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Law360's Legal Lions Of The Week

By **Kevin Penton**

Law360 (April 21, 2023, 12:58 PM EDT) -- Susman Godfrey LLP dominated this week's edition of Legal Lions, as it secured a \$787.5 million settlement to resolve client Dominion Voting Systems' defamation claims against conservative media giant Fox Corp.

Fox and Dominion struck the deal just as opening statements were scheduled to begin in Delaware on Tuesday, avoiding what was expected to be a six-week jury trial. Dominion is represented by Justin A. Nelson, Stephen Shackelford Jr., Davida Brook, Jonathan J. Ross, Katie Sammons, Laranda Walker, Elizabeth Hadaway, Florence Chen, Mark Hatch-Miller, Zach Savage and Christina M. Dieckmann of Susman Godfrey, by Brian E. Farnan and Michael J. Farnan of Farnan LLP, by Thomas A. Clare, Megan L. Meier, Dustin A. Pusch and Daniel P. Watkins of Clare Locke LLP and by Rodney A. Smolla of Vermont Law and Graduate School.

Clement & Murphy PLLC and Latham & Watkins LLP secured high-profile wins at the U.S. Supreme Court on April 14 in related cases that held that constitutional challenges to the structure of the U.S. Federal Trade Commission and U.S. Securities and Exchange Commission can be brought in federal court without first going through administrative appeals. Axon Enterprise is represented by its own Pamela B. Petersen and by Paul D. Clement, Erin E. Murphy and Matthew D. Rowen of Clement & Murphy, while Cochran is represented by Gregory G. Garre, Charles S. Dameron and Blake E. Stafford of Latham & Watkins and by Margaret A. Little, Markham S. Chenoweth, Richard A. Samp, Kara M. Rollins and Russell G. Ryan of New Civil Liberties Alliance.

Morrison Foerster LLP got Unilever United States Inc. out of a sticky situation at the Ninth Circuit on Tuesday, with a three-judge panel holding that its product "I Can't Believe It's Not Butter! Spray" is indeed a spray, and not butter. The ruling upheld the tossing of proposed class action claims that the product misleads consumers about its fat and calorie content and affirmed a lower court's ruling that the label complies with federal food labeling requirements. Unilever is represented by James R. Sigel, Adam L. Sorensen and Claudia M. Vetesi of Morrison Foerster and Megan Whipp of The Law Office of Megan L. Whipp PC.

Texas-based personal injury boutique Howry Breen & Herman LLP on Tuesday secured a \$44 million jury verdict against Oncor Electric Delivery Co. in favor of client James Stacey Taylor, a Texas homeowner who suffered severe electric shock while he was attempting to cut down a tree near a high-voltage power line. Taylor is represented by Sean E. Breen of Howry Breen & Herman, Brian Lauten of Brian Lauten PC and Robert R. Swafford of Strike for Cause Jury Consulting.

In the realm of state courts, Beck Redden LLP secured a win for Exxon Mobil Corp. at the Texas Supreme Court on April 14, as the Lone Star State's high court determined that the oil giant is an insured under an umbrella policy issued to another company by an AIG unit. The court cleared Exxon to tap the policy to cover \$20 million it spent settling two refinery workers' injury claims. Exxon is represented by Joshua S. Smith, David M. Gunn and Nicholas M. Bruno of Beck Redden, Lynne Liberato and Micah Skidmore of Haynes and Boone LLP, and Michael Morris of the Law Office of Michael P. Morris PLLC.

Perkins Coie LLP roared in the world of intellectual property on Tuesday, as the Federal Circuit wiped out a trio of anti-malware patents that were used to secure a \$20 million damages judgment against Google in a Texas federal jury trial. Google is represented by Andrew Dufresne, Dan Bagatell and Nathan Kelley of Perkins Coie, and Darin Snyder, David Almeling, Luann Simmons and Mark Liang of O'Melveny & Myers LLP.

And in the world of deals, Paul Weiss took a bow for advising Merck & Co. Inc. as the pharmaceutical giant acquired biotechnology company Prometheus Biosciences for a total equity value of about \$10.8 billion. The acquisition, announced Sunday, adds to Merck's portfolio of business focused on inflammation and immunology, with a lead drug candidate called PRA023 that is meant to treat intestinal inflammation and fibrosis. The Paul Weiss team includes partners Laura C. Turano and Scott A. Barshay.

--Additional reporting by Leslie A. Pappas, Jess Krochtengel, Lauren Castle, Craig Clough, Benjamin Horney, Hope Patti, Jasmin Jackson and Jeff Montgomery. Editing by Marygrace Anderson.