

Chicago  
Courthouse Place  
54 West Hubbard St.  
Suite 300  
Chicago, IL 60654

## Shayna S. Cook

T: 312.494.4465  
F: 312.494.4440  
shayna.cook@bartlit-beck.com

### PROFESSIONAL PRACTICE

Shayna Cook has been a trial lawyer at Bartlit Beck since 2005 and a partner with the firm since 2007. Shayna prepares high-stakes cases for trial in state and federal courts across the country. From pre-suit investigation through fact and expert discovery and a verdict at trial, Shayna's trial experience enables her to craft a strategy tailored to achieve the best result.

Shayna represents multinational clients in a variety of commercial litigation, including intellectual property, product liability, and contract disputes. Her acumen extends beyond the courtroom to include taking and defending key fact and expert witnesses' depositions, negotiating with opposing counsel, and preparing and arguing important motions such as motions *in limine* and summary judgment motions.

Shayna serves as national trial counsel in major pharmaceutical products liability multidistrict litigations, including the Vioxx, Trasylol and YAZ/Yasmin matters. In these large litigations, Shayna works closely with teams of senior counsel from other law firms assembled by clients seeking diversity of experience.

Prior to joining Bartlit Beck, Shayna served as a Trial Attorney for the U.S. Department of Justice, Civil Division from 2003 to 2005. In this role, Shayna defended the United States in lawsuits brought by plaintiffs alleging violations of the U.S. Constitution and various federal statutes.

### CASES TRIED OR OTHERWISE TAKEN TO JUDGMENT

#### ***In re: Trasylol Cases*** (U.S. District Court, S.D. Florida)

Trial counsel for Bayer in product liability cases involving Trasylol, a drug used during coronary bypass surgery to prevent excessive bleeding. Prepared cases for trial, including taking and defending key expert and fact witness depositions and arguing motions. Deposed plaintiff's main FDA regulatory expert and prepared for *Daubert* hearing, where witness testified live. As a result, the MDL Judge excluded the expert from testifying at trial. Successfully argued summary judgment motion in bellwether trial case, which the Eleventh

### EDUCATION & HONORS

University of Michigan Law School, 2001, J.D., *magna cum laude*

Executive Note Editor,  
*The Michigan Law Review*

Order of the Coif

Clarence Darrow  
Scholarship

Trinity University, 1998,  
B.A., *summa cum laude*

Murchison Scholar

Commencement Speaker

President, Trinity  
University Voluntary  
Action Group

*Phi Beta Kappa*

### GOVERNMENT SERVICE

Judicial Law Clerk,  
Honorable Sam Sparks,  
United States District  
Judge for the Western  
District of Texas,  
2001-2003

U.S. Department of  
Justice, Attorney General's  
Honors Program, Trial  
Attorney, 2003-2005

[www.bartlit-beck.com](http://www.bartlit-beck.com)

## BAR ADMISSIONS

Illinois

Texas (inactive status)

## PROFESSIONAL ACTIVITIES AND COMMUNITY SERVICE

Member, International  
Association of Defense  
Counsel

Member, DRI

Board Member for Step Up  
Women's Network, which  
connects professional  
women mentors to at-risk  
teens with college and  
career aspirations

Adjunct Professor of Law at  
Northwestern University  
School of Law (2009):  
Teach "Trial Technology:  
High Tech Trial  
Techniques" class on the  
use of technology at trial  
and in preparation for trial.

Circuit affirmed. Other bellwether trial cases settled favorably shortly before trial.

### ***Sensormatic Electronics Corp. v. The TAG Company US LLC et al.*** (U.S.

District Court, S.D. Florida)

Represented Sensormatic (a subsidiary of Tyco International) in patent infringement, trade secret misappropriation and breach of contract suit.

Sensormatic sued defendants, including former employees, for infringing its patents and misappropriating its trade secrets related to acoustomagnetic antitheft devices. Following a three-week bench trial, the Court entered judgment in favor of Sensormatic on all counts and enjoined defendants from continuing to infringe Sensormatic's patents. Affirmed on appeal by the Federal Circuit.

