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23 **UNITED STATES DISTRICT COURT**
24 **CENTRAL DISTRICT OF CALIFORNIA**
25 **SOUTHERN DIVISION**

26 In re: Shimano Crankset Litigation

27 Case No. 8:23-cv-02038-JVS(JDEx)

28 **PLAINTIFFS' NOTICE OF MOTION**
AND MOTION FOR ATTORNEYS'
FEEES, REIMBURSEMENT OF
COSTS, AND SERVICE AWARDS

Date: February 2, 2026
Time: 1:30 p.m.
Courtroom: 10C
Judge: Hon. James V. Selna

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1 **I. INTRODUCTION**

2 Plaintiffs and Class Counsel respectfully submit this motion for an award of
3 attorneys’ fees, reimbursement of litigation costs, and modest service awards to the
4 Class Representatives in view of the outstanding Settlement achieved through this
5 litigation. The Settlement delivers substantial relief that materially enhances
6 Shimano’s Recall—mandating improved inspections with specialized tools and
7 training, live retailer support, and a two-year extension of warranty coverage—
8 while also providing reimbursement for documented out-of-pocket replacement
9 costs.¹ These benefits address the manifested-defect claims that remain following
10 the Court’s rulings, deliver injunctive relief valued at over \$60 million, and directly
11 protect the Settlement Class from future risk and expense.

12 The requested fee award of \$3,250,000 is reasonable under the lodestar
13 method, which is favored for the predominantly injunctive-relief settlement terms
14 found here. The fee award is also supported by Counsel’s² efforts, the risks
15 assumed on contingency, the excellent results achieved and further supported by a
16 cross-check of the percentage of the value of the Settlement.

17 Plaintiffs also seek reimbursement of necessary case expenses and modest
18 \$500 service awards to recognize the Class Representatives’ meaningful
19 contributions to this litigation and settlement.

20 As further detailed below, the fee request is reasonable under all relevant
21 standards. Likewise, the litigation costs and service awards sought are reasonable.
22 Accordingly, Plaintiffs and Class Counsel respectfully request the Court grant this
23 motion.

24
25
26
27 ¹ The Settlement was submitted as ECF 124-3.

28 ² For purposes of this motion, “Counsel” includes Class Counsel as well as counsel
from Dwoskin Wasdin LLP, Milberg Coleman Bryson Phillips Grossman PLLC,
and DiCello Levitt LLP (“Plaintiffs’ Counsel”).

1 **II. BACKGROUND**

2 The Court’s order granting preliminary approval of the Settlement set out the
3 factual and procedural history of this litigation. *See* ECF 134. In a joint declaration
4 filed in support of preliminary approval, Class Counsel detailed the efforts that
5 produced this Settlement, from pre-filing investigation through litigation,
6 discovery, and the extended arm’s-length negotiations that led to the Settlement.
7 *See* ECF 124-2. As the Court stated, Class Counsel “zealously advocated for their
8 clients through two rounds of motions to dismiss, early discovery, and six months
9 of negotiations.” *Id.* at 17. This Settlement is the result of Class Counsel’s
10 substantial and dogged efforts on behalf of the Settlement Class. Those efforts,
11 which continue today, are detailed below.

12 **A. Factual Background**

13 On September 21, 2023, Shimano North America Bicycle Inc. announced a
14 voluntary recall of its Hollowtech II cranksets manufactured before July 2019 (the
15 “Designated Cranksets”³). ECF 123 ¶ 36. The recall, issued with the U.S.
16 Consumer Product Safety Commission (“CPSC”), followed reports of bonding
17 separation and breakage.⁴

18 On October 3, 2023, four plaintiffs filed a class action in this Court against
19 Shimano and several bicycle manufacturers concerning the Designated Cranksets.
20 *See Erazo, et al., v. Shimano, et al.*, No. 8:23-cv-01866 (C.D. Cal. Oct. 3, 2023). A
21 second, similar class action followed on October 31, 2023. ECF 1. The Court
22 consolidated the actions on December 12, 2023. ECF 23, and later appointed
23 Roland Tellis, Jason Lichtman, and Stephen Larson as Interim Co-Lead Class
24 Counsel. *See* ECF No. 46.

25
26
27 ³ This term has the same meaning as “Defective Cranksets” in Plaintiffs’ Second
Amended Complaint. *See* ECF. No. 123 at ¶ 36.

28 ⁴ *See* <https://www.cpsc.gov/Recalls/2023/Shimano-Recalls-Cranksets-for-Bicycles-Due-to-Crash-Hazard> (last visited on October 16, 2025).

1 On January 8, 2024, Plaintiffs filed a Corrected Consolidated Class Action
2 Complaint asserting 31 claims against Shimano, Specialized, Trek, and Giant
3 (together, “Defendants”). *See* ECF 32. Plaintiffs alleged fraudulent
4 misrepresentation, unjust enrichment, and various state claims on behalf of a
5 nationwide class, and state statutory and common law claims on behalf of
6 California, Florida, Illinois, and New York subclasses. *See id.* ¶¶ 154 *et seq.*

7 Defendants moved to dismiss on February 7, 2024. *See* ECF 56. On April 12,
8 2024, the Court granted the motion in part, with leave to amend. *See Hawkins v.*
9 *Shimano N. Am. Bicycle Inc.*, 729 F. Supp. 3d 989 (C.D. Cal. 2024) (ECF 78).
10 Plaintiffs filed their First Amended Consolidated Class Action Complaint on May
11 3, 2024, this time adding allegations drawn from interviews with an industry
12 participant and reflecting expert consultation. *See* ECF 83. Defendants again moved
13 to dismiss (ECF 87), and the Court again granted the motion with leave to amend.
14 *See Hawkins v. Shimano N. Am. Bicycle Inc.*, 2024 WL 4405249 (C.D. Cal. Aug. 1,
15 2024) (ECF No. 97). The parties also began formal discovery, exchanging initial
16 disclosures, document requests, and interrogatories.

17 Following the Court’s rulings, the parties agreed to stay the case and pursue
18 private mediation. *See* ECF 99. On September 18, 2024, they participated in a full-
19 day mediation before the Hon. Judge Margaret Morrow (Ret.). *See* ECF 100. The
20 session was productive but did not result in a settlement. *Id.*

21 In the months that followed, the parties continued to negotiate with Judge
22 Morrow’s assistance. Plaintiffs retained an engineering expert to analyze
23 confirmatory discovery produced by Defendants. These efforts culminated in the
24 Settlement Agreement, which the parties finalized on March 31, 2025. *See* ECF
25 124-3; Joint Declaration of Roland Tellis, Stephen Larson, and Jason Lichtman in
26 Support of Motion for Final Approval Class Action Settlement) (“Joint Decl.”) ¶¶
27 8-9.⁵

28 _____
⁵ This Joint Declaration, and the Kinrich Declaration referenced below, were filed

1 As required by the Settlement, Shimano submitted a Proposed Enhanced
2 Manual to CPSC for approval. *See* § 10.1.⁶ The CPSC approved the manual on May
3 12, 2025. Plaintiffs filed their Second Amended Complaint on May 30, 2025. ECF
4 123.

