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TRAILBLAZERS

LITIGATION

PHIL PERRY

LATHAM & WATKINS LLP

PIONEER SPIRIT Phil Perry began his career in Chicago. “But I have been fortunate to hold a number of federal offices, overseeing the five civil litigating divisions at the U.S. Department of Justice and serving as the General Counsel of two federal agencies.”

TRAILS BLAZED In private practice, Perry’s focus is on constitutional issues, the power of regulatory agencies and related issues in federal and state courts. “For example, we represent clients on California Proposition 65 matters. On behalf of Monsanto and others, we brought a successful First Amendment argument against the state agency. We were granted an injunction that prevented the state from compelling our clients to put a cancer warning on its Roundup product, based on the weight of scientific authority that it is not a carcinogen.”

He has also successfully represented organizations in cases against the FDA. “Ten years ago, e-cigarettes became available because we won in court.” Perry has also been involved in original actions between states, such as in the *Florida v. Georgia* original action, in which he represented Florida in its dispute with Georgia. One of fewer than 200 original actions in U.S. history, the dispute is among the first to seek relief for principally environmental rather than monetary harm. The case included a ruling in Florida’s favor by the U.S. Supreme Court in June 2018.

FUTURE EXPLORATIONS The Trump administration is changing many laws, and there is incremental change of regulatory structures. “The President’s agenda is the subject of all sorts of agency actions, and federal courts are hemming in or facilitating his actions. It’s a time of rapid change, and helping our clients manage that is an interesting opportunity.”

