

Defense Verdict in Third Xarelto Bellwether Trial

08/25/2017

On Friday, August 18, 2017, following a two-week trial, a Mississippi jury returned a defense verdict in the third of four bellwether trials scheduled in the In re: *Xarelto (Rivaroxaban) Products Liability Litigation* MDL proceedings.

After a little over three hours of deliberations, the jury found that defendants Bayer HealthCare Pharmaceuticals Inc., and Janssen Pharmaceuticals Inc. did not fail to instruct plaintiff's physicians about the use of Xarelto, and that Xarelto was not defectively designed. The case was the first bellwether in which punitive damages were available.

Mitchell, Williams, Selig, Gates and Woodyard, P.L.L.C. partner Lyn P. Pruitt served as defendant Bayer's lead trial counsel. Ms. Pruitt made both the opening statement and the closing argument at trial. She led a trial team that also included Walter Johnson of the Jackson, Mississippi firm Watkins & Eager, representing Bayer, and Richard E. Sarver of the New Orleans, Louisiana firm Barasso Usdin, representing Janssen.

In addition to Ms. Pruitt, the Mitchell Williams trial team in this case included partners Adria Conklin, Mary Catherine Way, Benjamin Brenner, and Anton Janik, and associates Brittany Pettingill, Graham Talley, and Sainabou Sonko.