

John Beisner

Skadden

Of Counsel, Washington, D.C.

Mass Torts and Product Liability; Litigation



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Education

J.D., University of Michigan, 1978
(with honors; Administrative Editor,
The Michigan Law Review)

B.A., University of Kansas, 1975
(with honors; Phi Beta Kappa)

Bar Admissions

District of Columbia

California

U.S. Supreme Court

U.S. Courts of Appeals for the First,
Second, Third, Fourth, Fifth, Sixth,
Seventh, Eighth, Ninth and the District
of Columbia Circuits

Associations

American Bar Association
American Law Institute
ABA Class Actions Task Force

John Beisner is the leader of Skadden's Mass Torts and Product Liability Group. He focuses on the defense of purported class actions, mass tort matters and other complex civil litigation in both federal and state courts. He also regularly handles appellate litigations and has appeared in matters before the U.S. Supreme Court. Over the past 35 years, he has defended major U.S. and international corporations in more than 600 purported class actions filed in federal courts and in 40 state courts at both the trial and appellate levels. Those class actions have involved a wide variety of subjects, including antitrust/unfair competition, consumer fraud, RICO, ERISA, employment discrimination, environmental issues, product-related matters and securities. He also has handled numerous matters before the Judicial Panel on Multidistrict Litigation, as well as proceedings before various federal and state administrative agencies, particularly the National Highway Traffic Safety Administration and the Consumer Product Safety Commission.

Mr. Beisner has advised on numerous high-visibility corporate crisis situations, including congressional hearings, federal agency investigations, state attorneys general inquiries and General Accounting Office reviews. Among others, he represented Merck in its Vioxx litigation. He also negotiated a settlement with state attorneys general regarding the Countrywide Finance/Bank of America mortgage lending practices investigation, resulting in a creative loan modification program intended to help more than 400,000 families maintain ownership of their homes. He was named Litigator of the Week by *The American Lawyer* for his role in this case.

Mr. Beisner is a frequent writer and lecturer on class action and complex litigation issues. In 2013, he received the Burton Award for Legal Achievement, which recognizes excellence in legal scholarship. Mr. Beisner also has been an active participant in litigation reform initiatives before Congress, state legislatures and judicial committees. He has testified numerous times on class action and claims aggregation issues before the U.S. Senate and House Judiciary Committees (particularly with respect to the Class Action Fairness Act of 2005) and before state legislative committees. For his integral role in crafting the Class Action Fairness Act, Mr. Beisner was recognized with the 2011 Research and Policy Award by The U.S. Chamber Institute for Legal Reform.

Mr. Beisner has been selected for inclusion repeatedly — and is in the top tier — in *Chambers USA: America's Leading Lawyers for Business* in the area of products liability, and also is listed in *Benchmark Litigation*, *The Best Lawyers in America*, *The Legal 500 U.S.*, *Who's Who Legal*, *Who's Who Legal Thought Leaders: Global Elite*, *Best of the Best USA*, and *Lawdragon's 500 Leading Lawyers in America* and *500 Leading Litigators in America*. He also was named as a Washington, D.C. Trailblazer by *The National Law Journal* in 2020. Mr. Beisner was profiled in an article by *The American Lawyer* that named Skadden as a finalist in the products liability section of its Litigation Department of the Year contest (January 2012). Mr. Beisner has been named repeatedly as *Best Lawyers' Washington, D.C. Mass Tort Litigation / Class Actions - Defendants Lawyer of the Year*, as well as a Star by *LMG Life Sciences* in the non-IP litigation and enforcement and products liability categories. He also was recognized as one of the 2013 BTI Client Service All-Stars by The BTI Consulting Group for providing outstanding client service. In addition, Mr. Beisner was selected as one of *Law360's* MVPs of 2019 and 2011 in the products liability category, which recognizes those who have raised the bar in corporate law throughout the year. In 2010, *Law360* profiled Mr. Beisner in two articles that named Skadden as a Product Liability Group of the Year and Class Action Group of the Year.

A list of the numerous published federal and state court decisions in which Mr. Beisner has played a role is available on request.

Selected Publications

“The Class Action Chronicle,” *Skadden, Arps, Slate, Meagher & Flom LLP*, Recurring publication

“D.C. Circ. Ruling Puts Issue Class Cert. Under Microscope,” *Law360*, August 17, 2023

“The Camp Lejeune Plaintiffs’ Bar Is Monetizing Tragedy,” *Bloomberg Law*, March 24, 2023

“A New Threat: The National Security Risk of Third Party Litigation,” *U.S. Chamber of Commerce Institute for Legal Reform*, November 2022

“Unfair, Inefficient, Unpredictable: Class Action Flaws and the Road to Reform,” *U.S. Chamber of Commerce Institute for Legal Reform*, August 2022

“Supreme Court Mulls Scope of Alien Tort Statute in Nestle, Cargill,” *Skadden, Arps, Slate, Meagher & Flom LLP*, December 22, 2020

“Liability Protections in Coronavirus Relief Legislation,” *Skadden, Arps, Slate, Meagher & Flom LLP*, July 27, 2020

“COVID-19: Federal Problems and Solutions,” *U.S. Chamber Institute for Legal Reform*, May 2020

“CARES Act Provides Much-Needed Stimulus for U.S. Businesses, Individuals,” *Skadden, Arps, Slate, Meagher & Flom LLP*, March 27, 2020

“Coronavirus/COVID-19 Update,” *Skadden, Arps, Slate, Meagher & Flom LLP*, March 18, 2020

“Selling More Lawsuits, Buying More Trouble,” *U.S. Chamber Institute for Legal Reform*, January 2020

“2020 Class Action Outlook,” *Skadden’s 2020 Insights*, January 21, 2020

“Trials and Tribulations: Contending with Bellwether and Multi-Plaintiff Trials in MDL Proceedings,” *U.S. Chamber Institute for Legal Reform*, October 21, 2019

“MDL Imbalance: Why Defendants Need Timely Access to Interlocutory Review,” *U.S. Chamber Institute for Legal Reform*, April 2019

“Significant Rulings Expected for Ongoing Mass Tort, Consumer Class Action Issues,” *Skadden’s 2019 Insights*, January 17, 2019

“Decisions, Decisions: Leading Cases on the Supreme Court’s 2018 Business Docket,” *U.S. News – Best Lawyers “Best Law Firms” 2019*, December 2018

“How Litigation Funding is Bringing Champerty Back to Life,” *Law360*, January 2017