5 **B. Preliminary Approval**

6 Plaintiffs moved for preliminary approval on June 30, 2025. ECF 124-1. On
7 July 23, 2025, the Court issued a Tentative Preliminary Approval Order affirming
8 the fairness of the Settlement and requesting limited supplemental information
9 before the hearing. *See In re: Shimano Crankset Litig.*, No. 8:23-cv-02038 (C.D.
10 Cal. Jul. 23, 2025) (tentative order). Specifically, the Court asked for a declaration
11 addressing any potential conflicts involving class members or class representatives,
12 and for an explanation of the limits on out-of-pocket reimbursements for
13 replacement cranksets. The parties jointly provided that information and explained
14 that the only remedies available under the surviving claims are the repair,
15 reimbursement, and loss of use relief the Settlement provides. ECF 131 ¶ 2.

16 On July 29, 2025, the Court granted preliminary approval. ECF 134. It found
17 that it was likely to find the Settlement fair, reasonable, and adequate, and that it
18 would likely certify the proposed class for final approval. *Id.* The Court also
19 accepted counsel’s explanation about the out-of-pocket costs, stating that “it [was]
20 satisfied that the Settlement will not omit an otherwise large swath of potential
21 damages claims.” *Id.* at 9. Finally, the Court appointed Epiq as the Settlement
22 Administrator, approved the form and manner of notice to the Class, and approved
23 Plaintiffs’ proposed schedule. *Id.*

24 Since then, Class Counsel have worked with Epiq to implement the Notice
25 Plan. Counsel reviewed, edited, and approved the notice materials, including the
26 Settlement Website, and will continue to monitor the progress of the Notice Plan

27 _____
28 with the accompanying Motion for Final Approval of Class Action Settlement.

⁶ All references to “§ []” are to the Settlement.

1 and ensure its smooth implementation. Joint Decl. ¶ 19; Declaration of Roland
2 Tellis in Support of Motion for Attorneys’ Fees and Reimbursement of Expenses
3 (“Tellis Decl.”) ¶ 12; Declaration of Jason L. Lichtman in Support of Motion for
4 Attorneys’ Fees and Reimbursement of Expenses (“Lichtman Decl.”) ¶ 13;
5 Declaration of Stephen Larson in Support of Motion for Attorneys’ Fees and
6 Reimbursement of Expenses (“Larson Decl.”) ¶ 17.

7 **C. The Settlement Terms**

8 The Settlement enhances Shimano’s administration of the recall of the
9 Designated Cranksets. Under the Settlement, Shimano will provide Recall
10 Retailers⁷ with magnifying devices with enhanced lighting for inspections and the
11 Approved Enhanced Manual, which was developed over several months with expert
12 input after a review of Defendants’ documents and an analysis of the root causes of
13 bonding separation and breakage. § 4.1.1-4.1.2; *see also* ECF 104. Shimano will
14 also make a Retail Assistance Agent available to support Recall Retailers with
15 inspection questions. § 4.1.3.

16 To ensure compliance, the Settlement requires Shimano to notify every
17 Recall Retailer of the enhanced inspection procedures and obtain a confirmation
18 that each retailer: (1) reviewed and understands the training materials; (2) will use
19 the magnifying device provided during all inspections; and (3) will contact the
20 Retail Assistance Agent with any questions regarding inspection protocols. § 4.1.4.

21 Shimano will also extend its Express Warranty’s coverage of bonding
22 separation and delamination by two years from preliminary approval, providing
23 additional protection for consumers who own Designated Cranksets. § 4.2. These
24 provisions strengthen Shimano’s recall, which already offers a free replacement
25 crankset and professional installation at no cost when an inspection shows bonding
26

27 _____
28 ⁷ Pursuant to the Settlement, “Recall Retailer” means a retailer in the United States
that is authorized by Shimano to conduct inspections. § 2.27.

1 separation or delamination.⁸ Shimano will also bear the costs of notice of the
2 Settlement. § 6.3.

3 The Settlement further provides reimbursement for Settlement Class
4 Members who previously replaced a Designated Crankset that separated,
5 delaminated, or showed signs of doing so. Settlement Class Members may submit
6 claims through August 4, 2026. Defendants will reimburse documented, reasonable
7 out-of-pocket costs associated with those replacements. § 4.3. As noted above, this
8 form of reimbursement reflects the relief available on the surviving claims, which
9 are limited to manifested defects. *See* ECF 131 ¶ 2.

10 Jeffrey H. Kinrich, a Managing Principal at Analysis Group, Inc. and a
11 Certified Public Account, valued the injunctive relief that the Settlement provides.
12 Using a “market-based approach,” he values the extended warranty at \$14.1 million
13 and estimates that the enhanced inspection requirements provide up to \$51 million
14 in additional economic benefit to Settlement Class Members. *See* Declaration of
15 Jeffrey H. Kinrich ¶¶ 11-22 (submitted with the accompanying Motion for Final
16 Approval of Class Settlement).

17 **III. ARGUMENT**

18 “In a certified class action, the court may award reasonable attorney’s fees
19 and nontaxable costs that are authorized by law or by the parties’ agreement.” Fed.
20 R. Civ. P. 23(h). In deciding whether a requested fee is appropriate, the Court must
21 determine whether the amount is “fundamentally fair, adequate, and reasonable.”
22 *Staton v. Boeing Co.*, 327 F.3d 938, 963 (9th Cir. 2003) (quoting Fed. R. Civ. P.
23 23(e)).

24 **A. Lodestar Is the Appropriate Measure of Attorneys’ Fees.**

25 The Ninth Circuit has approved two methods for determining reasonable
26 attorneys’ fees in class actions: the lodestar method and the percentage-of-recovery
27

28 ⁸ <https://www.cpsc.gov/Recalls/2023/Shimano-Recalls-Cranksets-for-Bicycles-Due-to-Crash-Hazard>

1 method. *See In re Hyundai & Kia Fuel Econ. Litig.*, 926 F.3d 539, 570 (9th Cir.
2 2019). Ultimately, “no presumption in favor of either the percentage or the lodestar
3 method encumbers the district court’s discretion to choose one or the other.” *Id.*
4 (citation omitted).

5 Because the Settlement provides primarily injunctive relief, the lodestar
6 method is the appropriate measure of reasonableness. *See, e.g., Stiner v. Brookdale*
7 *Senior Living, Inc.*, No. 4:17-CV-03962, 2025 WL 2998163, at *6 (N.D. Cal. Oct.
8 24, 2025) (“Because injunctive relief is inherently difficult to monetize,... courts
9 tend to use the lodestar method in injunctive relief class actions.”); *Shvager v.*
10 *ViaSat, Inc.*, No. CV 12-10180, 2014 WL 12585790, at *16 (C.D. Cal. Mar. 10,
11 2014) (“Where attorneys’ fees will not be paid from a common fund, the percentage
12 method is inappropriate.”); *In re HP Laser Printer Litig.*, No. SACV 07-0667, 2011
13 WL 3861703, at *5 (C.D. Cal. Aug. 31, 2011) (“...because the primary benefit to
14 the class is injunctive relief, the Court finds it appropriate to base the attorney fees
15 on a lodestar calculation rather than any sort of common fund calculation.”).

16 Under the lodestar method, the district court calculates a “presumptively
17 reasonable” fee by multiplying the hours reasonably expended by a reasonable
18 hourly rate, *In re Hyundai*, 926 F.3d at 571, then may adjust that number upward or
19 downward to account for the “quality of representation, the benefit obtained for the
20 class, the complexity and novelty of the issues presented, and the risk of
21 nonpayment.” *In re Bluetooth Headset Prods. Liability Litig.*, 654 F.3d 935, 941-42
22 (9th Cir. 2011) (internal quotations and citations omitted).

