

**Legally Blonde v. the Real Harvard**



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# Hottest Practice Areas

## FEATURING

### Top 10 Myths of Law School

Non-stop studying, no social life, cutthroat competition — find out what's real and what you need to do to succeed.

## PLUS

**CUNY** hunger strikers, **Harvard** protestors, **Wayne** prof's double life, **Pace**, **Chapman** and **Barry** lawsuits, **Thomas Jefferson** hero, **U. Michigan** heads to Supreme Court, **Hamline** student lives in baseball stadium, **U. Virginia** and **Georgetown** politicos, **Maryland** grad's website

in today's cooling job market

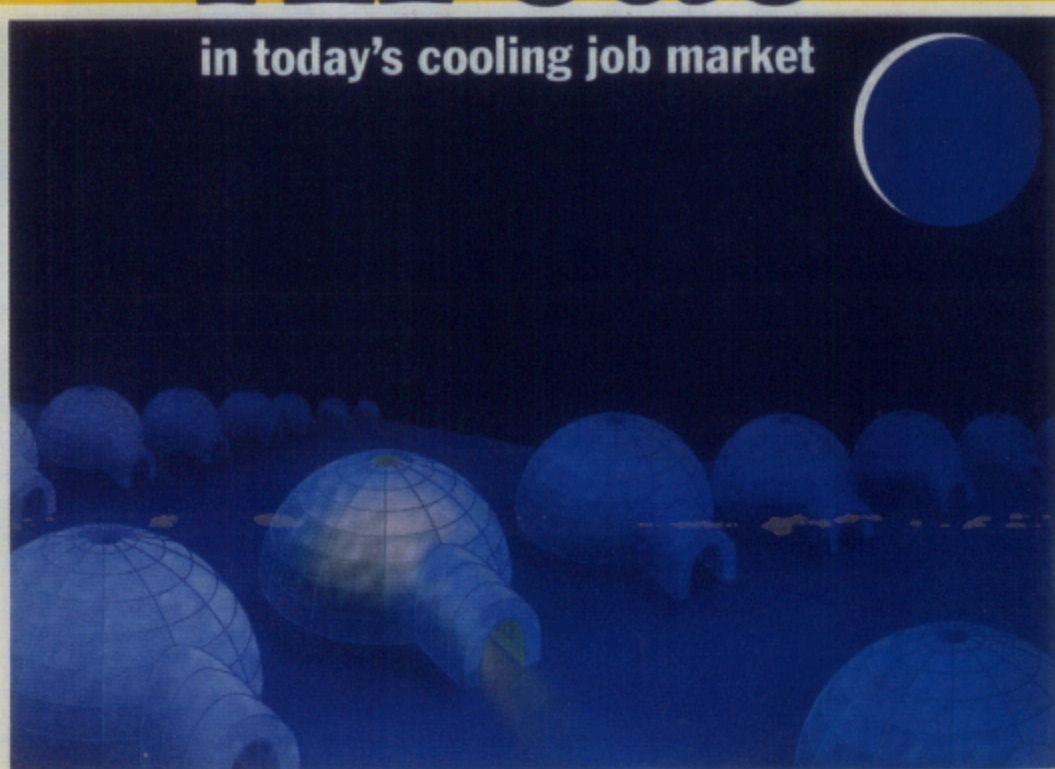




photo by Camrina Crittendon



**PRESCRIPTION FOR SUCCESS** Mark Blane took on the makers of weight loss drug Phen-Fen and earned himself a job with San Diego-based law firm Hiden, Rott & Oertle.

## Class action hero

Thomas Jefferson grad filed a major class action suit, just one year out of law school.

By PAUL HUGHES

Last summer, just one year out of law school, Mark Blane was still looking for a job and hoping to find his place in the legal profession. Today, like magic, he is one of the key attorneys in a major class action lawsuit at the center of the torts litigation world.

It's a pretty good trick, based largely on foresight and some "magic" beans. He and a former classmate, Chad McGuire, took on the makers of a diet drug pill combination known as Phen-Fen, which became a weight-loss fad but has since turned uglier than 50 pounds of lard. Pending court actions now blame the drug cocktail for causing hundreds of cases of heart damage, some serious.

Blane didn't get where he is through dumb luck. Even as an 11-year-old scrubbing grubby golf clubs for lawyers at a country club, he knew he wanted to fol-

low in their footsteps. After earning a B.S. in psychology and a B.C.J. in criminal justice at Louisiana State University, he moved on to Thomas Jefferson School of Law in San Diego — the perfect combination, he said, of "me, sun and surf." There, he clerked for the district attorney, graduated and later passed the bar in June 1999.

"I had to pass; I was near broke," he said. "I literally had nothing to fall back on. It was do or die."

Blane's rise seemed to sputter, however, as he looked for work. He took on contract work, enforcing child-support payments for the district attorney's office and making substitute court appearances for lawyers who couldn't be in court for one reason or another.

Then he hooked up with law school classmate McGuire, who graduated in

December 1999. Together, they saw an opportunity to use their legal skills for something rewarding — helping McGuire's aunt, who had taken Phen-Fen for two years and had begun experiencing heart valve problems. Though the maker of the two drugs in Phen-Fen, American Home Products (AHP) of Madison, N.J., had taken them off the market in 1997, several class action and other lawsuits had begun. The two young attorneys filed suit on behalf of the aunt.

Of course, Blane was hoping that no one would look behind the curtain to see a young attorney with no office, one year out of school, on his first case — taking on one of the world's 10-largest pharmaceutical companies.

"Thinking back on it now, I was scared, but had nothing to lose," Blane said.

The risk paid off. Blane and McGuire's nerve caught the eye of David Hiden, founding partner of Hiden, Rott & Oertle, a San Diego law firm. Hiden had met Blane in court when he was opposing counsel on one of Blane's stand-in jobs. And when Hiden heard of the aunt's case, he was impressed and offered the two men, who had mulled over starting a practice, jobs with his firm.

"David took us in when we were practically starving," Blane said. "[We] became associate members ... and our precious Phen-Fen case now had a home."

Since then, Blane has found 75 more Phen-Fen clients in HR&P's labor union contracts.

A federal judge signed off on the overall class action settlement in August 2000, in which AHP agreed to \$3.75 billion in payouts between \$37,000 and \$1.5 million per person, based on age and the severity of damage. A settlement was reached 15 months after the lawsuit was filed in the aunt's case.

Blane and McGuire are now focused on new cases in the defective tire controversy involving Ford Motor Co. and Bridgestone/Firestone Inc.

Blane says he expects these and future high stakes personal injury cases to bring him more than lucrative financial rewards.