



John D. Winter

Partner

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John Winter has focused his practice on the defense of pharmaceutical and medical device cases. A member of Patterson Belknap since 1990, Mr. Winter has tried or argued the appeal of more than 50 product liability cases in state and federal courts throughout the United States. He has also acted as national counsel for pharmaceutical, consumer product, and medical device manufacturers in consolidated proceedings in state and federal courts. *Chambers USA – America’s Leading Lawyers for Business* has recognized Mr. Winter as a notable practitioner nationally in the field of product liability and mass torts. Clients have stated that he is "*known as an incredible attorney - his knowledge of the inner workings of court and his overall knowledge of rules and statutes is amazing.*" Clients have also noted that he is "*an excellent all-around lawyer, who is very good at analyzing issues, working with witness and then trying cases.*" Mr. Winter is also recognized as a "Litigation Star" by Euromoney Institutional Investor PLC's *Benchmark Litigation*.

Mr. Winter also has substantial experience litigating commercial matters for Patterson Belknap clients including organizations, governmental entities, privately held companies as well as pharmaceutical, cosmetic and medical device companies.

Prior to joining Patterson Belknap, Mr. Winter served as Law Clerk to the Hon. John M. Cannella, U.S. District Judge for the Southern District of New York.

Representative Matters

Pharmaceutical and Medical Device Manufacturers

Coordinating defense at trial and appellate levels of more than 10,000 product liability actions pending in state and federal courts involving nine different medicines and medical devices.

Representing at trial and appellate levels pharmaceutical and medical device manufacturers in more than 350 individual product liability lawsuits.

Representing pharmaceutical and medical device manufacturers in Congressional inquiries on clinical research and marketing practices.

Representing pharmaceutical manufacturers in domestic and international contract arbitrations.

Other Industries

Obtaining replevin of a museum's wrongfully sold art work.

Defending and winning jury verdict in case alleging that employee was terminated because of a disability.

Patterson Belknap

Defending and winning jury verdict in case alleging that an employee was sexually harassed.

Defending and winning jury verdict in case alleging that failure to promote an employee was based on race discrimination and exercise of First Amendment rights.

Defending and winning at trial a constitutional challenge to the manner in which a county subsidizes certain forms of mass transit.

Representing public entity in federal court appeal and obtaining reversal of trial court decision that termination of four county attorneys violated their civil rights.

Education

- Fordham University School of Law (J.D., 1981)
 - Editor-in-Chief, *Fordham Urban Law Journal*
- University of Pennsylvania (M.A., 1978)
- University of Pennsylvania (B.A., *cum laude*, 1978)

Admissions

- U.S. Court of Appeals, Second Circuit; Fourth Circuit; Fifth Circuit; Seventh Circuit; Eighth Circuit; Ninth Circuit; Eleventh Circuit
- U.S. District Court, Southern, Eastern, Western and Northern Districts of New York; Northern District of Illinois
- New York

Professional Activities

MEMBERSHIPS: Member, New York State Bar Association

HONORS: Nationally recognized by *Chambers USA* in the area of Products Liability; Recognized by Euromoney Institutional Investor PLC's *Benchmark Litigation* as a "Litigation Star"

Publications

- "Toward a Global Solution on Vaccine Liability and Compensation" *Food and Drug Law Journal* (March 2019)
- "The Federal Court in New York: 225 Years and Counting" U.S. District Court, Southern District of New York, *History of the Southern District* (March 2014)
- "Retelling the History of the United States District Court for the Southern District of New York" *NY Litigator*, Volume 17, Number 1 (Summer 2012)
- "The Admission of Government Agency Reports under Federal Rule of Evidence 803(8)(c)" *Mass Torts*, Volume 7, Number 2 (Spring 2009)
- "Is it Time to Abandon FDA's No Release from Liability Regulation for Clinical Studies?" *Food and Drug Law Journal* (Summer 2008)
- Individual Practices of Judges and Magistrate Judges in the Southern District of New York *NY Litigation* (Summer 2008)

- "Federal Preemption in the Medical Device Area," *Food, Drug, Cosmetic and Medical Device Law Digest* (January 1991)