23 Here, Class Counsel requests an award of \$3,250,000. Although each
24 relevant factor supports an upward adjustment of Counsel’s lodestar, the request
25 reflects a very modest multiplier of 1.21. This request aligns with similar awards in
26 this District. And if the Court performs a cross-check with the percentage method,⁹
27 the request represents less than the Ninth Circuit’s 25% benchmark.

28 _____
⁹ Under the percentage-of-recovery method, the court awards the attorneys a

1 **B. The Requested Fee Is Reasonable Under the Lodestar Method.**

2 Each of the factors that courts use to determine whether to adjust the lodestar
3 figure weighs in favor of an upward adjustment.

4 **1. Benefit Obtained for the Class**

5 The “foremost” factor in determining whether to adjust the lodestar upward
6 “is the benefit obtained for the class.” *In re Bluetooth*, 654 F.3d at 942. Here, the
7 benefit obtained for the Settlement Class weighs heavily in favor of the requested
8 fee. The Settlement provides over \$60 million in injunctive relief that significantly
9 strengthens Shimano’s Recall and ensures that Settlement Class Members will not
10 incur out-of-pocket costs for inspection or replacement of a Designated Crankset.
11 *See* ECF 124-3. In particular, Shimano must:

- 12 • Provide every Recall Retailer with a magnifying device equipped with
13 enhanced lighting for use during inspections. § 4.1.1.
- 14 • Distribute the Approved Enhanced Manual to all Recall Retailers. §
15 4.1.2.
- 16 • Make available qualified employees as Retailer Assistance Agents
17 whom Recall Retailers may contact during normal business hours for
18 prompt guidance on conducting Inspections. § 4.1.3.
- 19 • Notify every Recall Retailer that use of the magnifying device is
20 mandatory before any crankset can pass Inspection, and instruct each
21 Recall Retailer to affirm that it: (a) reviewed and understands all
22 inspection materials; (b) will use the magnifying device during every
23 Inspection; and (c) will contact a Retailer Assistance Agent if
24 questions arise. § 4.1.4.
- 25 • Instruct Recall Retailers to give Settlement Class Members whose
26 cranksets pass Inspection access to information about what to watch,
27

28 percentage of the fund sufficient to provide class counsel with a reasonable fee,
with 25% the benchmark in the Ninth Circuit. *See In re Hyundai*, 926 F.3d at 570.

1 listen, and feel for as indicators of potential bonding separation,
2 delamination, or breakage. This information may include, but does not
3 require, a QR code. § 4.1.5.

- 4 • Conduct a public outreach campaign to maximize Settlement Class
5 Member participation in the Recall. § 4.1.6.

6 The Settlement also extends warranty coverage for bonding separation and
7 delamination through July 2027. § 4.2. In addition, eligible Settlement Class
8 Members may recover documented expenses incurred to replace a Designated
9 Crankset because it separated, delamination, or exhibited evidence of delamination
10 or separation, before the September 2023 Recall and after their warranty expired. §
11 4.2.

12 Obtaining this relief after two dismissal orders is a remarkable result. The
13 Court’s prior dismissals severely limited the claims and remedies available to
14 Plaintiffs and the Class. Even within those limits, the Settlement secures all
15 available relief and provides additional benefits by extending warranty coverage,
16 significantly improving the inspection process, and reimbursing past expenses. It
17 also delivers a safety benefit that is difficult to quantify but important to the riding
18 public.

19 The tangible benefits reinforce the Settlement’s value. Plaintiffs’ expert
20 estimates the extended warranty’s value at \$14.1 million and the enhanced
21 inspections at up to \$51 million. Kinrich Decl. ¶¶ 20-21. These valuable benefits
22 were achieved through Plaintiffs’ and Class Counsel’s sustained efforts. *See*
23 *Hernandez v. HSBC Bank USA, Nat’l Ass’n*, No. 10-CV-4753, 2013 WL 12120063,
24 at *3 (C.D. Cal. Aug. 30, 2013) (finding that class counsel entitled to attorney’s
25 fees after “having conferred a benefit on Named Plaintiffs and the Settlement Class
26 members...”).

27
28

1 **2. Quality of the Representation**

2 The second factor – quality of the representation – also weighs in favor of an
3 upward adjustment. *See In re Bluetooth*, 654 F.3d at 941. This case required
4 extensive experience and skill with consumer product class actions. The Court
5 recognized the qualifications of Mr. Tellis, Mr. Lichtman, and Mr. Larson when it
6 appointed them Interim Co-Lead Counsel. *See* ECF 46, at 2-3. They were able to
7 deploy that expertise, along with the resources of their respective firms, in securing
8 the substantial relief provided by the Settlement.

9 **3. Complexity of the Issues**

10 This case was also complex, which supports an upward adjustment of the
11 lodestar. *See id.* It involved a product sold nationwide, an alleged defect that
12 required extensive factual investigation and expert consultation, and claims under
13 the laws of California, Florida Illinois, and New York law against six Defendants
14 on behalf of hundreds of thousands of Settlement Class Members. ECF 123; *see*
15 *supra* § II.

16 **4. Risk of Nonpayment**

17 Finally, the risk of nonpayment was real given the two dismissal orders. *See*
18 ECF Nos. 67, 95; *see also Stetson v. Grissom*, 821 F.3d 1157, 1166 (9th Cir. 2016)
19 (noting the fact that the “district court initially dismissed the case” was evidence of
20 risk). The second dismissal led the parties to private mediation, which was followed
21 by confirmatory discovery and expert review that shaped the Settlement’s final
22 terms. *See supra* § II. Counsel’s willingness to continue litigating despite these
23 risks, and the successful resolution that followed, further supports a modest positive
24 multiplier. *See In re Volkswagen “Clean Diesel” Mktg., Sales Pracs., & Prods.*
25 *Liab. Litig.*, 3:15-md-2672, CRB (JSC), 2017 WL 1352859, at *6 (N.D. Cal. Apr.
26 12, 2017) (“A positive multiplier rewards [] Counsel for its efforts in achieving a
27 swift settlement, while recognizing that counsel’s efficiency actually reduced its
28 lodestar.”)

1 Class Counsel’s requested fee reflects a modest multiplier of 1.21. This falls
2 at the far low end of the Ninth Circuit’s “presumptively acceptable range of 1.0–
3 4.0.” See *In re Hyundai*, 926 F.3d at 572 (finding multipliers of 1.22 and 1.55 to be
4 “modest or in-line with others we have affirmed”); *Gutierrez v. Amplify Energy*
5 *Corp.*, No. 8:21-CV-01628, 2023 WL 3071198, at *6 (C.D. Cal. Apr. 24, 2023)
6 (holding multiplier of 1.3 “on the low end of the presumptively acceptable range of
7 1.0-4.0 in this Circuit”); *Dyer v. Wells Fargo Bank, N.A.*, 303 F.R.D. 326, 334
8 (N.D. Cal. 2014) (approving multiplier of 2.83) (citing *Vizcaino v. Microsoft Corp.*,
9 290 F.3d 1043, 1051 (9th Cir. 2002) (approving a 3.65 multiplier)); see also
10 *Latham v. Lee Hecht Harrison, LLC*, No. 8:20-CV-01769, 2022 WL 22908407, at
11 *2 (C.D. Cal. July 8, 2022) (approving a multiplier of 2.4); *Spann v. J.C. Penney*
12 *Corp.*, 211 F. Supp. 3d 1244, 1265 (C.D. Cal. 2016) (approving a multiplier of
13 3.07). See also *In re Washington Pub. Power Supply Sys. Sec. Litig.*, 19 F.3d 1291,
14 1299 (9th Cir. 1994) (“It is an established practice in the private legal market to
15 reward attorneys for taking the risk of non-payment by paying them a premium
16 over their normal hourly rates for wining contingency cases.”).