### ***Ledbetter v. Merck & Co.*** (Harris County District Court, Houston)

Represented Merck in Texas state court case involving Vioxx pain relief medication. Plaintiff alleged Vioxx caused her heart attack. Shortly before first trial in consolidated Texas state court proceeding, the Court granted summary judgment to Merck.

### ***Mason v. Merck & Co.*** (U.S. District Court, E.D. Louisiana)

Represented Merck in federal MDL trial involving Vioxx. Plaintiff alleged Vioxx caused his heart attack. Two-and-a-half week jury trial in New Orleans federal court. After 90 minutes of deliberation, jury returned a complete verdict for Merck.

### ***Grossberg v. Merck & Co.*** (California Superior Court, Los Angeles)

Represented Merck in first California state court trial involving Vioxx. Plaintiff alleged Vioxx caused his heart attack. After a six week jury trial in Los Angeles, the jury returned a complete defense verdict for Merck.

### ***Plunkett v. Merck & Co.*** (U.S. District Court, E.D. Louisiana)

Represented Merck in first federal Vioxx trial in the country. Plaintiff alleged Vioxx caused her husband's heart attack and death. After two week jury trial in Houston federal court, where the MDL was moved after Hurricane Katrina, jury deadlocked 8-1 in favor of Merck. A two-week retrial in New Orleans federal court resulted in a unanimous jury verdict for Merck.

### ***Svoboda v. Bayer Corp.*** (Seminole County Circuit Court, Sanford, Florida)

Represented Bayer in Florida state court trial in PPA litigation, where plaintiff alleged Alka Seltzer Plus cold medication caused his stroke. Jury verdict for Bayer.

## OTHER REPRESENTATIVE CASES

### **YAZ®/Yasmin® Litigation** (U.S. District Court, S.D. Illinois)

Trial counsel for Bayer in federal multidistrict litigation, where thousands of plaintiffs allege personal injuries related to their use of YAZ® and Yasmin® birth control pills. Preparing bellwether trial cases for first trials in East St. Louis, set to begin in spring 2012.

### **Sikorsky Aircraft Corporation v. United States** (Federal Court of Claims)

Representing Sikorsky in \$80 million accounting dispute with the federal government. Government alleges Sikorsky's method of accounting for certain overhead costs violated requirements of the federal Cost Accounting Standards. Case is pending in U.S. Court of Claims.

### **Sabre Inc. v. Northwest Airlines, Inc.** (N.D. Texas, Fort Worth)

Represented Sabre in prosecuting breach of contract claim involving its computerized reservation system used by travel agents and in defending antitrust claims brought by Northwest. Case settled favorably.

### **Static Control Components, Inc. v. Intersolution Ventures, Ltd., et al.** (M.D. North Carolina, Durham)

Represented Static Control in prosecuting claims for copyright infringement, Lanham Act violations, and various RICO violations related to software code on computer chips used in laser printer toner cartridges. Case settled favorably after discovery.

## **Pro Bono Representation**

### **Safe Humane Chicago and Best Friends Animal Society**

Provided counseling on animal law issues.

### **Tarran Williams v. Abbott Laboratories** (N.D. Illinois, Chicago)

Represented client in Title VII racial discrimination case against Abbott Laboratories.

## RECENT SPEAKING ENGAGEMENTS

ACI Drug and Medical Device Litigation Conference, December 2011: "Avoiding New Litigation Pitfalls Arising from Emergent Social Media." Presented on issues related to jurors and social media.

International Association of Defense Counsel Webinar, October 2011: "The Relevance of the FDA in Pharmaceutical Products Liability Trials in the Post-*Levine* World." Spoke about the admissibility of FDA-related evidence at trial.

## NEWS

Mark Levine, Mark Ouweleen, Sean Grimsley and Shayna Cook Win Patent Infringement Lawsuit for Sensormatic

Phil Beck Wins Jury Verdict for Merck in Fourth Federal Vioxx Trial

## **BIG WINS**

Bartlit Beck Secures Sensormatic's Patents, Trade Secrets with Complete Plaintiff-Side Security Tag Verdict, *Sensormatic Electronics Corp. v. The TAG Company US LLC et al. (2008)*

Bartlit Beck Wins 5 Jury Verdicts in Vioxx Trials, *Vioxx Trials (2006)*