

**Tamara Fishman Barago**  
Partner

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Tamara Fishman Barago practices in the Firm's Complex Litigation, Pharmaceutical Products, and Toxic Torts & Products Liability groups. She specializes in the defense of complex serial and mass tort litigation — primarily personal injury litigation involving regulated products — and she has significant experience with all facets of the litigation process, including pretrial discovery, motions practice, trial preparation, and appellate work.

Ms. Barago is often called on to craft compelling arguments, such as an appellate brief leading to affirmance of a *Daubert* and summary judgment win in the 11th Circuit Court of Appeals and an amicus brief on a First Amendment issue submitted to the U.S. Supreme Court. She also advises clients on matters including confidentiality and privilege issues and has assisted with corporate witness deposition preparation.

As part of a winning trial team, Ms. Barago helped to achieve a defense verdict for a major pharmaceutical company after a seven-day trial in federal court in a product liability case where the plaintiff alleged injury as a result of treatment with intravenous prescription medications. Her role included expert witness preparation, drafting witness direct and cross outlines, drafting motions *in limine*, and drafting a Rule 50 motion that persuaded the court to dismiss plaintiff's implied warranty and punitive damages claims. Ms. Barago also has drafted successful motions and briefs in cases in federal courts around the country, including summary judgment motions, motions to dismiss, to find punitive damages unavailable, and *Daubert* motions to limit the testimony of plaintiff's expert witnesses. In addition, she has deposed various witnesses, including plaintiffs and fact witnesses, such as treating physicians, and assisted expert witnesses in preparing opinions and drafting expert reports.

In her pro bono work, Ms. Barago successfully negotiated a favorable settlement for a disabled client who was unable to exit a Washington, D.C. store in an emergency. She also has appeared before a Washington, D.C. family court judge, representing a child as guardian *ad litem* in a custody case.

Ms. Barago was a member of the Firm's 2009 Summer Associate class and, at law school, she was an Articles Editor for the *Virginia Law Review*.

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## Litigation

Complex Litigation  
Pharmaceutical Products  
Toxic Torts & Products Liability

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## Education

Tulane University (B.A., 1994, *cum laude*, Phi Beta Kappa)  
New York University (M.A., 1999)  
University of Virginia School of Law (J.D., 2010)

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## Admissions

District of Columbia; New York; Virginia  
United States District Courts for the Eastern and Western Districts of Virginia

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## Publications

To Tweet or Not to Tweet

Taking the "Product" Out of Product Liability: Litigation Risks and Business Implications of Innovator and Co-Promoter Liability