17 For the foregoing reasons, a modestly positive multiplier of 1.21 is justified.

18 **C. The Number of Hours Devoted to the Case Is Reasonable.**

19 Counsel devoted 2,940.91 hours to this litigation, resulting in a lodestar of
20 \$2,679,378. Tellis Decl. ¶ 11; Lichtman Decl. ¶ 9; Larson Decl. ¶ 16; Levitt Decl.
21 ¶ 8; Dvoskin Decl. ¶ 7; Wolf Decl. ¶ 11. The hours for each firm are detailed in
22 the declarations submitted by Class Counsel and Plaintiffs’ Counsel that
23 contributed substantial time and resources to this litigation. Each firm maintained
24 contemporaneous billing records; the firms’ time is broken into the following
25 categories: (1) client and class member communications; (2) investigation and
26 factual research; (3) pleadings, briefs, and legal research; (4) discovery and
27 document review; (5) court appearances and preparation; (6) experts and
28 consultants; (7) case management and litigation strategy; and (8) settlement.

1 Counsel attest that the work reflected in these records was necessary to prosecute
2 Plaintiffs' claims.

3 Counsel performed this work efficiently and effectively. They conducted a
4 thorough investigation of the alleged defect prior to filing suit. They drafted the
5 initial complaints and the consolidated complaint, which asserted statutory and
6 common law claims under multiple states' laws. They briefed and argued the first
7 motion to dismiss, amended the complaint in response to the first motion to dismiss
8 order, engaging an engineering expert and consulting with an industry participant to
9 strengthen the allegations, and then briefed the second motion to dismiss. The
10 parties also conducted initial discovery and then confirmatory discovery in
11 connection with settlement negotiations. *See* Joint Decl. ¶¶ 6-9.

12 Counsel will continue to devote time and resources through final resolution.
13 They must prepare for and attend the final approval hearing, prepare the reply in
14 support of final approval, which may include addressing objections, oversee the
15 Settlement Administrator's work, respond to inquiries from Settlement Class
16 Members, and, if necessary, defend the Settlement on appeal. *See* Tellis Decl. ¶ 12;
17 Lichtman Decl. ¶ 13; Larson Decl. ¶ 17. These efforts are significant and ongoing.

18 **D. Counsel's Hourly Rates Are Reasonable.**

19 Counsel are entitled to the rates "prevailing in the community for similar
20 services by lawyers of reasonably comparable skill, experience, and reputation." *In*
21 *re Toys R Us-Delaware, Inc.--Fair & Accurate Credit Transactions Act (FACTA)*
22 *Litig.*, 295 F.R.D. 438, 461 (C.D. Cal. 2014) (quotation and citation omitted).

23 Courts may consider the following factors when assessing the reasonableness of
24 hourly fee rates: "(1) the novelty and complexity of the issues; (2) the special skill
25 and experience of counsel; (3) the quality of representation; and (4) the results
26 obtained." *Gileo v. California Pizza Kitchen*, No. 8:21-CV-01928, 2025 WL
27 1721880, at *4 (C.D. Cal. June 10, 2025) (citation omitted). These factors largely
28

1 overlap with the lodestar-adjustment factors addressed above in Section III(B) and
2 support the hourly rates requested here.

3 Courts in this District and Circuit have repeatedly approved Counsel’s
4 requested hourly rates. *See, e.g., In re Loandepot Data Breach Litig.*, No. 8:24-CV-
5 00136, 2025 WL 2633063, at *5 (C.D. Cal. Aug. 25, 2025) (approving hourly rates
6 of Larson LLP); *Grey Fox, LLC v. Plains All-Am. Pipeline, L.P.*, No. CV 16-03157,
7 2024 WL 4267431, at *6 (C.D. Cal. Sept. 17, 2024) (approving hourly rates of
8 Lieff, Cabraser, Cabraser, Heimann, & Bernstein, LLP); *Weiner v. Ocwen Fin.*
9 *Corp.*, No. 2:14-CV-02597, 2024 WL 4458383, at *1 (E.D. Cal. Oct. 10, 2024)
10 (approving the hourly rates of Baron & Budd); *Ramirez v. Trans Union, LLC*, No.
11 12-cv-00632-JSC, 2022 WL 17722395, at *9 (N.D. Cal. Dec. 15, 2022) (approving
12 rates “from \$1,325 to \$560 for partners and associates, and \$484-\$55 for ‘litigation
13 support’ and paralegals”); *Gutierrez, JR. v. Amplify Energy Corp.*, No. 8:21-cv-
14 01628 (C.D. Cal. Jan. 2023), ECF Nos. 667, 726 (finding hourly rates of \$650-
15 1,010 for partners and \$640-\$675 to be “consistent with market rates”); *Waldrup v.*
16 *Countrywide Fin. Corp.*, No. 2:13-CV-08833-cas, 2020 WL 13356468, at *2 (C.D.
17 Cal. July 16, 2020) (approving Baron & Budd hourly rates); *In re Volkswagen*
18 *“Clean Diesel” Mktg., Sales Pracs., & Prods. Liab. Litig.*, 3:15-md-2672, 2017
19 WL 1047834, at *5 (N.D. Cal. Mar. 17, 2017) (approving “ranging from \$275 to
20 \$1600 for partners, \$150 to \$790 for associates, and \$80 to \$490 for paralegals”).¹⁰

21 The accompanying Declarations filed concurrently with this motion further
22 support the reasonableness of Counsel’s hourly rates. *See In re Toys R Us*, 295
23 F.R.D. at 461 (noting that “[d]eclarations regarding the prevailing market rate in the
24

25
26 ¹⁰ These rates also fall within the range of those that are regularly approved in this
27 Circuit. *See, e.g., OWLink Tech., Inc. v. Cypress Tech. Co.*, No. 8:21-CV-00717,
28 2023 WL 9061081, at *2 (C.D. Cal. Dec. 12, 2023) (hourly rates of \$1,200 for
partners and \$900 for associates were reasonable); *Netlist Inc. v. Samsung*
Electronics Co. Ltd., 341 F.R.D. 650, 675-76 (C.D. Cal. 2022) (approving partner
rates between \$1,160 to \$1,370 and associate rates of between \$845 to \$1,060).

1 relevant community” as one resource to determine the reasonableness of hourly
2 rates).

3 **E. The Requested Fees Are Reasonable Under the Percentage**
4 **Method.**

5 Courts in the Ninth Circuit are “encouraged... to guard against an
6 unreasonable result by cross-checking their calculations against a second method.”
7 *In re Bluetooth*, 654 F.3d at 944; *Grays Harbor Adventist Christian School v.*
8 *Carrier Corp.*, No. 05-cv-05437, 2008 WL 1901988, *5 (W.D. Wash. Apr. 24,
9 2008) (“[A] court applying the lodestar method to determine attorney's fees may
10 use the percentage-of-the-fund analysis as a cross-check.”). Under the percentage
11 method, “courts typically calculate 25% of the fund as the ‘benchmark’ for a
12 reasonable fee award, providing adequate explanation in the record of any ‘special
13 circumstances’ justifying a departure.” *In re Bluetooth*, 654 F.3d at 944 (citation
14 omitted).

