

THE AM LAW LITIGATION DAILY

Litigator of the Week Runners-Up and Shout Outs

By Ross Todd
May 24, 2024

➤ Shout out to appellate teams at **Latham & Watkins** and Hogan Lovells that got a win at the D.C. Circuit this week as the court gave its blessing policies from their clients—United Therapeutics and Novartis Pharmaceuticals Corp. respectively—that limit the distribution of lower-priced drugs under the federal government’s “340B” discount program. The D.C. Circuit agreed with the trial court that “section 340B does not prohibit manufacturers from limiting the distribution of discounted drugs by contract.” The **Latham** team was led by **Phil Perry**, who argued the appeal for UT, and **Andrew Prins** with associates **Cherish Drain**, **Joseph Begun** and partner **Chris Schott**. Cate Stetson of Hogan Lovells, argued for Novartis, with additional counsel from Susan Cook, senior associate Danielle Desaulniers Stempel and associate Dana Raphael.

➤ Shout out to another **Latham** team that got a win in securities litigation for collectible maker Funko in the Western District of Washington. Senior U.S. District Judge James Robart in Seattle last week found that alleged misstatements regarding two major Funko infrastructure projects were largely protected forward-looking statements, opinions, or puffery. The **Latham** team was led by partner **Kevin McDonough** and included counsel **Thomas Giblin**, and associates **Alexis Kellert Godfrey** and **Elizabeth Parvis**, with co-counsel from Dave Freeburg and Lianna Bash of DLA Piper.