

Daily Journal

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TOP 100 LAWYERS IN CALIFORNIA 2019

BERNARD ALEXANDER, MIYU ALEXANDER, CRISTINA C. ARGUEDAS, MIKE ARIAS, AHILAN T. ARULANANTHAM, MICHAEL W. BIEN, THEODORE J. BOUTROUS, JR., KEVIN BOYLE, KIMBERLY BRANSCOME, BRAD D. BRIAN, JOSHUA BRIONES, BRUCE BRUNNETT, HANNAH SUZANNE BROOME, ELIZABETH J. CABRASER, DAVID S. CASEY, JR., MORGAN CHU, RICK CLIMAN, JOSEPH W. COTCHETT, CARISSA COZE, ROBYN C. CROWTHER, ALAN DENENBERG, HARMEET K. DILLON, JEFFREY DIGGS, JEFFREY DINTZER, JULY DUMAS, BRIAN DUNN, MICHAEL ESQUIVEL, KEITH FLAUM, DANA FOX, ERIC M. GEORGE, THOMAS V. GIRARDI, PATRICIA L. GLASER, ARTURO GONZALEZ, HERMLE, KAREN P. HENNING, THOMAS W. HILTIAG, COLLEJ, MARK HOLSCHER, JOHN HUSTON, MIA JIN, KIN, ROBERT, JOEY, ANNA, BRIAN S. KABATECK, STEVEN KAUFMANN, RON KAYE, JEFFREY, CHARLIE KIM, JING, KENNETH KLEINBERG, M. KOEY, ERIC, MICHAEL, MICHAEL, KUMF, STEPHEN, G. LARSON, JASON LEE, MARK LEMLEY, ROBERT F. LEWIS, GARY S. LINCENBERG, CHRISTOPHER, LOVRIEN, JENNIFER, JENNIFER LYNN KELLER, KATHLEEN, DANIEL D. MCMILLAN, RAPHAEL METZGER, DARRELL D. MILLER, SEAN MORRIS, ANN MARIE MORTIMER, ANTON N. NATSIS, NANCIE E. NISHIMURA, L. OLSON, BRIAN PARRIS, ANDON C. PARRIS, BRIAN, JEFFREY, NSIF, ELLIOT, DAVID, JOCE, JEFFREY, M. A. S. PUTZ, ALAN, S. RINGLER, ROBINSON, JR., HEATHER, ROBIN, KELLI L. SAGER, NANCY SARACINO, JOSEPH R. SAVERI, KEVIN HENKMAN, ROMAN SILBERFELD, BRUCE L. SIMON, QUYEN TA, MATTHEW THOMPSON, ROBERT VAN NEST, PETER, BART H. WILLIAMS, SHAWNA A. WILLIAMS, DAVID WILLINGHAM, DONNA L. WILSON, DEBRA WONG YANG, MICHAEL WORONOFF

LITIGATION

KIRKLAND & ELLIS LLP | LOS ANGELES

KIMBERLY O. BRANSCOME

SPECIALTY: MASS TORT AND PRODUCT LIABILITY

Branscome scored a major victory for the maker of Johnson & Johnson’s baby powder last November when a Humboldt County Superior Court jury scored a defense verdict for the pharmaceutical company.

The Kirkland & Ellis LLP litigation partner has become an expert at defending the drugmaker in talc cases.

She is currently trying a case in Los Angeles County Superior Court filed by a couple who say the wife got mesothelioma from the talc in the company’s product. *Cabibi et al. v. Johnson & Johnson et al.*, BC665257 (L.A. County Sup. Ct., filed June 15, 2017).

She also played a role in two other Johnson & Johnson trials, consistently arguing that talc is safe and that government testing supports the company’s position.

Branscome said she walks a fine line between aggressively defending her client while expressing sympathy for the ill plaintiffs who are suing the company. “It is challenging and a delicate balance at every trial,” she said.

In the Humboldt County trial, she decided not to cross-examine the plaintiff, Carla Allen — who claimed the baby powder gave her lung cancer — because she was ill, electing to play a video deposition instead.

But Branscome hammered the plaintiff’s expert witness based on information she learned in a previous trial against Johnson & Johnson.

The issue was whether the baby powder bottle could be refilled. When the expert said that was impossible, Branscome confronted him with a video in which she showed him an internet blog in which the technique was demonstrated.

Humboldt County Superior Court Judge Timothy A. Canning allowed the video to be played.

“It was a pretty big moment in court,” Branscome said. “One of the jurors gasped out loud.”

Branscome also argued that Allen could have been exposed to asbestos at her workplace. In the end, the jury reached a defense verdict. *Allen v. Brenntag North America Inc. et al.*, DR180132 (Humboldt Sup. Ct., filed March 2, 2018).

Aside from the talc cases, Branscome also is lead counsel in a pending lawsuit by service members who claim faulty



3M earplugs caused their hearing loss. The case is pending. *In re: 3M Combat Arms Earplug Product Liability Litigation*, 19-MD02885 (N.D. Fla., filed April 3, 2019).

— Craig Anderson