15 Although the Settlement does not create a common fund, courts regularly
16 consider the total monetary value of settlement when applying the percentage
17 method, including the value of injunctive relief. *See, e.g., Ohuche v. Autovest,*
18 *L.L.C.*, No. LA CV 21-06376, 2023 WL 12167704, at *9 (C.D. Cal. Nov. 21, 2023)
19 (“accounting for the non-monetary value of the settlement” when assessing
20 attorney’s fees under percentage method); *In re ZF-TRW Airbag Control Units*
21 *Prods. Liab. Litig.*, No. 19-cv-02905, 2023 WL 6194109, at *21 (C.D. Cal. July 31,
22 2023) (considering upward adjustment to 25% benchmark fee award in light of
23 “non-monetary benefits conferred by the litigation”); *Ryan-Blaufuss v. Toyota*
24 *Motor Corp.*, No. 8:18-CV-00201, 2023 WL 11932256, at *5 (C.D. Cal. Feb. 3,
25 2023) (considering value of two recalls in assessing fee request); *Pfeiffer v. RadNet,*
26 *Inc.*, No. 2:20-CV-09553, 2022 WL 2189533, at *3 (C.D. Cal. Feb. 15, 2022)
27 (assessing non-monetary value of settlement); *In re: Checking Acct. Overdraft*
28 *Litig.*, No. 1:09-MD-02036, 2013 WL 11319391, at *13 (S.D. Fla. Aug. 5, 2013)

1 (“[C]ourts often include the value of [non-monetary] relief in the common fund and
2 award class counsel a percentage of the total fund.”) (citing *Staton*, 327 F.3d at
3 974).

4 As explained above, the extended warranty is valued at \$14.1 million, and
5 the enhanced recall procedures are valued at up to \$51 million. *See* Kinrich Decl. ¶¶
6 20, 21. The requested \$3,250,000 fee is approximately 5% of the total value of the
7 Settlement, well below the Ninth Circuit’s 25% benchmark. Even if the Court
8 considered only the extended warranty, the percent would still fall below the
9 benchmark.

10 A percentage cross-check therefore confirms the reasonableness of the fee
11 request.

12 **F. The Court Should Approve Counsel’s Request for Reimbursement**
13 **of Reasonable Litigation Costs.**

14 Counsel are entitled to recover out-of-pocket expenses typically billed to a
15 fee-paying client. *Moreyra v. Fresenius Med. Care Holdings, Inc.*, No. SACV 10-
16 517, 2013 WL 12248139, at *2 (C.D. Cal. Aug. 7, 2013) (Selna, J.). Recoverable
17 costs include “travel, meals, lodging, photocopying, long-distance telephone calls,
18 computer legal research, postage, courier service, mediation, exhibits, documents
19 scanning, and visual equipment[.]” *Rutti v. Lojack Corp., Inc.*, No. SACV 06-350,
20 2012 WL 3151077, *12 (C.D. Cal. July 31, 2012).

21 Counsel have incurred \$164,241.13 in unreimbursed litigation costs. *See*
22 Tellis Decl. ¶ 16; Lichtman Decl. ¶ 14; Larson Decl. ¶¶ 20-21; Levitt Decl. ¶ 13.
23 These costs were necessary to prosecute and resolve the case and were incurred for
24 the benefit of the Settlement Class. *See Staton*, 327 F.3d at 974 (class counsel
25 entitled to reimbursement of expenses reasonably incurred).

26 **G. The Court Should Approve the Proposed Service Awards to**
27 **Plaintiffs.**

28 “Incentive awards are fairly typical in class action cases.” *Rodriguez v. West*
Publishing Corp., 563 F.3d 948, 958 (9th Cir. 2009). They are intended to

1 “compensate class representatives for work done on behalf of the class [and] to
2 make up for financial or reputational risk undertaken in bringing the action.”
3 *Hernandez v. Burrtec Waste & Recycling Servs., LLC*, No. 5:21-CV-01490, 2023
4 WL 5725581, at *7 (C.D. Cal. Aug. 21, 2023) (citation omitted).

5 The Settlement Agreement provides for service awards of \$500 to each of the
6 twelve Class Representative, for a total of \$6,000. ECF 124-3 ¶ 11.1. These
7 proposed amounts are modest compared to awards courts routinely approve. *See In*
8 *re Kia Hyundai Vehicle Theft Litig.*, 8:22-ml-03052, 2023 WL 8126851, at *18
9 (C.D. Cal. Aug. 16, 2023) (approving \$1,000 service awards); *In re: ZF-TRW*
10 *Airbag Control Units Prods. Liab. Litig.*, No. 19-cv-2905, 2023 WL 9227002, at *5
11 (C.D. Cal. Nov. 28, 2023) (approving \$2,500 service awards); *Hashem v. NMC*
12 *Health PLC*, No. 2:20-cv-02303, 2022 WL 3573145, at *4 (C.D. Cal. Apr. 8, 2022)
13 (approving \$3,000 service award to each of three named Plaintiffs).

14 The Class Representatives supported the litigation throughout. They worked
15 with Counsel on the Complaint, responded to Defendants’ document requests and
16 interrogatories, and communicated with Counsel regularly during the investigation
17 and mediation. *See* Joint Decl. ¶ 18. Their contributions and the favorable result
18 obtained for the Settlement Class support approving the requested service awards.

19 **IV. CONCLUSION**

20 For these reasons, Plaintiffs respectfully request that the Court award
21 attorneys’ fees of \$3,250,000, \$164,241.13 in reimbursable costs, and Service
22 Awards of \$500 for each of the twelve Class Representatives, as provided in the
23 Settlement.

24
25 Dated: November 18, 2025 By: /s/ Roland Tellis
26 Roland Tellis (SBN 186269)

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CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 11-6, the undersigned, co-counsel for Plaintiffs, certifies that this brief contains 4,732 words, which complies with the word limit set by Local Rule 11-6.1.

DATED: November 18, 2025

LIEFF CABRASER HEIMANN &
BERNSTEIN LLP

By: /s/ Daniel E. Seltz
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19 *Class Counsel*

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA**
22 **SOUTHERN DIVISION**

23 In re: Shimano Crankset Litigation

24 Case No. 8:23-cv-02038-JVS(JDEx)

25 **DECLARATION OF ROLAND**
26 **TELLIS IN SUPPORT OF MOTION**
27 **FOR ATTORNEYS' FEES, COSTS,**
28 **AND SERVICE AWARDS**

DECLARATION OF ROLAND TELLIS

I, Roland Tellis, declare as follows:

1. I am an attorney licensed to practice before this Court and all courts of the State of California, and I am a member in good standing of the bar of the State of California. I submit this Declaration in support of Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Service Awards. I have personal knowledge of the matters set forth herein based upon my active supervision and participation in all material aspects of the litigation. If called upon to do so, I could and would competently testify to the statements set forth below.

2. I was appointed by the Court to serve as one of the Interim Co-Lead Counsel for the Plaintiffs in the above-captioned action (the “Action”) on January 17, 2024. *See* ECF 46.

