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TRAILBLAZERS

LITIGATION

JOHN NEUWIRTH

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PIONEER SPIRIT John Neuwirth held a litigation-related internship and worked for a year at the Manhattan DA's office prior to law school. "That was the beginning. I've also always had an interest in being an advocate and developing an argument."

TRAILS BLAZED Neuwirth has spent his career at Weil and now co-heads the national securities litigation practice, where he represents clients with securities class action defense and M&A litigation, including fiduciary duty and appraisal cases. Neuwirth points to two recent matters as particularly significant. "We represented Sanofi in securities litigation that arose out of statements that Sanofi and its subsidiary Genzyme made concerning the prospects for FDA approval of one of its multiple sclerosis drugs. We won at the district court on a motion to dismiss. It proceeded to the Second Circuit Court of Appeals. In between, the U.S. Supreme Court decided the *Omnicare* case. We had our win at the district court affirmed in the first decision by a federal appeals court to interpret *Omnicare*." The other case involved appraisal litigation. "Last May, we tried a case on behalf of Lender Processing Services, which had sold itself to Fidelity National Financial in a \$4 billion transaction. We successfully argued that, since there was a robust and competitive sales process, the court could rely on the merger price. That was a shift in the way appraisal cases traditionally had been decided."

FUTURE EXPLORATIONS Clients will continue to look for litigators who not only can litigate bet-the-company cases, but also can understand their business and provide strategic advice. "On the securities litigation front, the number of cases that plaintiffs have been filing remains significant, and that will continue. In M&A, appraisal has been hot and will continue."

