

Theodore B. ("Taysen") Van Itallie, Jr.

Professional Experience

Associate General Counsel and Head of Global Litigation for Johnson & Johnson (1996-2009), focusing on business and intellectual property disputes in the pharmaceutical, medical device and consumer product businesses. Partner and associate at Patterson, Belknap, Webb & Tyler in New York (1977-1996), concentrating in patent, business, product liability and antitrust litigation, with first chair jury trial or arbitration experience in each area. Director of New Jersey's Division of Law (2009); responsible for civil litigation and over 400 deputy attorneys general. Adjunct professor at Seton Hall University School of Law (2011) and Lecturer-in-Law at Columbia University School of Law (2013-15).

Primary Practice Areas

Pharmaceutical Licensing, Joint Development, and Related Business Disputes: Experience as arbitrator, advocate and litigation manager in numerous scientifically complex disputes involving pharmaceutical licensing, development and marketing.

Patent Litigation and Arbitration: First chair private practice experience in patent litigation and arbitration. Responsible at J&J for dozens of Abbreviated New Drug Application (ANDA) cases on blockbuster drugs, and numerous lawsuits and arbitrations involving infringement and validity of pharma, medical device and consumer product patents.

Medical Device Licensing, Joint Development and related Business Disputes: Responsible at J&J for numerous arbitrations and litigations with product development partners on a variety of medical devices.

General Business Disputes: Handled numerous commercial cases in private practice. Responsible at J&J for dozens of claims on behalf of and against J&J and its various operating companies by business partners, suppliers, customers and providers of services for breach of contract, fraud and other business torts.

Pharmaceutical and Medical Device Product Liability and Related Insurance Recovery Arbitration: First chair jury trial experience in cases involving prescription drugs and medical devices. Responsible at J&J for pharmaceutical and medical device mass torts, and for conduct of arbitrations against insurers for recovery of product liability losses.

Legal Fee Disputes - Private practice and in house experience with arbitration of

attorneys fee disputes. Responsible for outside litigation budget at J&J. Negotiated volume discounts, alternative fees and rate increases with law firms. Detailed knowledge of appropriate budgeting and billing on litigation of all types and sizes.

E-Discovery - Testified before the Advisory Committee on the Federal Rules of Civil Procedure regarding the e-discovery amendments, and before the Evidence Rules Advisory Committee. Established procedures at J&J for preservation, collection, processing and production of data. Presented at ABA and other meetings on e-discovery issues and taught the topic as part of course on Drug and Device Liability Law and Policy at Seton Hall Law School.

International – Responsible for international arbitration and litigation at J&J, including arbitrations in London against insurers for product liability losses, ICC arbitration in Paris concerning dispute between J&J consumer products company and French joint venture partner, trademark litigation in the Netherlands, pan-European patent litigation against infringers of licensed patents on Erythropoietin, and patent cases in the Netherlands, Italy and Spain against infringers of intellectual property on coronary stent technology. Experience in Latin America as head of the J&J Latin America Law Group, including responsibility for lawyers in Brazil, Argentina, Mexico and Florida.

Dispute Resolution Experience and Training

Member: American Arbitration Association Roster of Neutrals; International Centre for Dispute Resolution Panel of Arbitrators; CPR Panel of Distinguished Neutrals - Healthcare & Life Science and Technology Panels; Associate, The Chartered Institute of Arbitrators. Currently arbitrator in pharmaceutical industry joint development dispute involving damage claims in excess of \$100 million. Successfully mediated multiple federal court proceedings, including cases involving copyright, construction, franchise agreements and commercial lending. Member 2004-2009, U.S. District Court, District of New Jersey Panel of Certified Mediators. Trained in New Jersey court-annexed arbitration program, civil mediation program and foreclosure mediation program. Completed CPR's Mediator Training Program. Have appeared as advocate in or overseen numerous arbitrations and mediations in private practice and in-house practice over the past thirty years. Responsible for devising and introducing Johnson & Johnson's global dispute resolution contract provisions and its mandatory employment mediation program for U.S. employees.

Selected Honors, Awards, Publications, and/or Professional and Civic Associations

Spoken at numerous conferences on dispute resolution issues in the U.S. and overseas, including on measuring cost savings of corporate ADR programs,

managing business clients' resistance to mediation, conflict management in the pharmaceutical industry and corporate dispute resolution programs. Member of the Board, Fund for Modern Courts; Co-founder and former Executive Committee Chair, Chief Litigation Counsel Association; Co-Chair, Civil Justice Reform Group Operating Committee 2006-2008; Member, Board of Directors, American Tort Reform Association 2006-2008; Co-founder and President, New Jersey Civil Justice Institute, 2006-2008.

Recent publications: New Jersey Law Journal Op Ed's: *Ethics-Rule Repeal Could Aid Consumers, Jobless Law Grads*, December 30, 2013; *Preventing the Next Coach Rice Debacle at Rutgers*, September 5, 2013; *Pro Bono is Not the Answer to the Access-to-Justice Crisis*, January 21, 2013, *Judicial Salaries and the Constitution: A Proposed Fix That Goes Too Far*, December 26, 2011; *Take a Generic Drug, But Don't Call Your Lawyer in the Morning*, May 23, 2011; *Shed New Jersey's "Sue Me" Image*, February 14, 2011. Newark Star Ledger Op Ed's: *Don't Demote New Jersey's Judges*, October 16, 2012; *More Lawyers, and More Affordable Law*, September 20, 2012, *An Embarrassing Fracas at State's Top Court*, January 5, 2011.

Education and Bar Admissions

J.D. (1977): Columbia University School of Law; Honors: James Kent Scholar; Harlan Fiske Stone Scholar. A.B. (1973, cum laude): Harvard College; Honors: Harvard College Honorary Scholarship; Dean's List. Bar Admissions: New York 1978; S. D. N. Y. 1979; E. D. N. Y. 1979; E. D. Ky. 1983; United States Tax Court 1989; U. S. Court of Appeals for the Third Circuit 1992; U. S. Court of Appeals for the Federal Circuit 1993; New Jersey 2004; D.N.J. 2004.

Contact Information

35 Battle Road
Princeton, NJ 08540
609-252-9455
tvanita@me.com
<http://www.vanitalleadr.com>