

Wisner Baum Leader Takes Reins In Pursuit Of 'True Justice'

By James Mills

Law360 (May 8, 2023, 3:24 PM EDT) -- R. Brent Wisner recently saw his name go up on the door of the California plaintiffs litigation firm where he has brought in more than \$2 billion in product liability verdicts — a feat for a 39-year-old lawyer who intended to be a defense attorney.

The name change from Baum Hedlund Aristei & Goldman PC to Wisner Baum LLP and his elevation to managing partner follow years of racking up trial wins over claims Monsanto Co.'s and later Bayer AG's weed killer Roundup causes cancer and seeking justice for clients.



R. Brent Wisner

"When you're actually in front of the jury and actually telling the facts and letting them decide if it's right or wrong, that is true justice," Wisner told Law360 Pulse. "That's what I live for."

As he gears up for a high-profile trial over heartburn drug Zantac, Wisner plans to keep the firm on the course set by former longtime managing partner Michael Baum.

That means growing with "bright, ambitious and intelligent" lawyers, while sticking to the firm's "no assholes" policy, Wisner said.

There is no shortage of lawsuits Wisner wants to pursue, he said, just not enough time.

"You'd be surprised how many people reach out to me saying, 'Hey you should look into this because this is wrong,'" Wisner said. "We give every one of those tips and inquiries careful consideration and investigation."

He's also looking at decentralizing the 18-attorney firm as more and more of them are living outside its home base in Los Angeles. Firm lawyers may work at home or the firm will set up a satellite office for them wherever they live, he said.

"We're really embracing the fact that in our modern legal profession, you don't have to all be in the same room. You don't need face time so long as everyone is getting their work done," Wisner said. "We're really growing, but we're really growing like an amoeba across the country."

Jumping Right In

At the firm's headquarters on Santa Monica Boulevard in West LA, Wisner has embraced its nonconformist image.

"You walk into our law firm, you're like, 'Oh, it's a nice place, but why is everyone so casually dressed? This is a law firm?' You wouldn't believe it. It feels more like a tech company than a law firm," Wisner said. "That's the culture that we have. We work hard and we're in it for the right reasons."

Those reasons have translated into billions in trial verdicts and earned Wisner a reputation as a fearless advocate among lawyers who have worked with him.

At a 2017 trial, Wisner helped to score a \$3 million verdict against pharmaceutical giant GlaxoSmithKline PLC as he represented the widow of a Reed Smith LLP partner who died by suicide while taking a generic version of the antidepressant Paxil.

Although the Seventh Circuit later threw out the verdict, it represented the first jury verdict holding a brand-name drugmaker liable for injuries caused by a generic version.

"That was very impressive, and that was the very first project we threw him in on," Baum said. "He did not sink. He swam really well."

Wisner also served on trial teams going after Bayer in three Roundup cases in 2018 and 2019, leading to jury verdicts of \$289.2 million, \$80 million and about \$2 billion, respectively. Each of the jury awards were later reduced.

"Brent is completely fearless and will break any barrier if it means moving the ball forward for his clients," said Jennifer Moore of plaintiffs firm Moore Law Group in Kentucky.

Moore worked with him on the second Roundup trial and will again on the upcoming trial against GlaxoSmithKline over claims Zantac contains a cancer-causing chemical, set to start in July.

Moore recalled him having a "deep desire to help others and give voice to those who can't open a door to make their voice heard because they're sick because of a defective product."

"It doesn't matter if it's one of the largest pharmaceutical companies in the world or one of the largest pesticides companies in the world, if they have lied to the public for decades as we have seen in our litigations, then he's going to hold them accountable," Moore said.

Lori Andrus of San Francisco-based plaintiffs firm Andrus Anderson LLP, who also worked with Wisner on the second Roundup trial, said he is "the most morally centered lawyer" she knows.

Finding His 'Calling'

The 70-year-old Michael Baum, who was the firm's managing partner for three decades, said that since Wisner joined the firm about 11 years ago he "felt like Obi-Wan watching Luke Skywalker coming along."

