

Firm News | December 15, 2022

# Troutman Pepper Files Amicus Brief with U.S. Supreme Court on Behalf of the Washington Legal Foundation

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**SAN FRANCISCO** – Troutman Pepper served as pro bono counsel to the Washington Legal Foundation (WLF) in an [amicus brief filed](#) in the United States Supreme Court in the case of *Johnson & Johnson, Ethicon, Inc., and Ethicon US, LLC, v. State of California*, No. 22-447. The amicus brief, which supports a petition filed by Johnson & Johnson and associated entities, urges the Court to review and reverse a California appeals court's decision imposing over \$300 million in civil penalties on a medical-device manufacturer for marketing its pelvic mesh product within the state.

The issue in this case is whether California's Unfair Competition Law and False Advertising Law satisfy the fair notice requirements of the Due Process Clause by informing the public of what conduct constitutes a violation. As applied today, California's arbitrary enforcement of broad consumer protection laws harms both businesses and consumers. [Read WLF's press release on the filing here](#). "It's been an honor to work with the team at WLF on these important issues affecting California and the nation," said Counsel [Elizabeth Holt Andrews](#), who served as lead writer of the brief.

Andrews, who specializes in appellate work with a focus on complex commercial matters and financial services litigation, led a team of more than a dozen Troutman Pepper attorneys spanning five practice groups. The pro bono team included [Barry Boise](#), [Sean Fahey](#), [Michael Lowe](#), [Eric Rumanek](#), and [Abbey Hazlett](#) (health sciences litigation); [Stephen Piepgrass](#), (regulatory investigations, strategy, and enforcement issues); [Ben Wagner](#) (business litigation); [Jennifer Mathis](#), [Louise McCabe](#), and [Sheila Chen](#) (insurance); [Kaitlin O'Donnell](#), [Moses Tincher](#), Dane Brody Chanove, [Anais Jaccard](#), and Schuyler Davis (appellate).

Troutman Pepper filed the brief in support of the [petition filed](#) by Orrick, Herrington & Sutcliffe LLP on behalf of Johnson & Johnson and several other petitioners. Celebrating its 45th year, WLF is a nonprofit, public-interest law firm and policy center with supporters nationwide.

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