

Anthony J. Anscombe
Partner, Chicago, Illinois

Class Action/Complex Litigation
 Food, Drug and Medical Device
 Commercial Litigation & Counseling
 Environmental & Toxic Tort



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Current Scope of Practice

Anthony J. Anscombe concentrates in complex and class action litigation involving a wide variety of substantive areas and industries. He has defended class action matters across the country, with an emphasis on matters involving consumer fraud, deceptive trade practices, warranty, mass tort and statutory claims. He possesses extensive experience in all aspects of class action defense, including crisis management, initial motion practice, positioning cases for opposition to certification, preparing experts, defeating certification, dispositive motion practice, trial strategy and the intricacies of class settlement.

Mr. Anscombe devotes a substantial portion of his practice to commercial litigation and counseling. Substantive areas include antitrust, unfair competition, consumer fraud/deceptive trade practices, sales, advertising compliance, distributorship agreements, business ethics and contract disputes. He has worked with clients to develop compliance programs for a variety of business practices and has conducted internal investigations.

Mr. Anscombe has extensive experience in product and toxic tort litigation involving foods, pharmaceuticals, medical devices, botanicals, consumer products, industrial chemicals, environmental contamination, automotive products and machinery. He has been a key member of several MDL teams, and has successfully defended several 100+-plaintiff lawsuits arising out of industrial accidents or environmental exposures and employed a number of innovative case management strategies to streamline the cases, eliminate “me-too” plaintiffs and reach favorable outcomes.

On behalf of his pharmaceutical and other life science clients, he has developed a deep understanding of the regulatory and public relations environments in which his clients do business and the need for defense strategies that mirror his clients’ public image and corporate mission. Mr. Anscombe has used his litigation experience and knowledge of these industries to counsel clients on risk management, litigation trends, regulatory compliance, crisis management and pre-litigation dispute resolution.

Mr. Anscombe’s environmental experience includes litigating and counseling clients on claims arising under CERCLA, RCRA and parallel state acts; counseling clients on UST matters; negotiating settlements with state agencies; working with experts to develop cost-effective remediation plans; and litigating numerous toxic tort matters with associated issues of regulatory compliance and environmental injury.

Affiliations, Activities and Accomplishments

Mr. Anscombe is vice president of the Board of Directors of the Chicago Center for Conflict Resolution (CCR), a leading nonprofit resource for mediation services and conflict management training. He has been recognized in peer-reviewed listings of preeminent lawyers. Before relocating to Chicago, Mr. Anscombe spent 11 years as a litigator in the firm's San Francisco office.

Mr. Anscombe is a member of the State Bars of Illinois and California. He is also a member of the Defense Research Institute, the Illinois State Bar Association and the Chicago Bar Association. Mr. Anscombe is admitted as follows: Supreme Court of Illinois (1999); Supreme Court of California (1988); U.S. District Court for the Southern and Central Districts of Illinois (2003); U.S. District Court for the Northern District of Illinois (1999) (Trial Bar 2003); U.S. District Court for the Eastern District of Wisconsin (1999); U.S. District Court for the Eastern (1997), Central (1994) and Northern (1989) Districts of California; U.S. Court of Appeals for the Seventh (2003), Ninth (1989) and Third (2009) Circuits.

Presentations & Publications

Mr. Anscombe's presentations and publications include:

- "Protecting Yourself From Class Action Lawsuits," *Food Technology* (December 2011).
- "Illinois Supreme Court Rules That Tender of Complete Relief to Class Representative Before Class Certification Motion Moots Putative Class Action," Sedgwick's *Class Action Alert* (April 12, 2011).
- "What's New In Class Actions," Sedgwick Chicago Seminar Series (September 2010).
- "Defeating Presumptions of Reliance in Medical Product Class Actions," Sedgwick's *Issue Tracker* (December 2009).
- Lead Author, International Comparative Legal Guide to: Class Actions 2010, Chapter on the United States (Global Legal Group).
- Lead Author: ABA 50 State Guide to Consumer Fraud Class Actions, Chapter on Illinois.
- "Small Packages, Big Claims?: The Proliferation of consumer product class actions," DRI Consumer Product Meeting, San Diego, CA (April 15, 2009).
- "Navigating Ethical Gray Areas in Class Action Litigation," ACI Defense Counsel Summit on Positioning the Class Action Defense for Early Success, Scottsdale, AZ (October 27, 2008).
- "N.J. Supreme Court Dismisses Vioxx Medical Monitoring Claims in Putative Class Action," Sedgwick's *News Flash* (June 2008) (coauthor).
- "An Ounce of Prevention: Arbitration Agreements and Class Action Waivers," and "Defeating Presumptions of Reliance," Class Action Task Force CLE Seminar, Chicago, IL (May 22, 2008).
- "The Final Pretrial Hearing," 90 Days Before Trial: The Final Countdown, Chicago Bar Association (October 24,

2007); accompanying articles: “90 Days Before Trial: Part 1” (October 2007) and “90 Days Before Trial: Part 2” (January 2008), *Chicago Bar Association Record*.

- “N.J. Supreme Court Overturns Third-Party Payor Class Certification in Consumer Fraud Action,” Sedgwick’s *News Flash* (September 2007) (coauthor).
- “Illinois High Court Refines State Class Action Jurisprudence,” *Legal Backgrounder*, Vol. 22, No. 8, Washington Legal Foundation (March 9, 2007).
- “The Final Pretrial Hearing,” 90 Days Before Trial: The Final Countdown, Chicago Bar Association (September 27, 2006).
- “Special Strategies for Section 17200 Consumer Finance Class Actions,” 4th National Advanced Guide to Consumer Finance Litigation and Class Actions, American Conference Institute (April 7, 2005).
- “Class Action Fairness Act Changes Litigation Landscape,” Sedgwick’s *Sidebar* (March 2005).
- “Resolving Mold Claims: Practical Approaches to Settling, Mediating, and Minimizing Exposure,” moderator, Sterling Educational Services (June 9, 2004).
- “Regulating Botanicals in Food,” *Food Technology* (January 2003).

Education

Mr. Anscombe received his J.D. (1988) from the University of Virginia, where he was notes editor for the *Virginia Journal of Natural Resources Law*. He graduated with a B.A. (1983), *cum laude*, from Yale University.