

## EMILY L. PINCOW

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### Overview

Emily L. Pincow is a senior counsel in Lash & Goldberg LLP's Fort Lauderdale office. Prior to joining the Firm, Emily practiced in the New York and Miami offices of Weil, Gotshal & Manges LLP.

Emily has handled complex commercial litigation matters throughout the United States. She has defended large domestic and international corporations in high-stakes actions in federal and state courts at the trial and appellate court levels. Emily focuses primarily on the defense of class actions and multi-district litigations.

Emily has extensive trial experience, having assumed a principal role on multiple trial teams. Her trial experience includes obtaining three consecutive complete defense jury verdicts for a pharmaceutical conglomerate. She has litigated cases in a variety of industries involving claims under the False Claims Act, violations of consumer protection laws, and product defects and warranty claims.

Emily serves as a Chair of the American Bar Association's Mass Torts Litigation Subcommittee on MDL & Class Procedures. She is also a frequent author whose articles on complex litigation issues have appeared nationally in an array of industry publications.

Emily received her law degree, *magna cum laude*, from New York Law School, where she served as the Associate Editor of the *Law Review*. She received her undergraduate Bachelor of Science degree in psychology from Lehigh University.

## Principal Practice Areas:

- Alternative Dispute Resolution
- Class Action Litigation
- Complex Commercial Litigation
- Employment Litigation
- Government Investigations, False Claims Act and White-Collar Criminal Defense
- Health Care Litigation

## Education:

- New York Law School, J.D., *magna cum laude*
  - *New York Law School Law Review*, Associate Editor
  - C.V. Starr Scholar
- Lehigh University, B.S., Psychology

## Admissions:

- Florida
- New York
- New Jersey
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Southern District of New York

## Honors / Accreditations:

- *New York Law School Law Review*, Associate Editor
- C.V. Starr Scholar
- New York Law School Rank 11/369
- The Legal Aid Society Pro Bono Publico Award
- New York State Bar Association, 2012 President's Pro Bono Service Award

## Representative Cases:

- Member of trial team that secured three consecutive complete defense verdicts in mass tort talc litigation.
- Senior associate on trial team in a contract dispute over return provisions of a multi-million dollar lease for crude-oil railcars.

- Associate on team representing global corporate client in consumer fraud cases defeating certification of nationwide and Florida state putative classes.
- Member of trial team representing corporate client against suit brought by the U.S. Department of Justice under the False Claims Act.
- Senior associate on team securing a complete dismissal on behalf of pharmaceutical company against consumer class action related to epinephrine injection recall.
- Associate on team representing foreign government for alleged human rights and property violations, including appeals to the Seventh and D.C. Circuits.
- Associate on trial team defending pharmaceutical entity in connection with Risperdal.

### **Select Publications:**

- *Third Circuit Court's Highlighted Continued Hurdles with Ascertainability and Predominance in Consumer Class Actions*, **ABA Newsletter (2018)**.
- *9th Circuit Endangers Mass Action Removal Under CAFA*, **Law360 (2017)**.
- *Understanding the Latest Trends for Ascertainability and Predominance in Class Certification*, **ABA Practice Point (2016)**.
- *A Case Study on How to Decertify Common Defect Classes*, **Law360 (2015)**.
- *Prosecution of Off-Label Speech in a Post-Caronia World*, **Law360 (2015)**.