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Rebecca Weinstein Bacon

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PROFESSIONAL PRACTICE

Rebecca Weinstein Bacon is a trial lawyer with a national practice. She litigates and tries high-stakes cases in state and federal courts. Rebecca represents clients in a variety of cases including products liability, class action, mass torts, consumer fraud, and breach of contract. Following graduation from Columbia Law School, Rebecca worked in the New York office of O'Melveny & Myers and joined Bartlit Beck in 1999.

Rebecca excels at translating complex legal and factual information into simple and persuasive terms, both in court and in writing. She is also adept at navigating large-scale discovery to hone in on information critical to winning the case. She is often entrusted with preparing critical witnesses for deposition or trial testimony.

Rebecca speaks often on social media issues in the law, electronic discovery strategies for large and complex cases, and other trial preparation issues.

REPRESENTATIVE MATTERS

Confidential AAA Arbitration

Rebecca is heading the defense of a \$200 million breach of contract claim brought by a large financial institution over an infrastructure asset. The case involves complex damages and causation issues.

In re: Trasylol Litigation

National counsel for Bayer in products liability cases in state and federal court involving Trasylol, a drug used during coronary bypass surgery. Rebecca took and defended key depositions, including expert depositions that led to their Daubert exclusion.

WeightSmart® Litigation

National counsel for Bayer in consumer fraud class action lawsuits relating to OneADay® vitamins. Successfully defeated nationwide class certification motion under New Jersey Consumer Fraud Act.

EDUCATION & HONORS

Columbia University School of Law, J.D.

James Kent Scholar

Harlan Fiske Stone Scholar

University of California at Los Angeles, B.A., *magna cum laude*

Phi Beta Kappa

Golden Key National Honor Society

Pi Sigma Alpha - National Political Science Honor Society

BAR ADMISSIONS

New York

Illinois

United States Court of Appeals for the 3rd Circuit

United States Court of Appeals for the 11th Circuit

PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

Member, International Association of Defense Counsel (IADC)

www.bartlit-beck.com

Social Media Chair for
International Association of
Defense Counsel (IADC),
Legislative, Judicial and
Governmental Affairs
Committee

Association of Trial
Lawyers of America

Adjunct Professor,
Northwestern University
School of Law, High Tech
Trial Techniques (2011)

The Balanced Mind
Foundation, Board of
Directors (2011)

In re Teflon® Product Liability Litigation

National counsel for DuPont in more than 20 class action lawsuits related to Teflon®-coated cookware. Successfully defeated class certification motion. Court denied plaintiffs leave for appeal. Cases voluntarily dismissed with prejudice.

Baycol® Litigation

National counsel for Bayer in products liability litigation related to the anticholesterol drug Baycol®. Cases pending throughout the country were consolidated in federal court in Minnesota.

Haltom v. Bayer Corp.

Trial counsel for Bayer in products liability case involving Baycol. Plaintiff sought \$560 million in actual and punitive damages. After a one-month jury trial in state court in Corpus Christi, Texas, the jury returned a verdict for Bayer on all issues.

DuPont v. Cardinal Healthcare 200, Inc.

Represented DuPont in breach of contract and promissory estoppel case relating to DuPont's business that makes fabric for surgical drapes and gowns. Case settled favorably just before trial.

Hoover v. BISSELL Inc.

Represented BISSELL Inc. in patent infringement and trade dress suit brought by Hoover involving a nozzle configuration for vacuums. Case settled favorably.

B.J. Services v. Halliburton Energy Services

Represented Halliburton in patent infringement case related to methods for fracturing subterranean formations to stimulate oil and gas recovery. Hired to try case ninety days before trial. After month-long jury trial, jury found for B.J. Services and awarded less than 25% of damages sought.

Guidant Corp. v. Boston Scientific Corp.

Represented Guidant in contract dispute involving drug-eluting coronary stent technology.

Residential Funding Corp. (GMAC) v. DeGeorge Financial Corp.

Represented Residential Funding in jury trial in lender liability case involving an agreement to purchase home construction loans. Jury returned a verdict for Residential Funding on all issues and awarded Residential Funding \$96 million in damages. Case listed as one of the Top Plaintiffs' Verdicts for 2001 by The *National Law Journal*.

Twentieth Century Fox Film Corp., et al. v. Scour, Inc.

Defended Scour against copyright infringement suit brought by members of The Recording Industry of America, the Motion Picture Association of America and the National Music Publishers Association.

Precor, Inc. v. Life Fitness

Represented Brunswick Corp. subsidiary in jury trial relating to exercise treadmill patent and unfair competition dispute. Jury verdict for Precor. Federal Circuit affirmed in part and reversed in part.

BISSELL v. Oreck

Represented BISSELL in multiple patent and trade dress infringement and unfair competition actions. Cases settled favorably.

Hubbell Steel v. Dun & Bradstreet; Gibraltar Steel v. Dun & Bradstreet

Represented Dun & Bradstreet in actions for tort and breach of contract relating to Dun & Bradstreet's reporting services. Case settled favorably.

University of Chicago v. Chou

Defended University of Chicago in suit claiming that a researcher was wrongfully denied credit as co-inventor of herpes vaccine. Case dismissed by federal district court in Chicago. Briefed and argued appeal to Federal Circuit. Case reversed in part and remanded in part. Case settled favorably.

ACKNOWLEDGEMENTS, PRESENTATIONS, AND PUBLICATIONS

Frequent speaker on electronic discovery

Featured in “Facing The Alternative: How Does A Flat Fee System Really Work?” in the ABA Journal (March 1, 2011)

Social Media: The Impact on Pharma – upcoming Drug and Medical Device Litigation Conference of the American Conference Institute (New York, December 2010)

Handling Trial Themes in Difficult Cases – Women in Products Liability Conference (Chicago 2009)

Disappearing Act: When a dot-com fails, creditors may find they have few legal protections if insiders try to loot the company's virtual assets, The Daily Deal, June 6, 2000 (with J.B. Heaton, Ph.D.)

Personal Jurisdiction and the Internet, New York Law Journal, July 20, 1998 (with Dale M. Cendali)

Business on the Web: Personal Jurisdiction and the Internet, The Multimedia and Web Strategist, July and August, 1998 (with Dale M. Cendali)

NEWS

Alternative Fee Discussion featuring Rebecca Weinstein Bacon from the ABA Journal

Bartlit Beck Defeats Nationwide Class in WeightSmart Litigation

Bartlit Beck Secures End of Consumer Fraud MDL for DuPont

Court Denies Class Certification in Teflon MDL

BIG WINS

Bartlit Beck Wins \$96 Million Verdict For GMAC In Jury Trial Against Susman Godfrey, *Residential Funding v. DeGeorge* (2001)