"The force is strong with this one, and I'm going to make sure that he gets nurtured and he gets the opportunity to display and hone those abilities," Baum recalled thinking. "Move away from the dark

side, Brent. Move away from the defense side."

The defense side is where Wisner originally thought his California story would lead.

His mother was a software developer and his father an environmental activist who later became a screenwriter. The only one of their four children to graduate from college, Wisner attended UCLA, majoring in political science and philosophy. He then went to Georgetown for his law degree and a master's degree in public policy.

"When you go through law school, it's almost a brainwashing process where they teach you, 'You want to be a defense lawyer. That's the prestigious place to be,'" Wisner said.

Following a two-year clerkship for a federal judge in Hawaii, Wisner returned to Los Angeles, figuring he'd join a BigLaw firm and do securities litigation. However, his heart wasn't completely sold on that idea.

Fate intervened when his father suggested Wisner discuss his career options with Baum, a longtime family friend.

Wisner showed up for the meetup with Baum wearing a T-shirt, shorts and flip-flops. Baum, who was in the process of hiring an experienced attorney for the firm, said that despite the way Wisner was dressed, he was immediately impressed with him.

"We weren't thinking about this as here comes someone we can hire, but we just hit it off right from the get-go," Baum said. "We told him the type of stuff we're doing and how you get to use your license to practice law to deliver blows against the Empire and maybe make money delivering blows against the Empire and maybe make a difference. That was something very refreshing to him."

Wisner had gone to law school wanting to make a difference in the world and assumed you did that by being a defense lawyer.

But Baum explained you make the real difference "in people's lives" by being a plaintiffs attorney and holding companies accountable for the harms they have caused.

At the end of the meeting, Baum offered Wisner a job on the spot, pending approval of the other partners. Wisner hesitated, still not sure this was the right path for him, but he agreed to come back to meet the other partners. When he returned a week later, he was wearing a suit and tie.

Cindy Hall, a longtime paralegal at the firm who now is its pharmaceutical litigation consultant and also serves as quality assurance director — editing every document the firm produces — sat in on Wisner's meetings with the other partners and said he blew away all the other candidates they were considering.

When some of the partners were reluctant to hire Wisner because of his lack of experience, Hall told them, "Listen you guys, this kid is brilliant. I can see it. He's talented. If you don't hire him, you're just a bunch of idiots."

Hall said Wisner finds different ways to look at situations.

"Just the way his brain works, he will look at a problem, a legal problem or a situation. He so quickly

comes to a solution, an idea, a creative and innovative idea," Hall said. "He doesn't take 'No' for an answer. He figures things out and he does it so quickly."

Even after taking the job, it took Wisner a while to understand the firm's philosophy and approach to making money. He recalled early on talking with Baum about a potential case, suggesting it wouldn't be worth the firm's time since it likely wouldn't pay well.

"[Baum] said to me, 'Brent, who cares if it pays well. It's the right thing to do,'" Wisner said. "He was dumbfounded by me raising the economics of the idea. He said, 'We have a license to change the world. We have a license to do things that no one else can do. If you're doing it for money, then this probably isn't the place you want to be. That's not why we do this.'"

Wisner said firm attorneys consider what they do to be not a business but a calling. That perspective is reflected in how they treat their clients as well as how rigorously they work up the cases preparing for trial, Wisner said.

"We do not get cases ready to settle, we get cases ready for trial," he said. "But if they settle, so be it. The basic philosophy of going to trial drives everything we do."

Even though Wisner is now leading the firm, he said he won't be leaving the courtroom. That's where he thrives.

"The excitement of the prospect of truth prevailing is profoundly compelling. It's addictive. It's like a drug that inspires you to action. That's why I get so excited talking about these cases," Wisner said.

"Thousands and thousands of hours of really detailed, maniacally tedious work builds to this moment when you put it in front of a jury. There's so many hours of despondent loneliness and exhaustion and late nights. But it all builds to that one moment when you get to finally shine."

--Additional reporting by Christopher Crosby and Emily Field. Editing by Brian Baresch and Marygrace Anderson.