3. I am a partner in the law firm Baron & Budd, P.C. where I lead the Class Action Practice Group and manage the Firm’s Los Angeles Office. My firm has extensive class action experience, and I have a long history of successfully prosecuting high profile and complex litigation involving defective products. A representative sample of my personal experience includes the following matters:

- Appointed Co-Lead Counsel for Consumer Plaintiffs in *In re: Kia Hyundai Vehicle Theft Marketing, Sales Practices, and Products Liability Litigation*, C.D. Cal. Case No. 8:22-ml-03052-JVS-KES, a multi-state class action involving millions of vehicles manufactured without engine immobilizers.
- Appointed Co-Lead Counsel in *In re: ARC Airbag Inflators Products Liability Litigation*, N.D. Ga. Case No. 1:22-md-03051-ELR, a multi-state class action involving tens of millions of defective airbag inflators.
- Appointed Co-Lead Counsel in *In Re: ZF-TRW Airbag Control Units Products Liability Litigation*, C.D. Cal. Case No. 2:19-ml-02905-JAK-PLA, a multi-state class action involving millions of defective airbag control units.
- Appointed to the Plaintiffs’ Steering Committee in *In Re: Takata Airbag Products Liability Litigation*, S.D. Fla. Case No. 15-md-02599-FAM. A multi-state class action involving tens of millions of vehicles

1 equipped with defective airbags.

- 2 • Appointed to the Plaintiffs’ Steering Committee in *In re: Volkswagen*
3 *“Clean Diesel” Marketing, Sales Practices, and Products Liability*
4 *Litigation*, N.D. Cal. MDL No. 2672 CRB (JSC), a multi-state class
5 action involving hundreds of thousands of vehicles equipped with
6 “defeat devices” designed to evade emissions laws.
- 7 • Appointed to the Plaintiffs’ Steering Committee in *In re Chrysler-*
8 *Dodge-Jeep EcoDiesel Marketing, Sales Practices and Products*
9 *Liability Litigation*, N.D. Cal. Case No. 3:17-md-02777-EMC. A multi-
10 state class action involving more than one hundred thousand vehicles
11 equipped with software designed to surreptitiously evade emissions
12 regulations.
- 13 • Co-Lead counsel in *In Re MyFord Touch Consumer Litigation*, N.D.
14 Cal. Case No. 3:13-cv-03072-EMC. A multi-state class action
15 involving vehicles equipped with a defective “infotainment system.”
- 16 • Lead counsel in *Falco et al. v. Nissan North America, Inc.*, C.D. Cal.
17 Case No. 2:13-cv-00686-DDP. A certified multi-state class action
18 involving vehicles equipped with a defective timing chain system.
- 19 • Lead counsel in *Aarons et al. v. BMW*, C.D. Cal. Case No. 2:11-cv-
20 07667-PSG. A multi-state class action involving vehicles equipped
21 with defective transmissions.

22 4. I helped achieve settlements in virtually all the above-described
23 automotive defect class actions which were collectively valued at more than \$16
24 billion.

25 5. I have also been fortunate to receive accolades for my work on
26 complex litigation cases, including class actions. In 2018, I was honored with the
27 Los Angeles Daily Journal’s 2018 “*California Lawyer Attorneys of the Year*” award
28 for my role in the Volkswagen “Clean Diesel” MDL. I have also been named among
the Best Lawyers in America every year since 2014, a Super Lawyer every year
since 2009 and was a faculty member of the Practicing Law Institute and Chair of its
annual program entitled “Taking and Defending Depositions.” I was elected to serve
on the Board of Governors of the Association of Business Trial Lawyers and was
appointed to serve as a Lawyer Representative to the Ninth Circuit Judicial
Conference. I was the Chair of the United States District Court for the Central

1 District of California’s Attorney Settlement Officer Panel Committee and was
2 appointed by the Chief Judge of the Central District of California to the Board of
3 Trustees for the Central District’s Attorney Admission Fund. Additionally, I served
4 on the Executive Committee of the Los Angeles County Bar Association.

5 6. My firm keeps detailed records of the time spent by attorneys and staff
6 on this matter, and the lodestar calculation is based on our current billing rates. The
7 billing information in this Declaration comes from contemporaneous daily time
8 records that my firm prepares and maintains in the ordinary course of business.
9 Time spent preparing this application for fees and reimbursement of expenses is not
10 included in this request.

11 7. My firm’s hourly rates in this matter are the same as the current rates
12 we charge in non-contingent cases, and they align with rates recently approved in
13 lodestar cross-check in other class actions. The current hourly rates for the attorneys
14 who worked on this matter range from \$925 to \$1,350 for partners and \$675 to \$795
15 for associates.

16 8. I am familiar with the hourly rates typically charged by plaintiffs’ class
17 action firms in California and nationwide. Each year, when setting our rates, I
18 consider market data to ensure that our rates remain in line with prevailing market
19 rates. In this regard, our billing rates are consistent with those charged by firms of
20 comparable experience in this District and reflect the market for complex class
21 action work.

22 9. In addition to myself, the other partner who worked on this matter was
23 David Fernandes.

24 10. The associates who worked on this matter were Sterling Cluff, Michael
25 Pacelli, Shannon Royster, and Michael Dobbs.

26 11. As of November 6, 2025, my firm has spent 806.81 hours working on
27 this matter. The total lodestar amount for this work is \$689,623.95. The lodestar
28 associated with each biller is as follows:

NAME	POSITION	RATE	HOURS	LODESTAR
Roland Tellis	Partner	\$1,350	123.7	\$161,428.50
David Fernandes	Partner	\$925	139.5	\$129,037.50
Sterling Cluff	Associate	\$795	257.51	\$204,720.45
Shannon Royster	Associate	\$725	26.4	\$19,140.00
Michael Pacelli	Associate	\$675	174.5	\$117,787.50
Michael Dobbs	Associate	\$675	85.2	\$57,510.00

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12. The billing rates for the work described above is commensurate with the prevailing hourly rates for attorneys who represent clients in similar complex litigation and are commensurate with our experience and expertise in complex class actions. Additionally, the work performed and reflected above was reasonable and necessary for the prosecution and settlement of this case, and the work was performed for the benefit of the Settlement Class. The lodestar totals do not include any time we will incur in the future ensuring the proper administration of the Settlement, including responding to inquiries from Class Members, interacting with the notice and claims administrator, and generally overseeing the implementation of the Settlement.

13. We undertook this representation on a wholly contingent basis, recognizing that the risk of non-payment has been high throughout this litigation. Had we not reached this settlement, we would have vigorously prosecuted the case through trial.

14. The tasks performed by my firm, as described above, break down as follows:

	WORK DESCRIPTION	HOURS	LODESTAR
1			
2	Investigation and Factual Research	41	\$31,826.00
3			
4	Pleadings, Briefs and Legal Research	318.01	\$254,872.95
5	Discovery and Document Review	145.4	\$110,182.00
6	Court Appearances and Preparation	25.3	\$31,184.50
7			
8	Expert/Consultants	11.5	\$11,684.50
9	Case Management and Litigation Strategy	123.4	\$100,571.00
10	Settlement	142.40	\$149,303.00
11			

12 15. My firm’s detailed time records describing the work performed are
 13 available to the Court for in camera review.

