Federal Bench Bar Conference (Austin, TX)

Advisory Counsel Member, Rabiej Litigation Law Center

Board Member, Emory Law Institute for Complex Litigation and Mass Claims Emerging Leaders Advisory Board

Member, International Association of Defense Counsel (IADC)

Panel Expert, [Litigation in the Pharmaceutical and Medical Device Sector](#), Corporate Disputes Magazine

Panelist, *Navigating Federal Preemption in Litigation*, ABA Section of Litigation Roundtable (Webinar)

Senior Fellow, Litigation Counsel of America (LCA)

Panelist, *Putting Antitrust to Work: Developments in Labor-Side Antitrust Law*, ABA Corporate Counsel CLE Seminar (Orlando, FL)

Panelist, Emory Law Institute for Complex Litigation & Mass Claims Leadership Conference (Atlanta, GA)

Panelist, *How to Break into Antitrust Law as a Young Lawyer*, ABA Antitrust & Professional Development (Webinar)

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## News

[Goldman Ismail Partners Receive Top Rankings in Benchmark Litigation 2025](#)

[Goldman Ismail 2024 Legal 500 Rankings](#)

[Goldman Ismail and Partners Receive Top Rankings in Benchmark Litigation 2024](#)

[Goldman Ismail Partners Named to Benchmark's List of Top 250 Women in Litigation and the 4Q & Under Hot List](#)

[Goldman Ismail Tops 2023 Chambers and Partners Rankings](#)

[FTC's Proposed Noncompete Ban](#)

[Goldman Ismail Partners Named to Benchmark's List of Top 250 Women in Litigation and the 4Q & Under Hot List](#)

[Goldman Ismail Tops 2022 Chambers and Partners Rankings](#)

[Goldman Ismail and Partners Receive Top Rankings in Benchmark Litigation 2022](#)

[Goldman Ismail Tops 2021 Legal 500 Rankings](#)

[Goldman Ismail Tops 2020 Legal 500 Rankings](#)

[Goldman Ismail Tops 2019 Legal 500 Rankings](#)

[Goldman Ismail Partners Named to Benchmark's 4Q & Under Hot List](#)

[Goldman Ismail 2024 Chambers and Partners Rankings](#)

[Jennifer Greenblatt Selected for Law360's 2023 Product Liability Editorial Advisory Board](#)

[Goldman Ismail Tops 2023 Legal 500 Rankings](#)

[Jennifer Greenblatt Profiled in 2023 Product Liability Power Players: Distinguished Adviser Series](#)

[Goldman Ismail and Partners Receive Top Rankings in Benchmark Litigation 2023](#)

[Goldman Ismail Tops 2022 Legal 500 Rankings](#)

[Jennifer Greenblatt Selected for Law360's Competition Editorial Advisory Board](#)

[Goldman Ismail Partners Named to Benchmark's List of Top 250 Women in Litigation and the 4Q & Under Hot List](#)

[Goldman Ismail and Partners Receive Top Rankings in Benchmark Litigation 2021](#)

[Bayer Wins Daubert Ruling Excluding Plaintiffs' Expert Witnesses in the Gadolinium Retention Contrast Dye Litigation](#)

[Goldman Ismail Defeats Plaintiffs' Attempt to Form MDL in Gadolinium Retention Contrast Dye Litigation](#)

[Goldman Ismail and Partners Receive Top Rankings in Benchmark Litigation 2019](#)

[Jennifer Greenblatt Shortlisted for 2018 LMG Rising Star Award – Best in Product Liability](#)

[Goldman Ismail Tops 2018 Legal 500 Rankings](#)

[Jennifer Greenblatt Selected for Law360's Product Liability Editorial Advisory Board](#)

[Goldman Ismail and Partners Receive Top Rankings in Benchmark Litigation 2018](#)

[Jennifer Greenblatt Named a Law360 Rising Star](#)

[Goldman Ismail Tops 2017 Chambers and Legal 500 Rankings](#)

[Goldman Ismail Prevails on Summary Judgment in California State Court for Medtronic](#)

[Drug, Device and Biotechnology Committee Newsletter, "Assessing the Post-Riegel Landscape: The Effect of Sales Representatives' Actions on Preemption Analyses"](#)

[Goldman Ismail Wins Summary Judgment of Non-Infringement for Tickets.com](#)

[Goldman Ismail Wins Complete Defense Verdict for Merck in Bellwether Fosamax Trial](#)

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## Bar & Court Admission

State of Illinois

State of Texas

U.S. Supreme Court

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the Northern District of Illinois

U.S. District Courts for the Eastern, Northern, Southern, and Western Districts of Texas

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