

Rising Star: Desmarais' Kerri-Ann Limbeek

By **Cara Salvatore**

Law360 (August 10, 2023, 2:42 PM EDT) -- Desmarais LLP's Kerri-Ann Limbeek has helped a biotechnology prenatal test inventor win massive patent cases against diagnostic-testing giants like LabCorp — including a \$272.5 million verdict last year — earning her a spot among the trial attorneys under age 40 honored by Law360 Rising Stars.

The biggest case of her career, and why it was challenging:

Limbeek started taking a major role on cases for Dr. Ravinder Dhallan, inventor and former emergency room doctor, when she was just a seventh-year associate.

Limbeek and her Desmarais team have helped Dhallan sue numerous testing companies based on a patented method of using formaldehyde in prenatal genetic-disorder testing. They've now brought no fewer than eight cases for Dhallan and the company he founded, Ravgen Inc.; Limbeek said the litigation has taken up the past few years of her life.

Settlements with Quest Diagnostics, Illumina and others were huge wins, Limbeek said — but one of the biggest moments was last September's major verdict against LabCorp, in which a jury awarded the requested \$100 royalty per test for the approximately 2.7 million relevant tests LabCorp had sold.

"In parallel with those district court cases that I was running, we had 10 inter partes review proceedings filed challenging the patents at the Patent Office," she said.

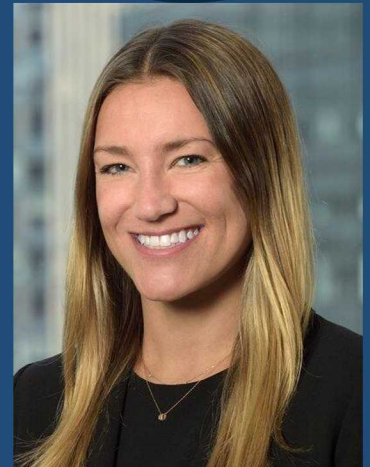
An incredibly difficult part was "managing a team that was working across all of these similar issues — but with nuances — across all of these different proceedings in parallel, and keeping the team organized and our positions all consistent."

Her proudest moment as an attorney:

Not surprisingly, Limbeek said it was the day of the LabCorp verdict. And based on the jury's finding of willfulness, a judge has since added \$100 million in enhanced damages, making the total win \$372.5 million.

2023

 **LAW360**[®]
**RISING
STAR**



Kerri-Ann Limbeek

Desmarais

Age: 35

Home base: New York

Position: Partner

Law school: University of Chicago Law School

First job after law school: Sullivan & Cromwell LLP

It was huge for a client with a moving story, Limbeek said. Dhallan "started this company to solve a real-world problem that was affecting pregnant women everywhere, and he came up with these amazing inventions. And then the entire industry basically met with him, told him they wanted his patents ... steamrolled him and used his technology," Limbeek said.

"Being a doctor, he was naive, I think, on the business front and the legal front. And he didn't really know what to do," she said — until Desmarais got involved.

What motivates her:

Quite simply, Limbeek is a "science nerd," she said. A chemical engineer by undergraduate training, Limbeek geeks out on the science underlying the patents she litigates.

"I love learning new technologies and getting to meet inventors and experts and engineers and learning about a new technology. I find that really fun," Limbeek said.

Limbeek is also drawn to the team sport aspect of patent litigation. "And I'm super close with my teammates," she said. "We spend a lot of time together at the office and outside of the office." She said it takes an "incredible amount of brainpower to get to the finish line."

Why she's a trial attorney:

Partly, it's the challenge of having to convince a handful of wildly varying audiences of different things over the life of a case, according to Limbeek.

"You're making sure that you've built the record you need on summary judgment for the judge. And then you have the jury, and you have to make sure you've built the record in a way that is going to be persuasive to regular people," Limbeek said. "And then, of course, you're building the record for appeal as well."

Other notable cases she's worked on:

Limbeek got a big win recently in a pro bono immigration case with an organization called Safe Passage Project, securing the right of an Ecuadorian teenager fleeing religious persecution to stay in New York with her father as someone granted special juvenile immigration status.

It required not only immigration work but also litigation in family court, where Limbeek did openings, closings and direct examination of both the teen and her father.

"It is really complicated, even as a lawyer who is dealing with complicated issues all the time," Limbeek said, "to figure out how all these systems worked together." The case "reinforced to me ... how important it is that all lawyers do pro bono work."

— *As told to Cara Salvatore. Additional reporting by Andrew Karpan.*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2023 Rising Stars winners after reviewing more than 1,350 submissions. Attorneys had to be under 40 as of May 1, 2023, to be eligible for this year's award. This interview has been edited and condensed.