



2021 RISING STAR

Devora Allon

Drugmakers facing multidistrict litigation — such as a generic pricing antitrust litigation in Pennsylvania federal court — often turn to Kirkland & Ellis LLP’s Devora Allon to represent them, earning her a spot among the top life sciences attorneys under age 40 honored as Law360 Rising Stars.

Her biggest case:

Allon is serving as the head lawyer defending Upsher-Smith Laboratories in a Pennsylvania federal court MDL alleging price-fixing claims against various parties.

She said that it is the biggest case in her career, in terms of the nature of the MDL, the number of parties, the wide scope of the allegations and the potential exposure.

“Understanding the key defenses is an extensive exercise,” she said.

As one of the liaison attorneys, she noted that there are challenges in coordination. However, the firm said she was able to get some state allegations against her client tossed in 2017.

“Just the coordination efforts are very extensive,” Allon said.

“The nature of the allegations are sweeping really, and they cover essentially the whole industry. It’s a challenging case in terms of getting your arms around discovery.”

Her proudest moment:

Allon was able to secure a win for her client Teva Pharmaceuticals Ltd. in a Third Circuit decision that upended class certification for wholesalers pursuing pay-for-delay claims against GlaxoSmithKline PLC and Teva over the generic version of the mood stabilizer Lamictal.

She said she has worked hard over the years trying to explain to the courts why she and others think that direct purchasers’ claims in cases like this are not suitable for class actions.

“That was a very exciting and gratifying win for us,” she said.

Why she’s a life sciences attorney:

Allon is proud to play a small role in helping her clients do what she said is work that saves lives.

“I’m really proud of the work my clients do to develop lifesaving drugs to make sure those drugs are safe and cost-effective, and get those drugs on the market,” she said.

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She added that “it’s always something that is cutting-edge and exciting,” referring to her clients’ work. “I think the work they do is important, and also the mix of work is exciting to me.”

Another interesting case:

Allon is representing Ranbaxy Pharmaceuticals and Sun

Pharmaceutical Industries in a case claiming that Ranbaxy delayed generic versions of three different drugs by manipulating the regulatory approval system.

She said the case is particularly interesting because it essentially alleges that her client made misrepresentations to the U.S. Food and Drug Administration and defrauded the FDA into granting approval for a product.

Allon added that while it’s a monopolization case, it’s peculiar because two of the products never actually launched.

“We typically understand monopolization as charging supra-competitive prices, and here, they

are alleging we monopolized a market we never competed in,” she said. “It presents a lot of novel issues in how you understand the monopoly claim and how to define the relevant market in an antitrust case.”

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