

Rising Star: Butler Snow's Alyson Jones

By Kevin Stawicki

Law360 (September 10, 2019, 5:02 PM EDT) -- Butler Snow's Alyson B. Jones has amassed numerous victories on behalf of her life sciences clients over her career, like representing Johnson & Johnson in multidistrict litigation over claims that Tylenol can cause liver failure, earning her a spot as a Law360 Rising Star.

WHY SHE'S A LIFE SCIENCES ATTORNEY:

Jones said she knew after graduating law school that she wanted to be a litigator but had no particular affinity for a practice area until she started in Butler Snow LLP's pharmaceutical and medical device practice group in 2004.

"I never had any prerequisite drive to be in this industry, so falling into life sciences was serendipitous," Jones said.

Once she started working on life sciences cases, she said she was hooked.

THE BIGGEST CASE OF HER CAREER:

Jones represented Johnson & Johnson in multidistrict litigation and state court proceedings alleging Extra Strength Tylenol can cause liver failure even at recommended dosages.

The MDL, which included nearly 200 other cases, culminated in a Pennsylvania federal judge ruling in the first bellwether trial in 2015 that plaintiffs can seek unlimited punitive damages under Alabama law, as opposed to drugmaker-friendly New Jersey law that would have minimized the wrongful death and punitive damages.

A New Jersey state court proceeding ended in 2015, when a jury determined that the woman who sued Johnson & Johnson alleging that an overdose of Extra Strength Tylenol landed her in the hospital had failed to prove she took the pill.

RISING
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STAR



Alyson Jones
Butler Snow

Age: 40

Home base: Mississippi

Position: Partner

Law school: University of Tennessee
College of Law

First job after law school: Associate
at Butler Snow

"We weren't as successful before the MDL judge as we were in New Jersey, where we were able to limit putative damages. Limiting punitive damages was a win and a very positive development for the client," Jones said. "Being able to reach a resolution is a very successful result."

As liaison counsel, Jones said coordinating both cases became particularly challenging when the discovery process heated up, requiring her not only to interface with the plaintiff's lawyers on case management and coordinate with the courts, but manage the narrative the other side was trying to create about the product.

"With a product that has been around since the 1970s with a significant amount of documents and history that had been known and established, trying to defend the litigation with keeping a scope on how much information should be litigated was necessary to protect the client," Jones said.

"Most of the time, we deal with products that haven't been on the market for that long, so the historical nature of that litigation provided unique challenges to craft a defense that would fit what the litigation was driving at versus what the burden and expense was going to be," she added.

WHAT MOTIVATES HER:

While substantive legal issues keep her work challenging, Jones said practicing in the life sciences industry is ultimately about helping people.

"This is a very dynamic practice, because we are dealing with lifesaving drugs," Jones said. "That, along with the fact that the people we work with are so passionate about representing the customers makes the work rewarding."

Constantly perfecting her management skills are also part of what keeps Jones in the game, she said.

"In order to problem-solve with the volume of coordinated proceedings and determine the best way to handle the litigation when the numbers are so high, you have to manage strategically from an oversight perspective," Jones said.

HOW SHE THINKS THE PRACTICE AREA WILL CHANGE IN THE NEXT 10 YEARS:

Jones said the continued use of genetic therapy and advancements in other technologies will change litigation and what companies need in order to defend them.

"The substantive nature of the life sciences industry will continue to change and the management of mass tort will require us to continue to build on and develop our litigation strategy," she said. "I think that you will continue to see mass tort filings. MDLs and coordinated proceedings aren't going anywhere."

— As told to Kevin Stawicki

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2019 Rising Stars winners after reviewing more than 1,300 submissions. Attorneys had to be under 40 years old as of April 30, 2019, in order to be considered for this year's award. This interview has been edited and condensed.