



Rand Brothers

Of Counsel

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Rand is a member of the firm's *Chambers USA* ranked Mass Tort & Product Liability Practice. He is an accomplished attorney, regularly representing clients across a variety of industries in complex commercial and product liability litigation before federal and state courts across the country.

Rand has represented both U.S. and international corporations across a wide variety of industries including pharmaceuticals, biotechnology, transportation, telecommunications, and manufacturing. In connection with his product liability work, Rand frequently engages with experts in diverse scientific fields such as pharmacokinetics, pathology, epidemiology, oncology, genetics, and toxicology to develop compelling general and specific causation defenses for his clients.

Rand has extensive experience in all phases of complex litigation, ranging from initial case assessment and development of defenses, to authoring critical briefs in courts across the country, to defending and examining fact and expert witnesses at deposition, hearings, and trials. He has also had leading roles in the development and

implementation of cost-efficient pre-trial discovery plans for large product liability matters, including all defense-side discovery in a multidistrict litigation involving claims from nearly 4,000 individual plaintiffs.

Rand regularly publishes on product liability and mass tort issues in publications such as *Law360* and *The National Law Review*. In addition, he is a frequent contributor to *Winston's Product Liability & Mass Tort Digest*.

Rand maintains an active pro bono practice, which has recently entailed representation of a service member discharged pursuant to "Don't Ask, Don't Tell" and representation of a coalition of non-profit organizations in an immigration asylum appeal to the Ninth Circuit as *amicus curiae*.

Key Matters

Rand's representative matters have included:

- Representation of aerospace manufacturer in multiple product liability litigation in Illinois state court and Northern District of Illinois.
- Representation of pharmaceutical companies in multi-district product liability litigation before Northern District of Florida and related consolidated proceedings in New Jersey and California state courts.
- Representation of pharmaceutical companies in product liability litigation before Northern District of California.
- Representation of pharmaceutical companies in product liability litigation before Middle District of Louisiana.
- Representation of agricultural biotechnology company in multiple product liability litigations in California state courts.
- Representation of automobile manufacturer in IP litigation before International Trade Commission.
- Representation of logistics company in government False Claims Act investigation.
- Representation of telecommunications company in IP litigation before International Trade Commission.
- Representation of smartphone manufacturer in IP litigation before International Trade Commission.
- Representation of marine terminal operator in commercial litigation before Federal Maritime Commission.
- Representation of sports equipment manufacturer in commercial litigation in Delaware state court.
- Representation of agricultural company in government antitrust investigation.
- Representation of energy company in government Foreign Corrupt Practices Act investigation.

Recent Experience

Winston Serves as Trial Counsel in Monsanto Roundup Litigation

Nabbed Two Big Wins for Motorola in Billion-Dollar Suits Over Cell Phone Safety

Recognitions

- "Key Lawyer," *The Legal 500 U.S.*, Dispute Resolution: Product Liability, Mass Tort and Class Action – Defense: Pharmaceuticals and Medical Devices, 2022–2023

Activities

Rand has contributed significantly to pro bono and public interest matters since joining the firm, including representation of a mother whose child was subject to domestic abuse, providing legal advice to non-profits, and assisting a former member of the armed services with a discharge upgrade pursuant to the repeal of “Don’t Ask, Don’t Tell.”

Credentials

EDUCATION

Rand received a J.D. from Cornell Law School in 2010, where he served as notes editor of the *Cornell International Law Review*. He received a B.A. in economics from Boston College in 2007.

ADMISSIONS

- District of Columbia
- Virginia

Related Insights & News

- “Challenges and Opportunities in Developing a Scientific Defense to Causation,” Winston & Strawn Product & Mass Torts Summit, Speaker, June 7, 2022

BLOG

In re Acetaminophen MDL Court Highlights the Significance of Regulator and Medical Organization Conclusions on Causation in Assessing Expert Methodologies

FEBRUARY 23, 2024

BLOG

In re Acetaminophen MDL Reiterates That Cherry-Picking Data And Exceeding Study Limitations Are Unreliable Expert Methodologies

FEBRUARY 2, 2024

BLOG

Are “Shared” Bradford Hill Analyses an Admissible Expert Causation Methodology? *In re Acetaminophen* MDL Court Says No

JANUARY 12, 2024

BLOG

New Jersey Appellate Court Reverses Plaintiff Jury Verdict in Talc Litigation Based on Improperly Admitted Plaintiff Expert Opinions

DECEMBER 5, 2023

BLOG

Beyond the Obvious: Does the Failure to Rule Out Idiopathic Causes Survive a Rule 702 Challenge?

NOVEMBER 17, 2023

BLOG

Reason Prevails for McDonald's and Wendy's in Burger Beef

OCTOBER 30, 2023

BLOG

Second Circuit Applies Preemption to Bar Tort Claims With No Clear Federal Counterpart

SEPTEMBER 26, 2023

RECOGNITIONS

Winston Attorneys Named to 2022 Capital Pro Bono Honor Roll

SEPTEMBER 6, 2023

BLOG

Eleventh Circuit Affirms CoolSculpting Device Manufacturer Win on Warning and Defect Claims

AUGUST 11, 2023

SEMINAR/CLE

Winston & Strawn's Product & Mass Torts Summit 2023

JUNE 14, 2023

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2023

JUNE 7, 2023

RECOGNITIONS

Terry Dee Featured as Litigator of the Week

APRIL 28, 2023

Capabilities

Product Liability & Mass Torts

Litigation/Trials

Commercial Litigation & Disputes

Medical Devices