14 16. My firm also seeks reimbursement of expenses in the amount of
 15 \$17,397.37. These expenses consist of the following:

	EXPENSE CATEGORY	TOTAL
17		
18	Filing and Service Fees	\$941.65
19		
20	Experts	\$9,450.00
21	Legal research and PACER Charges	\$6,180.47
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23	Business travel	\$778.03
24	Business meals	\$47.22
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16 New York, New York 10013
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18 jlichtman@lchb.com
19 *Interim Class Counsel*

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

In re: Shimano Crankset Litigation

Case No. 8:23-cv-02038-JVS(JDEx)

DECLARATION OF STEPHEN G. LARSON IN SUPPORT OF MOTION FOR ATTORNEYS' FEES, COSTS, AND SERVICE AWARDS

1 **DECLARATION OF STEPHEN G. LARSON**

2 I, Stephen G. Larson, declare as follows:

3 1. I am an attorney licensed to practice before this Court and all courts in
4 the State of California, and I am a member in good standing of the bar of the State
5 of California. I am one of three Interim Co-Lead counsel (“Class Counsel”) for
6 Plaintiffs in this matter. *See* ECF 46.

7 2. I submit this Declaration in support of Plaintiffs’ Motion for Attorneys’
8 Fees, Costs, and Service Awards. I have personal knowledge of the matters set forth
9 herein based upon my active supervision and participation in all material aspects of
10 the above-captioned litigation. If called upon to do so, I could and would
11 competently testify to the statements set forth below.

12 **A. Settlement Approval**

13 3. On January 17, 2024, I was appointed by the Court to serve as Class
14 Counsel for the Plaintiffs in the above-captioned action. *See* ECF No. 46.

15 4. Since being appointed Class Counsel, my co-counsel and I have
16 personally supervised and directed every aspect of the prosecution and resolution of
17 this litigation on behalf of the Plaintiffs and the Settlement Class.

18 5. In my judgment, Class Counsel possess the skill and experience
19 necessary to evaluate the strengths and weaknesses of the case based on the
20 substantial case work and information exchanged between the parties to date. Class
21 Counsel’s assessment is further informed by months of arm’s length negotiations,
22 including a full-day mediation session before the Hon. Judge Margaret Morrow
23 (Ret.).

24 6. It is the judgment of Class Counsel, and mine as well, that the proposed
25 Settlement is an excellent outcome. It readily satisfies the Rule 23 “fair, reasonable,
26 and adequate” standard and serves the best interests of the Settlement Class.
27 Furthermore, I believe the method of distributing relief ensures a fair and equitable
28 allocation of the settlement proceeds through a straightforward claims process.

1 Furthermore, under this process, Settlement Class Members who replaced out-of-
2 warranty Designated Cranksets that separated, delaminated, or showed signs of
3 doing so before Shimano announced the recall may submit proof of out-of-pocket
4 costs for reimbursement of the crankset and its installation.

5 **B. Lodestar and Expenses**

6 7. My firm has extensive class action experience, and I have a long
7 history of prosecuting high profile and complex litigation. In the last several years I
8 helped obtain over \$600 million in recoveries for clients (plaintiffs and defendants)
9 in an array of complex disputes. These recoveries include a \$154 million settlement
10 in *In Re: Snap Inc. Securities Litigation*, No. 2:17-cv-03679; \$65 million from San
11 Bernardino County for civil rights claims involving allegations of a retaliatory
12 investigation and malicious prosecution in *Colonies Partners LP v. County of San*
13 *Bernardino*, No. 5:18-cv-00420; \$65 million from a regional healthcare provider
14 and its founder in *United States ex rel. Karin Berntsen v. Prime Healthcare*
15 *Services, Inc., et al.*, No. 11-cv-08214; over \$40 million for the State of Arizona and
16 the State of Oklahoma from Volkswagen AG, et al. as a result of the “clean diesel”
17 scandal; and \$95 million for class plaintiffs in a lawsuit arising from a pipeline
18 break and oil spill off the coast of Southern California.

19 8. I have also been honored to receive recognition for my work on
20 complex litigation cases. In 2018, I was honored with the Los Angeles Daily
21 Journal’s 2018 “*California Lawyer Attorneys of the Year*” award for my role in the
22 successful defense of a San Bernardino County developer during a nine-month jury
23 trial in *People v. Biane et al.* More recently, in 2024, I was inducted as a Fellow of
24 the American College of Trial Lawyers. And from 2017 to 2025, I have been
25 recognized by The Daily Journal as one of the top 100 lawyers in California.

26 9. My firm kept detailed records regarding the amount of time spent by
27 attorneys and staff working on this matter and the lodestar calculation is based on
28 my firm’s current billing rates. The information was prepared from

1 contemporaneous, daily time records regularly prepared and maintained by my firm
2 in the ordinary course of business. Time expended in preparing this application for
3 fees and reimbursement of expenses is not included in this request.

4 10. My firm's hourly rates in this matter are the same as the regular current
5 rates charged for services in non-contingent matters and/or which have been used
6 recently in lodestar cross check analyses accepted by courts in other class litigation.
7 Specifically, my firm's current hourly rates for the attorneys who worked on this
8 matter range from \$825 to \$1,450 for partners, \$625 for associates, and \$225 to
9 \$250 per hour for paralegals and litigation support specialists.

10 11. I have general familiarity with the range of hourly rates typically
11 charged by plaintiffs class action firms in California and throughout the United
12 States, both on a current basis and historically. In determining my firm's hourly
13 rates from year to year, I consciously take market rates into account to align our
14 rates with the market. In this regard, my firm's billing rates are consistent with
15 those charged by similarly experienced counsel in this District and are
16 commensurate with those prevailing in the market for such legal services furnished
17 in complex class action litigation.

18 12. Federal courts have approved rates comparable to the rates requested
19 here. *See, e.g., Grey Fox, LLC v. Plains All-Am. Pipeline, L.P.*, No. 16-cv-03157-
20 PSG (JEMx), 2024 WL 4267431, at *5 (C.D. Cal. Sept. 17, 2024) (granting motion
21 for attorneys' fees that included hourly attorney rates from \$925 to \$1,450 for
22 partners and \$300 to \$875 for associates); *In re Ring LLC Privacy Litig.*, No. 19-cv-
23 10899-MWF (RAOx), 2024 WL 2845978, at *5-6 (C.D. Cal. May 28, 2024)
24 (approving hourly attorney rates ranging from \$1,057 for partners to \$538 for
25 associates); *Harbour v. Cal. Health & Wellness Plan*, No. 5:21-cv-03322-EJD, 2024
26 WL 171192, at *8 (N.D. Cal. Jan. 16, 2024) (consumer class action finding
27 reasonable billing rates ranging from \$660-\$1,200 for partners, \$425-\$725 for
28 associates, and \$150-\$335 for litigation support); *In re MacBook Keyboard Litig.*,

1 No. 18-cv-02813-EJD, 2023 WL 3688452, at *15 (N.D. Cal. May 25, 2023)
2 (approving partner rates up to \$1,195, associate rates up to \$850, and \$325 for
3 paralegals); *In re Volkswagen “Clean Diesel” Mktg., Sales Practices, & Prod. Liab.*
4 *Litig.*, No. 2672 CRB (JSC), 2017 WL 1047834, at *5 (N.D. Cal. Mar. 17, 2017)
5 (approving billing rates ranging from \$275 to \$1600 for partners, \$150 to \$790 for
6 associates, and \$80 to \$490 for paralegals).

