

## Tax Group Of The Year: Skadden

By Asha Glover

*Law360 (January 28, 2026, 4:04 PM EST)* -- Skadden Arps Slate Meagher & Flom LLP's tax practice guided several major cases and deals this past year, including representing drugmaker Amgen Inc. in one of the largest transfer pricing cases litigated last year, earning the firm a spot among the 2025 Law360 Tax Groups of the Year.

Last year, Skadden handled more tax litigation than any other law firm, and probably by a wide margin, said Raj Madan, partner and head of Skadden's Washington, D.C., tax group. The achievement fits a pattern, because Skadden's market share in the tax controversy and tax litigation space is so high, he said.

Madan highlighted three very big cases for the firm, including Skadden's representation of Sanofi, France's largest pharmaceutical company, as well as Amgen and Eaton. The team worked on a weeklong trial for Sanofi in a case that involved "a financial transaction that they did years ago that has come under IRS scrutiny," Madan said.

Skadden's tax practice is also advising Amgen as it disputes approximately \$8.7 billion of tax plus interest and \$2 billion in penalties for the 2010 through 2015 tax years. At issue are the relative contributions of the key value drivers in Amgen's biopharmaceutical business to Amgen's overall profitability, the firm said.

"What the case is really about — and it's really fascinating — is what is the value driver for customers, for patients that take Amgen's drugs, which are primarily something called biologics," Madan said.

Most recently, Skadden's litigation team led an eight-week trial, from November 2024 through January 2025, with approximately 70 witnesses, 230 hours of testimony and 26,000 exhibits, the firm said. Opening and answering briefs filed by both parties exceeded 500 pages each, according to the firm.

The logistical aspects of the case were incredibly challenging, Madan said. Skadden's team also had to create a narrative that was simple enough for people to understand, he said.

It was an "incredibly fascinating exercise where you have not only people like Amgen's current CEO and its former CEO and CFOs testifying to explain the business," but also several heads of research and development and manufacturing explaining the business to the court, Madan said. Skadden also had



around 15 expert witnesses to explain how the business's profits should be divided.

A decision from the U.S. Tax Court is expected in the second half of 2026, at the earliest, Skadden said.

The case is the first transfer pricing case involving biopharmaceutical manufacturing, the firm said.

Skadden is also helping to advise Eaton in several cases before the Tax Court that involve significant, multibillion-dollar issues related to the transfer pricing of various transactions and partnership taxation.

In the first case, Eaton defended the interest rates and guarantee fees paid by entities in the U.S. to their newly formed Irish parent after the company's 2012 acquisition and inversion.

At a trial that started Nov. 3, Eaton maintained that Eaton Inc., the U.S. company after the inversion, needed loans from its parent, Eaton PLC, as well as the parent's guarantees on third-party debt, to finance the acquisition of global electrical product manufacturer Cooper Industries in 2012.

The Internal Revenue Service argued the 10% interest paid on the intercompany loans was too high and the 4.5% fees for the guarantees were unnecessary because Eaton Inc. could have counted on the "implicit support" of its parent.

At the close of the trial in December, Tax Court Judge Albert Lauber said he planned to find Eaton's U.S. group transferred ownership of a \$14 billion subsidiary overseas in 2012 solely to justify payment of higher interest rates and guarantee fees to the company's new Irish parent. The only reason for moving the subsidiary known as Lux V from the U.S. group to Ireland after Eaton acquired an Irish company and inverted was to weaken the U.S. company's financial metrics, Judge Lauber said.

The dispute over the interest rates and guarantee fees is just one part of Eaton's larger case against the government, in which the company is challenging total deficiencies of more than \$600 million and \$76 million in penalties for 2012 and 2013. Penalties aren't at issue in the upcoming trial, and the deficiency amount related to the interest rates and guarantee fees is roughly \$291.2 million.

Skadden is preparing for two more trials over the next two years to address various issues in the litigation, the firm told Law360.

The Eaton case is "incredibly important in terms of precedent-setting, as it is a novel issue that affects many U.S. multinationals about how you price debt intercompany," Madan said.

Victor Hollender, co-head of Skadden's global tax group, said the case was especially interesting to the firm's planning and transactional lawyers.

"We're constantly dealing with planning questions, so all these issues are constantly coming up," Hollender said. "So to be on the forefront of the litigation is really helpful in understanding how we look at these same issues, both in the transactional setting and in the planning setting."

Skadden has 141 tax attorneys in eight offices in cities including D.C., New York, London and Paris. The firm has plans to keep growing, both Madan and Hollender said.

"On the transactional side, it's developing and growing our expertise in the variety of different areas that we have," including mergers and acquisitions, private equity, and specialty tax areas, such as energy

tax credits, Hollender said. Skadden aims to maintain a very broad tax practice "so that a client knows that if they come to us with almost any question, we'll have the relevant expertise," he said.

What makes Skadden different is that its growth is primarily organic, Madan said.

"The kind of growth that we're talking about ... has been super organic, which we like because it is very aligned with what our needs are," Madan said. The firm isn't "bolting on different practice groups, and that also keeps our group incredibly integrated by doing it so organically," he added.

--Additional reporting by Molly Moses and Natalie Olivo. Editing by Linda Voorhis.