

Counsel, Litigation

Company: pharmaceutical industry

Location: Montreal

SUMMARY

Counsel, Litigation will lead the litigation function at the company and be responsible for managing litigation and claims on a worldwide basis (although most claims are in Canada), will oversee the Company's responses to governmental and regulatory investigations and proceedings, and will ensure that appropriate policies and training programs are in place for risk management. Litigation and case management experience in one or more of the areas of commercial disputes, products liability, intellectual property, and advertising claims is required. Counsel, Litigation will report directly to the Vice President & General Counsel.

ROLES AND RESPONSIBILITIES

- Proactive litigation management and coordination of outside counsel
- Oversee claims resolution process both within the Company and with outside insurance carriers
- Coordinate responses to governmental investigations, proceedings and enforcement actions
- Assist in the management of litigation budget and work to minimize outside counsel expense levels
- Support other legal team members to preempt litigation matters, enhance regulatory compliance and risk management
- Support policy development and training and education of employees relating to litigation and risk
- Identify complex legal issues related to assigned matter; develop alternative solutions
- Serve as primary point of contact for external parties such as law firms, government agencies, and claimants regarding litigations and investigation matters
- Provide counsel to other legal counsel team members regarding the negotiation of high litigation risk agreements such as those implicating antitrust concerns, and the interpretation of complex or ambiguous commercial agreements
- Provide support for settlement reviews

QUALIFICATIONS

- Law degree from a Canadian approved law school required with excellent academic credentials preferred
- Admission (or ability to be admitted) to practice law in Quebec, Ontario preferably but other provinces or US states will be considered
- 6+ years of litigation experience in a corporate or law firm setting. Substantial experience in commercial, IP and product liability in the pharmaceutical industry and/or in managing large portfolios of cases and claims is preferred
- Expert knowledge of the Federal Rules of Civil Procedure and other laws, rules, and guidance regarding civil litigation
- Familiarity with FDA law (Canada/USA), PMNOC, Hatch-Waxman, Sherman Act, FTC Regulations, Clayton Act and Hart-Scott-Rodino
- Familiarity with Generic Drug industry and FDA rules and regulations (i.e., understanding of principles and independently using knowledge)
- Ability to effectively evaluate and articulate practical consequences of legal strategies and options

- Considerable experience with the pharmaceutical industry generally and understanding of current federal and state pharmaceutical litigation and enforcement environment, and relevant statutes and regulations (including FDCA, False Claims Act, and anti-kickback statutes), is strongly preferred
- Sound business and legal judgment
- Strong leadership skills with the ability to influence internal and external stakeholders and guide decision making
- Effective supervisory management skills with the ability to oversee projects delegated to subordinates and outside counsel
- Willingness to be flexible and adaptive, with the ability to operate and be an effective leader in a dynamic, fast-paced environment
- Demonstrated ability to implement legal strategies to meet business goals
- Manage litigation issues in a manner that protects the best interests of the company, as well as the company's integrity, reputation, assets, officers, and employees, while ensuring the company operates in compliance with applicable laws and regulations
- Maintain the highest standards of ethics and professional integrity
- Ability to manage a large portfolio and variety of claims and projects
- Outstanding verbal and written communication skills with the ability to interact effectively with executives and employees at all levels within the organization
- Exhibit initiative and assertiveness including the ability to work with minimal supervision
- Proficiency in Microsoft Office, especially Word and Excel

Please note that only candidates selected for interviews will be contacted.

CONTACT INFORMATION

Please forward your CV/résumé, in confidence, to SHORE & Associates:

Michel Ohayon: mohayon@shoreassoc.com – 514-878-4777