

## Health Hires: Crowell & Moring, Goodwin, Faegre

By **Dani Kass**

*Law360, New York (October 21, 2016, 7:01 PM EDT)* -- Crowell & Moring LLP has added an Employee Retirement Income Security Act and Affordable Care Act partner in its corporate, health care, tax and labor and employment groups. Goodwin Procter LLP grew its life sciences practices through a partner from U.S. Food and Drug Administration boutique Kleinfeld Kaplan & Becker LLP, and a UnitedHealth Group attorney has joined Faegre Baker Daniels' insurance and health practices.

### Crowell & Moring Gets ERISA, ACA Partner



David McFarlane

David McFarlane has become the only Crowell & Moring partner to join four groups at once, leaving a post at Willis Towers Watson to join the firm's corporate, health care, tax and labor and employment groups in Los Angeles.

McFarlane had been working exclusively on ERISA matters beginning in 1998, when he joined Skadden Arps Slate Meagher & Flom LLP, but expanded his focus in 2010 when the ACA was passed and it became clear the two were interconnected.

"It's what ERISA was in 1974," he said. "It's timely. It's progressive. It's political. I think it's fascinating."

McFarlane has been working on figuring out the best way to interpret and comply with the law, including starting Health Care Attorneys PC, a firm focused solely on the ACA as it went through legal and congressional challenges.

At Crowell & Moring, he will continue to work on ERISA and ACA matters, including pensions, benefits, executive compensation, corporate transactions and structured finance, the firm said.

The Canadian attorney graduated from the University of Windsor Law School in Ontario after receiving his undergraduate degree in political science from McGill University. He was a senior attorney at Skadden and a partner at Osler, Hoskin & Harcourt LLP in Canada. He then formed Health Care Attorneys but left to join Willis Towers Watson, where he did advisory work on pensions, health and welfare compliance with ERISA, the ACA and labor and tax regulations.

“[Joining Crowell & Moring] was a compelling union from both sides,” McFarlane said. “The firm has a desire to aggressively build an ERISA employee benefits practice and I was looking for a firm that was a great fit for my clients — a variety of practice groups, reasonable rates and great attorneys.”

McFarlane is a judge pro tem in the Superior Court of California and has previously served as president of the Canadian American Bar Association, vice chair of the board of directors at Barlow Respiratory Hospital, president of the LGBT Bar Association of Los Angeles and president of the Western Pension & Benefit Council.

### **FDA Expert Joins Goodwin's Life Sciences Group**

Scott Lassman has left Kleinfeld Kaplan & Becker to become a partner in Goodwin Procter LLP's life sciences group in Washington D.C., focusing on FDA regulatory work.

“It's a great life sciences practice and they've got a fabulous reputation,” he said. “They do almost anything you can do for a pharmaceutical company or medical device company. The one thing they were missing was a straight pharmaceutical FDA regulatory practice. It was a place I could bring my clients and do a lot more for them than I was doing previously when I was at a boutique, and also have the ability to add my expertise to their existing clients.”

Lassman specializes in pharmaceuticals, biologics and medical devices. He said he enjoys working on the wide array of issues that come up in FDA law, ranging from First Amendment concerns to advances in medicine and science. His work also includes Hatch-Waxman Act litigation and other intellectual property, corporate and licensing issues.

He said he hopes to develop an FDA regulatory litigation practice at the firm, both teaming up with the firm's litigators and getting into the courtroom himself.

Lassman earned philosophy degrees from Yale University as an undergraduate and University of Texas at Austin as a graduate. He turned to law after reading U.S. Supreme Court briefs in an ethics class where he was serving as a teaching assistant and discovering they were "fascinating." He then went to the University of Virginia School of Law.

After school, he joined Hogan and Hartson LLP, now Hogan Lovells, before moving to KKB, where he became a partner. He left to serve as senior assistant general counsel at Pharmaceutical Research and Manufacturers of America for five years and then as a partner at WilmerHale before returning to KKB.

## Faegre Snags UnitedHealth Veteran



Jay Warmuth

Jay Warmuth has joined Faegre's health and insurance practices in Minneapolis after 13 years at UnitedHealth, where he served as general counsel of the company's pharmacy benefit management and pharmacy arm, OptumRx, general counsel of the commercial health insurance business and deputy general counsel for mergers and acquisitions.

The new Faegre partner worked with UnitedHealth on implementing ACA regulations, transactions and services related to pharmacy benefit management.

"Pharmacy benefit management is a unique niche that I can bring to this firm and this market," Warmuth said. "I'm still a transactional guy by heart, and strategic transactions are still of interest to me — helping both health plans and health systems and, potentially PBMs or companies in the pharmacy industry, achieve their strategic objectives through strategic alignments."

Warmuth earned his undergraduate degree in international relations at Carleton College and his law degree at the University of Minnesota Law School. He then spent three years as an associate at Dorsey & Whitney LLP, where he first worked with UnitedHealth doing transactions. He spent about nine months working for U.S. Bank afterward and then joined the insurer's team.

Warmuth said he chose Faegre because of its reputation and the strength of its insurance practice, which he said is among the largest in the Twin Cities.

"Jay brings unique and valuable expertise and thought leadership to our insurance and health care practices," Dick Freije, head of the insurance practice, said in a statement. "He will strengthen our ability to assist and partner with clients as they navigate challenges in developing strategies for broadening their services and enhancing their market positions."

--Editing by Jill Coffey.