



KENNETH P. CONOUR

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Ken is a member of Butler Snow's litigation department and practices within the Pharmaceutical, Device and Healthcare Litigation Group.

PRACTICE AREAS AND INDUSTRY TEAMS

- Commercial Litigation
- Data Security and Privacy
- Drug and Device Litigation
- Pharmaceutical, Medical Device and Healthcare Industry Team

EXPERIENCE

- **Kenneth P. Conour** represents clients involved in products liability litigation, with an emphasis on pharmaceuticals, medical devices and toxic substances. He has taken a leading role on lead counsel teams in nationwide and California medical products and pharmaceutical litigation.
- In addition to directing local counsel and involvement in all stages of litigation, including discovery, trial preparation and trial, Ken serves as a point-person on matters concerning electronic discovery and mass document production. He has planned and implemented electronic and paper document preservation, collection, review and production in actions involving millions of pages of documents and eDiscovery sources from domestic and international operations; negotiated eDiscovery agreed protocols and orders; consulted clients on eDiscovery best practices and litigation preparedness; and coordinated the efforts of eDiscovery experts. Ken also practices in environmental litigation and professional errors and omissions defense.

Representative Matters

- Representation of pharmaceutical company in litigation involving multiple individual actions nationwide alleging use of over-the-counter medications resulted in Stevens Johnson Syndrome and Toxic Epidermal Necrolysis, with multiple cases tried to verdict.
- Representation of pharmaceutical company in coordinated state litigation alleging various injuries from use of prescription medication.

- Representation of pharmaceutical company in multidistrict litigation and individual state cases alleging cardiac injuries caused by use of prescription medication.
- Representation of pharmaceutical company in diet drug litigation involving multidistrict litigation and individual state cases.
- Representation of medical device company in individual state cases alleging various injuries resulting from use of surgical medical devices.
- Lead domestic and international discovery efforts in various multidistrict litigations, coordinated state actions, and individual federal and state actions involving medications, medical devices and chemical substances, including plan and implement document preservation and collection for domestic and international operations, design and manage document review and production efforts, negotiate and litigate eDiscovery protocols and orders.
- Retained by pharmaceutical companies to develop and implement litigation preparedness plans and discovery practice guidelines for outside counsel.

BAR ADMISSIONS

- California, 1990
- Tennessee, 2019
- U.S. District Courts
 - California: Central, Eastern, Northern, Southern
- U.S. Supreme Court

DISTINCTIONS

- *The Legal 500 US*
 - Recognized in the editorial for nationwide Dispute Resolution: Product Liability, Mass Tort and Class Action: Pharmaceuticals and Medical Devices – Defense, 2019.

ASSOCIATIONS

- Defense Research Institute (DRI)
- San Francisco Bar Association
- California Bar Association
- American Bar Association

EDUCATION & HONORS

- University of California, Hastings College of the Law, J.D., *with honors*, 1990
 - American Jurisprudence Award, Legal Research & Writing
 - American Jurisprudence Award, Criminal Procedure
 - David Snodgrass Moot Court Competition; Coach; Board of Directors; Award, Best Legal Brief
- University of the Pacific, B.A., *with honors*, 1986
 - Phi Beta Kappa
 - Communications Department Outstanding Graduating Senior
 - Political Science Department Outstanding Graduating Senior
 - Pacific Forensics Outstanding Debater

PAPERS, PRESENTATIONS AND PUBLICATIONS

- Co-Author, "[Looking Beyond the Pandemic – AI and Digital Health Kick into Warp Speed](#)," *Pro Te: Solutio*, Vol. 14, No. 2, June 2021.
- Panelist, 11th Annual Electronic Discovery and Records Retention Conference, sponsored by West Legalworks, San Francisco, December 13-14, 2007.
- Speaker, "Electronic Evidence Discovery: More Than Meets The Eye," LegalTech Los Angeles, May 2002, and LegalTech San Francisco, August 2002.
- Co-Author, "'Off-Label' Use: The Misuse is in the Claim," *For The Defense*, December 1999.
- Co-Author, "A Different Path to Defeating Plaintiff's Medical Causation Claim," *Washington Legal Foundation Newsletter*, 1997.
- Author, "The Sistership Exclusion in the Courts: Issues of Judicial Application and Construction," *ABA/TIPS Monograph on Insurance Coverage Issues*, 1994.