

David R. Tawil

Associate



David is a litigation associate. He handles a wide variety of litigation matters, focusing on product liability and pharmaceutical injury.

Prior to joining Seeger Weiss, David served as a Civil and Multicounty Litigation law clerk to the Hon. Jessica R. Mayer, in Middlesex County, New Jersey, which sparked his interest in complex litigation. Before that, he interned for the Hon. Fredericka H. Wicker at the Fifth Circuit Court of Appeal in Gretna, Louisiana.

Selected Representations

David regularly represents injured consumers in Federal and state courts around the country. Those cases have included:

- *In re Testosterone Replacement Therapy Products Liability Litigation*: He represents plaintiffs in consolidated multi-district litigation in the Northern District of Illinois, pursuing claims for cardiovascular injuries as a result of using testosterone replacement therapy. David was a key member of the trial teams representing Oregon and Tennessee plaintiffs in the first two federal bellwether trials against AbbVie, in which juries awarded close to \$300 million in combined damages on claims of negligence and fraud relating to AndroGel® safety and marketing. His involvement included assisting lead trial counsel in preparation for opening statements, closing arguments, and examinations of multiple plaintiff and defense expert witnesses.
- *In re Accutane Litigation*: He is the lead associate on the Accutane trial and appellate teams in New Jersey state court, with recent accomplishments that include:
 - Convincing the NJ Supreme Court to adopt Section 142 of the *Restatement (Second) of Conflicts of Law*, resulting in the reinstatement of a \$25 million verdict for Alabama plaintiff (*McCarrell v. Hoffmann-La Roche, Inc.*, 227 N.J. 569, 153 A.3d 207 (2017))
 - Convincing the NJ Appellate Division to reverse a trial court ruling involving expert admissibility, resulting in the reinstatement of over 2,000 cases (*In re Accutane Litig.*, 451 N.J. Super. 153, 165 A.3d 832 (App. Div. 2017))
 - Convincing the NJ Appellate Division to reverse a trial court ruling regarding choice of law and the adequacy of the Accutane® label, resulting in the reinstatement of over 300 cases (*In re Accutane Litig.*, No. A-0164-15T1, 2017 WL 3138003) (N.J. Super. Ct. App. Div. July 25, 2017))
- *In re Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*: He represents plaintiffs in historic class action against Volkswagen and other companies in Northern District of California, which resulted in \$14.7 billion settlement.
- Key member of law and briefing team in various matters, including *In re Tylenol (Acetaminophen) Marketing, Sales Practices and Products Liability Litigation* in the Eastern District of Pennsylvania (and parallel state court litigation in New Jersey), and *In re Fresenius Granuflo/Naturalyte Dialysate Products Liability Litigation* in the District of Massachusetts.

Bar Admissions

New York
New Jersey

Education

J.D., Tulane University Law School, 2012
B.A., New York University, College of Arts & Science, 2007 (*magna cum laude*)

Presentations & Publications:

Note: *Kiobel v. Royal Dutch Petroleum Co.*: The Second Circuit Rejects Corporate Liability Under the Alien Tort Statute (19 Tul. J. Int'l & Comp. L. 709)

Implications of PLIVA, Inc. v. Mensing: The Reemergence of Federal Preemption (unpublished)

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Contact

dtawil@seegerweiss.com

New Jersey

[P: 973-639-9100](tel:973-639-9100)
[F: 973-639-9393](tel:973-639-9393)

55 Challenger Road
6th Floor
Ridgefield Park, NJ 07660