



Profile: Lexi Hazam

Multidistrict litigator stares down Big Pharma, others with help from her anthropological background

By **STEPHEN ELLISON**

Making a difference is perhaps the most common motivation for plaintiffs' lawyers, and yet Lexi Hazam seems to have taken the notion to a new level – both figuratively and geographically.

Hazam, a partner with Lieff Cabraser Heimann and Bernstein in San Francisco, has been up against some of the world's largest corporations in mass litigations. She has represented clients affected by harmful consumer drugs, defective medical devices, fraudulent government contractors and, most recently, disastrous California wildfires.

"It's pretty much all complex litigation in different areas," Hazam explained. "Mainly in mass torts, sometimes class actions, and typically involving a large number of plaintiffs, often in an MDL (multidistrict litigation) or qui tam. In government fraud cases, you represent a whistleblower who is stepping in to make a claim against a government contractor."

Hazam oftentimes is part of the leadership of a large MDL and will help manage it from start to finish, she said. First, she argues various motions that come through the courts, and then she obtains potential experts to be assessed by a judge on whether they'll be allowed to present the plaintiffs' case to the jury.

"That's really an essential part of these cases," Hazam said. "If you can't get your expert past *Daubert*, or the rough state equivalent that exists in almost all states, you often simply can't proceed, you can't keep going. That's a big part of what I do."

A little more than a year ago, Hazam presented several cases to an MDL judge, including in the Abilify mass tort litigation. Abilify is an antipsychotic and antidepressant and was one of the best-selling drugs in the United States for a time, she said. The allegations in the case were that the



Hazam

drug caused behaviors including pathological gambling.

"At the end of 2017, we had four days straight – kind of like a trial – presenting experts to a judge and cross-examining defense experts,"

Hazam recalled. "And then she issued a decision as to each expert. My focus was on our bio-statistician and on the defense's epidemiologist, and our experts survived. The judge accepted their testimony, so the case can continue on to trial."

Hazam also has become a leader in a number of professional organizations. In 2016, she was elected chair of the American Association for Justice's Section on Toxic, Environmental, and Pharmaceutical Torts (STEP), having previously served as vice-chair. That same year, she was selected as co-secretary of the Qui Tam Litigation Group. She also has served on the Court Funding and Litigation Challenge Group Task Force of the Bar Association of San Francisco and the Diversity Committee of the San Francisco Trial Lawyers Association.

Shifting career gears

Hazam studied anthropology at Stanford University and earned a master's degree in cultural anthropology. She lived abroad for a year in Ecuador, attending the university there with thoughts of going for a Ph.D.

"I speak Spanish, so I was anticipating I might be doing field work in Latin America, and I was sort of taking the first

step in exploring that as well as taking a break from school after five continuous years," she said.

While in Ecuador, Hazam gave more thought to pursuing a doctorate and decided she "didn't want to be locked in the ivory tower just yet, so to speak." She believed it was too removed from everyday life and making a direct impact on people's lives. In college, she had increasingly engaged in activism and had become more politically engaged and interested in social justice.

"So when I came back, I decided ... I would shift gears and go to law school, anticipating that as a lawyer, I would have a more direct, material impact on people's lives," she said. "I was feeling like I, in a more immediate fashion, was making a difference in some of the issues important to me, and I thought that cultural anthropology plays a big role in the law. And I still think that today. There's a lot of synergy between my two fields."

Hazam did a variety of volunteer and public service work while in college, then during law school at UC Berkeley, she spent her first summer working for the Mexican American Legal Defense and Education Fund (MALDEF) in San Francisco. The following summer, she said she wanted to see what the law firm experience was all about, so she split her summer between a large corporate defense firm and Lieff Cabraser.

"It was clear as day to me at the end of that summer what I wanted to do," Hazam said. "I found Lieff Cabraser's work so invigorating, very intellectually sophisticated, creative, strategic, and ... making a difference in people's lives and serving the goals and values I wanted to serve in my career."

"I was very happy to come back to the firm after I did a clerkship for a year," she added.



Crossing borders

As Hazam developed her practice, perhaps her most impactful work and a case she considers foundational to her career was the international mass litigation involving blood factor on behalf of people with hemophilia. Hazam's clients had been infected with HIV or Hepatitis C through the blood factor concentrate used to treat their disease. Blood factor was a product made from donated human plasma that helped such patients' blood to clot so they wouldn't have bleeding episodes that resulted in injuries or death.

