

## Neil S. Bromberg

Partner

T 202.898.5805

[nbromberg@hollingsworthllp.com](mailto:nbromberg@hollingsworthllp.com)



**Neil Bromberg's practice focuses on the overall defense of serial, mass tort, and other complex litigation matters, with a particular emphasis on defending—and trying—pharmaceutical and complex products liability litigation. He recognizes knowing the law is one thing, but knowing the science behind the case is a differentiator when building a successful defense. As an avid adventure sports enthusiast, Neil has been trained to quickly learn, adapt, or turn on a dime, learning skills utilized by scientists, doctors, or epidemiologists to more successfully prepare the case with an eye towards trial.**

Spanning a 30-year career, Neil has gained a profound understanding of the legal challenges surrounding complex liability cases and developed an ability to ramp up to speed quickly on sophisticated scientific and medical issues surrounding each case. Most recently, Neil served as national counsel representing Avon Products in cosmetic talc litigation and was successful in keeping the company from going to trial. He has also worked on the firm's trial team representing Monsanto in the nationally publicized Roundup litigation.

Further, Neil managed the defense of 142 cases on behalf of Novartis Pharmaceuticals Corporation. As part of a consolidated litigation in New Jersey involving claims that Novartis's bisphosphonate drugs used in cancer therapies cause a "signature disease" known as osteonecrosis of the jaw ("ONJ"), Neil secured a 7-1 defense verdict for Novartis in the second bellwether case chosen for trial in the New Jersey litigation over the drugs Aredia® and Zometa®. After a short deliberation, the *Meng* jury rejected the plaintiff's failure-to-warn claim. Prior to that decisive victory, Mr. Bromberg won the *first* bellwether trial in the New Jersey consolidated litigation in 2010.

Subscribing to a "no surprise" philosophy when practicing law and representing clients, Neil works hard to develop close relationships with his clients believing the better the relationship, the better he can work on their behalf. Known to be a powerhouse when questioning witnesses, Neil's significant experience defending and deposing expert witnesses in various fields, including

oncology, oral surgery, neurology, obstetrics, pharmacology, and internal medicine, extends beyond the deposition stage. He specializes in zealously designing and implementing strategies to exclude (or limit) expert testimony through motions practice or evidentiary hearings pursuant to *Daubert*, *Kemp*, and similar admissibility standards.

With extensive toxic tort experience, having previously represented gasoline manufacturers in personal injury and wrongful death litigation involving alleged exposure to benzene, Neil has served as past co-chair of the Mealey's Benzene Litigation Conference. He has spoken on talc litigation at a cosmetic industry conference and participated on panel discussions related to *Daubert*, in addition to giving numerous presentations on a variety of issues including e-discovery and scientific evidence. Neil has also served as an appellate judge for the American Bar Association's National Appellate Advocacy Competition.

## Admissions

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District of Columbia and New York

United States Courts of Appeals for the District of Columbia Circuit, Second, Third, and Fourth Circuits

United States District Court for the District of Columbia

## Accolades

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- ABA House of Delegates, nominated to run for position of D.C. Representative, 2001

## Memberships

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- Defense Research Institute (DRI), Member, 2010 – Present
- District of Columbia Bar Association
  - Board of Governors, Continuing Legal Education Committee Member, 2000 – 2003
  - Publications Committee, Chair, 1999 – 2000
  - Programs Committee, Vice Chair, 1999 – 2000
  - Steering Committee Member and Internet Coordinator of the Litigation Section, 1998 – 2000