

THE NATIONAL LAW JOURNAL

THE 2024 NLJ AWARDS: PROFESSIONAL EXCELLENCE— LITIGATION DEPARTMENTS OF THE YEAR GENERAL LITIGATION

OCTOBER 31, 2024

FINALIST: WILMER CUTLER PICKERING HALE AND DORR

*Answered by: Ronald C. Machen, Chair of the Litigation/
Controversy Department*

■ Describe your firm's approach to litigation and your strategy for building successful teams for trials or other matters.

WilmerHale approaches litigation strategically, anticipating our adversaries' every move while predicting the reactions of the court and the jury to our evidence. Our multidisciplinary teams are diverse and have tremendous trial experience. Significantly, we embed each trial team with an appellate counsel in order to prepare for the next phase of litigation at every step. Through extensive preparation and effective collaboration, we strive to obtain the best outcomes for our clients. In 2023, our trial team took almost 30 cases to trial in high-stakes matters with massive amounts at stake. Indeed, since 2020, WilmerHale has tried over 10 cases where the amount in controversy exceeded a billion dollars.

■ Discuss the two biggest litigation cases your firm worked on in 2023 and how you reached successful outcomes. Among our Litigation Department's big victories was our May 2023 landmark victory for Gilead Sciences Inc., in which a Delaware jury found that our client did not infringe on the CDC's HIV prevention patents as the federal government had alleged. It was the first time the government had sued a collaborative research partner for patent infringement and we were not only successful in invalidating the government's patents at trial, but also, in a separate action, we proved that the government had breached five separate collaborative contracts it had entered into with Gilead in order to receive Gilead's compounds in the first place. Significantly, during the same month, we obtained a unanimous US Supreme Court decision for Twitter in *Twitter Inc v. Taamneh*, reversing a Ninth Circuit decision and shielding social media platforms from liability under the Anti-Terrorism Act.

■ What are the most challenging and satisfying aspects of your work in litigation?

One of the most challenging aspects of my work is getting younger lawyers actual in court trial experience because clients want the partners to play those roles. I would say the most satisfying aspect of my work is seeing a well-planned trial strategy come together during trial and sharing a moment of joy with my client and the trial team at the end of a matter.

■ What is the most important piece of advice you'd share with young lawyers?

Take advantage of your opportunities for growth, even if it means occasionally stretching beyond your comfort zone, work cooperatively with others and always give your best in every endeavor. It's difficult to become a successful litigator without working incredibly hard in a collaborative fashion with your colleagues.