Back in the 1960s and into the 1970s, plasma was typically donated by volunteer donors, and the product was made from very small pools of those donors, Hazam said. Eventually, large U.S. pharmaceutical companies started mass producing the blood factor concentrate and turned to paid donors, and those pools began consisting of larger numbers of donors – up to about 40,000 in each dose. The litigation alleged that the companies eventually turned to recruiting donors from vulnerable populations, so people on the streets, addicts, jail inmates could go to donation centers and get paid. That process of using high-risk donors increased the risk of communicable diseases in the plasma, and in fact that's how HIV entered into the plasma, Hazam said the lawsuit alleged.

As a result, a large number of hemophiliacs worldwide were infected with HIV, and many of them died.

"It was an absolutely horrifying crisis within the hemophiliac population, decimating to them," Hazam said. "It's hard enough to live with the disease of hemophilia, then when people contracted HIV, you can imagine how awful that was. And it was even more awful abroad, where medical services were not as accessible and not as advanced."

Hazam and her team represented 1,500 people from more than a dozen countries across Europe and Latin America, as well as South Africa and Hong Kong. The lawsuit alleged that the companies continued to sell back stock of the

Getaway spot: Point Reyes

Go-to music or artist: Salsa

Recommended reading: "Cutting for Stone" by Abraham Verghese

Dream job: Going back in time to be Margaret Mead, or the one I have.

Words to live by: "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." – Margaret Mead

product even after they were aware it was contaminated, and in fact even after they had a safer product that was treated in a way that removed HIV, she said.

"There were many challenges to that case: motions to dismiss ... with the court finding people should have to pursue their cases in their countries, even though jurisdiction had been established in the U.S. with U.S. companies," Hazam said. "When that happened, we teamed up with lawyers in the U.K., for example, to start the litigation there. Ultimately, we were able to obtain a worldwide settlement for these plaintiffs, which was the first of its kind.

"It was a very challenging, compelling case," she continued. "I felt very strongly about the injuries caused to my clients, whom I personally met. I traveled around the world and visited them. Many were very sick and infirm. I felt very strongly about the misconduct of the defendants. I got to use some of my training as an anthropologist in dealing with other cultures, speaking other languages. And, of course, working with attorneys all over the world. It was also very interesting to work in other jurisdictions and learn about their law and create networks with those lawyers that survive to this day."

In addition to the blood factor and Abilify cases, Hazam represented more than 300 hip replacement patients in hip implant injury lawsuits.

Her *qui tam* government contractor fraud cases include seven-figure settlements in lawsuits against Avaya, Lucent Technologies, AT&T and Office Depot. Most recently, Hazam is involved in mass litigation against PG&E and SoCal Edison in connection with the deadly and destructive California wildfires as well as resulting mudslides in Santa Barbara County, serving as co-lead counsel in the litigation against SoCal Edison arising from the 2017 Thomas Fire. Hazam noted in mid-January that discovery was actively underway in the Thomas Fire case, just as PG&E had announced it intended to declare bankruptcy in connection with the North Bay cases after a year and a half of litigation.

At her leisure

When Hazam is not working, she enjoys hiking, skiing, general outdoor activities and, of course, travel.

"My husband and I travel abroad to off-the-beaten track locations ... for the cultural exposure and also to be in the wilderness," she said. "We love nature. We recently went trekking in Ethiopia in the mountains there with my 70-year-old mother on her birthday. That continued exposure to other cultures, the ability to use other language skills sort of feeds the soul and helps keep perspective on my life at home and at work and my everyday practice. There are cultures within the law, cultures in the courtroom, cultures with co-counsel, cultures that evolve with the defense counsel. So being able to navigate those and make bridges is key as a lawyer."

Hazam said she loves what she does and will continue on her present path for the near future. She especially embraces her management role with Lief Cabraser, which involves mentoring younger lawyers at the firm.

As for the younger lawyers and law students who might aspire to a similar path to hers, Hazam essentially advises they grab the bull by the horns.

"You're a young lawyer, but don't sit back and wait to be told what to do," she said. "Go and look for those



opportunities and seize them at every turn. Take advantage of occasions when you can prove yourself, even if it's a little bit scary and even if you may fail. You learn a lot in that process. Make sure you find mentors and form strong relation-

ships with them so they can help guide you, and you always have that sounding board.

“And don't let go of your outside interests,” she continued. “That balance is key, but it also kind of informs your work

and makes you approach your work with a new perspective.”

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