

Litigator of the Week

Runners-Up and Shout-Outs

By Ross Todd
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► Shout-out to a team at Latham & Watkins that helped pharma client AbbVie Inc. beat back a proposed class action claiming the company violated the Illinois Genetic Information Privacy Act by asking for protected genetic information during pre-employment medical exams and questionnaires. The practice, dubbed “medical surveillance” by AbbVie, was aimed at preventing harm to employees with certain baseline diseases from exposure to certain materials, chemicals or equipment. U.S. District Judge Manish Shah in Chicago last week granted summary judgment to the company, finding that the lead plaintiff—a technician hired to work in the company’s North Chicago facility—failed to show that the company conditioned his employment on a request for genetic information. Indeed, Shah found that the company didn’t receive details of the medical surveillance in question until the litigation and that AbbVie did not change his work assignment or his contractor status due to it. The Latham team includes partners **Gary Feinerman, Michael Morin** and **Robert Collins** and associate **Alexandra van Doren**.