

RECOGNITIONS

## Winston Partners Named to *Benchmark's* 2021 Top 100 Trial Lawyers

OCTOBER 12, 2020

The following Winston & Strawn partners have been selected for *Benchmark Litigation's* 2021 Top 100 Trial Lawyers. These attorneys have earned their place on this list after several phases of research: a review of their recent casework, consideration of how attorneys at peer legal institutions might rank them, and client feedback on their performances.

The Winston partners named to *Benchmark's* 2021 Top 100 Trial Lawyers include:

- Kimball Anderson
- Sandra Edwards
- Jeffrey Kessler
- George Lombardi
- Tom Melsheimer
- Dan Webb

We recently asked these attorneys to discuss this year's notable wins and achievements, as well as the unique challenges faced in 2020.

### Kimball Anderson



**What is your most significant win from the past year, and why is it a notable victory?**

Over the past year, I successfully obtained the dismissal of a major antitrust case against an international pharmaceutical company. I also helped secure positive outcomes for an international glass company by invalidating a competitor's patent and sustaining the judgment on appeal to the Federal Circuit Court of Appeals; an international computer manufacturer by obtaining judgments against domestic and international fraudsters who deceived the client's customers into paying for fictitious computer repairs; an international computer manufacturer before the Illinois Supreme Court by defeating on preemption grounds major potential state tax exposure on out of state sales of computers; and an international auto manufacturer by obtaining millions of dollars in recoveries from vendors for alleged price-fixing.

**Do you have any notable goals for the next year?**

I have several substantial goals for the next year. I would like to significantly expand public interest fellowship and internship programs nationally, obtain class certification for a class of Illinois prisoners confined in extreme isolation for years without due process and resume in-person trials after the pandemic. Within the firm, we must promote other Winston & Strawn partners for admission as Fellows to the American College of Trial Lawyers.

## Sandra Edwards



**What is your most significant win from the past year, and why is it a notable victory?**

I was fortunate to spend four weeks in trial with George Lombardi and a terrific team of Winston lawyers and paralegals at the start of his year. Our team prevailed on key pretrial motions and did a fantastic job developing creative trial strategies and expert and fact witness testimony. The trial began shortly after I joined the firm and really reaffirmed my decision to move to join Winston.

**Do you have any notable goals for the next year?**

Given Winston's fantastic reputation as a go-trial firm, one goal is to have the opportunity to work with my colleagues and firm clients on a wide array of cases going to trial. At some point, courts will begin to open up, and Winston is well-positioned to represent its clients in forums all over the country—I'm hoping to be able to help us to try some of

those cases.

## Jeffrey Kessler



### **What is your most significant win from the past year, and why is it a notable victory?**

My most significant trial win from the past year was the Ninth Circuit's affirmance of our antitrust trial victory against the NCAA and its major conferences on behalf of Division I basketball players and FBS football players. As a result, the players in these classes, who generate hundreds of millions of dollars for their schools in revenues each year, will be able to obtain substantial new education-related benefits from their schools, including unlimited postgraduate scholarships, study abroad, internships, computers, tutoring, and cash incentive awards for academic progress and achievement. This can be transformative for these athletes, most of whom will not go on to professional sports careers.

### **Do you have any notable goals for the next year?**

My goal for the firm this next year is to make us a leader in the fight for social justice, inclusion, and diversity while we also continue to serve the needs of all of our clients.

## George Lombardi



### **What is your most significant win from the past year, and why is it a notable victory?**

I tried two cases last fall. The first was a jury trial in Cook County that involved a qui tam complaint filed against our client Field Turf. The allegation generally was that our client provided defective turf to approximately 30 high schools and colleges in Illinois. The case settled, or at least started to settle, when plaintiffs told the court on the day of closing argument that they were prepared to dismiss the case. After almost a full year of negotiation, the case did settle.

The second was a bench trial in a patent case in Delaware that we handled for our clients Dr. Reddy's Laboratories and Sandoz involving their generic versions of the drug dimethyl fumerate (brand name Tecifidera), a treatment for

multiple sclerosis. We tried the case in December. Before our judge ruled, another generic tried a virtually identical theory before a judge in West Virginia. The West Virginia judge ruled first, invalidating the patent at issue. We then moved for entry of judgment based on collateral estoppel and won. The market is now open to generic competition.

**Do you have any notable goals for the next year?**

My goal is to get back in the courtroom. I am happy to see that there are trials happening in various parts of the country, and specifically that others at Winston have been able to try cases recently. But despite having a number of cases set for trial in the summer and fall that were postponed, none has yet been rescheduled.

## Tom Melsheimer



**What is your most significant win from the past year, and why is it a notable victory?**

We had a zoom bench trial in San Antonio state court that wasn't particularly complicated but, because of the virtual format, the trial was nonetheless challenging. The case had gone up and back from the Texas Supreme Court and involved a dispute between two former business partners (*Brad West v. Leo Quintanilla*). After 8 days of testimony and argument, the district court found in favor of our client, Leo Quintanilla.

**Do you have any notable goals for the next year?**

I think every trial lawyer, no matter the firm, is looking to see a return to the normalcy of in-person jury and bench trials without masks and plexiglass barriers.

## Dan Webb



**What is your most significant win from the past year, and why is it a notable victory?**

Our client Outcome Health became the subject of a federal grand jury and SEC investigation dealing with claims of substantial fraud that allegedly occurred within the company. We achieved a resolution with the government that ensured Outcome Health would not be indicted for any federal crimes.

I was also appointed as Special Prosecutor in connection with the Jussie Smollett case. Our Winston & Strawn Special Prosecution Team brought part of our special prosecutor assignment to a conclusion and publicly issued a final report outlining the substantial operational failures committed by the Cook County State's Attorney's Office in relation to this case. The special prosecutor office is now waiting to go to trial in connection with the underlying Smollett case.

**Do you have any notable goals for the next year? E.g. are there any specific skills you would like to sharpen, personal accomplishments you are working towards, or even objectives for the firm itself?**

The Litigation Practice must adjust to the market that exists as a result of the pandemic—there will be fewer cases going to trial in the immediate future, and possibly fewer lawsuits being filed until the pandemic is over. Both of these are major developments inside the litigation marketplace. I and the entire litigation department are increasing our marketing efforts to ensure that Winston does not lose its momentum as one of the best litigation and trial law firms in the United States.

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North America

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[Kimball Anderson](#)



Sandra Edwards



Jeffrey Kessler



George Lombardi



Thomas M. Melsheimer



Dan Webb