

New Jersey High Court Fortifies “FDA Defense” in Failure-To-Warn Litigation

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The Washington Legal Foundation has published a legal opinion letter authored by partners Edward Fanning, David Kott, and Natalie Mantell, and associate Steven Del Mauro. Entitled “New Jersey High Court Fortifies ‘FDA Defense’ in Failure-to-Warn Litigation,” the letter discusses the New Jersey Supreme Court’s October 2018 decision on the presumption of adequacy for FDA approved warnings and choice-of-law in *In re: Accutane Litigation*. Ms. Mantell was counsel of record and a member of Roche’s litigation team in *In Re: Accutane*. Mr. Fanning and Mr. Kott represented The HealthCare Institute of New Jersey, co-authoring the amicus brief which Mr. Fanning argued before the New Jersey Supreme Court.

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