7 13. In addition to myself, the other partner who worked on this matter was
8 Andrew J. Bedigian.

9 14. The associates who worked on this matter were Karen E. Huber and
10 Jasmine M. Johnson.

11 15. The litigation support specialist who worked on this matter was Ariel
12 Potashner.

13 16. As of November 12, 2025, my firm has spent 519.90 hours working on
14 this matter. The total lodestar amount for this work is \$474,385.00. The lodestar
15 associated with each biller is as follows:

NAME	POSITION	RATE	HOURS	LODESTAR
Stephen G. Larson	Partner	\$1,450.00	122.70	\$177,915.00
Andrew J. Bedigian	Partner	\$825.00	284.30	\$234,547.50
Karen E. Huber	Associate	\$625.00	64.60	\$40,375.00
Jasmine M. Johnson	Associate	\$625.00	26.70	\$16,687.50
Ariel K. Potashner	Paralegal/Liti gation Support	\$225.00	21.60	\$4,860.00
TOTAL			519.90	\$474,385.00

17 17. The work performed and reflected above was reasonable and necessary
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1 to the prosecution and settlement of this case. Moreover, the lodestar totals do not
 2 include any time we will incur in the future ensuring the proper administration of the
 3 Settlement, such as responding to inquiries from Class Members, interacting with
 4 the notice and claims administrator, and generally overseeing the implementation of
 5 the Settlement.

6 18. The tasks performed by my firm, as described above, is broken down
 7 as follows:

WORK DESCRIPTION	HOURS	LODESTAR
Client and Class Member Communications	1.9	\$2,912.50
Investigation and Factual Research	13.8	\$7,675.00
Pleadings, Briefs and Legal Research	144	\$124,767.50
Discovery and Document Review	161.3	\$129,392.50
Court Appearances and Preparation	52.6	\$57,847.50
Experts/Consultants	55.1	\$26,510.00
Case Management and Litigation Strategy	57.9	\$79,392.50
Settlement	48.9	\$45,209.00

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 21 19. My firm’s detailed time records describing the work performed are
 22 available to the Court for *in camera* review.

23 20. My firm also seeks reimbursement of expenses in the amount of
 24 \$4,380.08. These expenses were reasonably incurred in the prosecution of the case
 25 and consist of the following:

EXPENSE CATEGORY	TOTAL
Filing fees	\$1,992.75
Legal research	\$91.15

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20 *Attorneys for Plaintiff and the Proposed Classes*
21 *(additional Plaintiffs' counsel appear on the*
22 *signature block)*

23 **UNITED STATES DISTRICT COURT**
24 **CENTRAL DISTRICT OF CALIFORNIA**
25 **SOUTHERN DIVISION**

26 In re: Shimano Crankset Litigation

27 Case No.: 8:23-cv-02038-JVS(JDEx)

28 **DECLARATION OF JASON L.**
LICHTMAN IN SUPPORT OF
MOTION FOR ATTORNEYS' FEES
AND REIMBURSEMENT OF
LITIGATION EXPENSES

Judge: Hon. James V. Selna

I, Jason L. Lichtman, declare as follows:

1. I am an attorney admitted to practice in this Court *pro hac vice*. I am a partner at the law firm Lieff Cabraser Heimann & Bernstein, LLP.
2. I was appointed by the Court to serve as Interim Co-Lead Counsel, along with Roland Tellis and Stephen Larson, for the Plaintiffs in the above-

1 captioned action (the “Action”) on January 17, 2024. *See* ECF No. 46.

2 3. I have personal knowledge of the facts set forth in this Declaration. If
3 called upon to testify, I could and would testify competently to the truth of the
4 matters stated herein.

5 4. My firm kept detailed records regarding the amount of time spent by
6 attorneys and staff working on this matter and the lodestar calculation is based on
7 my firm’s current billing rates. The information was prepared from
8 contemporaneous, daily time records regularly prepared and maintained by my firm
9 in the ordinary course of business.

10 5. My firm’s current hourly rates for the attorneys who worked on this
11 matter range from \$1,080 to \$1,120 for partners, \$595 to \$795 for associates, and
12 \$515 per hour for paralegals.

13 6. These are the firm’s regular rates for contingent cases and those
14 generally charged to clients for their services in non-contingent/hourly matters.
15 While LCHB principally works on contingency, our rate structure is occasionally
16 paid to our firm by hourly paying clients. Courts in this Circuit and in this district
17 have repeatedly approved LCHB’s rate structure, sometimes as the basis of a
18 lodestar fee, and sometimes as a cross-check. The following are some examples:

- 19
- 20 • *Grey Fox, LLC v. Plains All-Am. Pipeline, L.P.*, No. CV 16-03157,
21 2024 WL 4267431, at *6 (C.D. Cal. Sept. 17, 2024)
- 22 • *In re: ZF-TRW Airbag Control Units Prods. Liab. Litig.*, No. LA
23 ML19-2905, 2023 WL 9227002, at *14 (C.D. Cal. Nov. 28, 2023)
- 24 • *Ramirez v. Trans Union, LLC*, No. 12-cv-00632-JSC, 2022 WL
25 17722395, at *9 (N.D. Cal. Dec. 15, 2022);
- 26 • *Gutierrez, JR. v. Amplify Energy Corp.*, No. 8:21-cv-01628-DOC
27 (C.D. Cal. Jan. 2023), ECF Nos. 667, 726;
- 28 • *Vianu v. AT&T Mobility LLC*, No. 19-cv-3602, Dkt. 164 (N.D. Cal.
Nov. 8, 2022);

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- *Allaga v. BP Solar Int’l, Inc.*, No. 14-560, Dkt. 201 (N.D. Cal. Dec. 22, 2016);
- *In re High-Tech Emp. Antitrust Litig.*, No. 11-CV-02509-LHK, 2015 WL 5158730, at *9 (N.D. Cal. Sept. 2, 2015);
- *In re TFT-LCD (Flat Panel) Antitrust Litig.*, No. M 07-1827 SI, 2013 WL 149692 (N.D. Cal. Jan. 14, 2013);
- *In re Bank of Am. Credit Prot. Mktg. & Sales Practices Litig.*, No. 11-MD-2269 TEH, 2013 WL 174056 (N.D. Cal. Jan. 16, 2013);
- *Brazil v. Dell Inc.*, No. C-07-01700 RMW, 2012 WL 1144303, at *1 (N.D. Cal. Apr. 4, 2012);
- *White v. Experian Info. Sols., Inc.*, No. SACV 05-1070 DOC, 2011 WL 2971957, at *3 (C.D. Cal. July 15, 2011);
- *Pelletz v. Weyerhaeuser Co.*, 592 F. Supp. 2d 1322, 1326–27 (W.D. Wash. 2009); and
- *Grays Harbor Adventist Christian Sch. v. Carrier Corp.*, No. 05-05437 RBL, 2008 WL 1901988, at *3 (W.D. Wash. Apr. 24, 2008).

7. I have general familiarity with the range of hourly rates typically charged by plaintiffs’ class action firms in California and throughout the United States, both on a current basis and historically. In determining our firm’s hourly rates from year to year, we consciously take market rates into account in order to align our rates with the market. In this regard, my firm’s billing rates are consistent with those charged by similarly experienced counsel in this District and are commensurate with those prevailing in the market for such legal services furnished in complex class action litigation.

8. In addition to myself, the other partner who worked on this matter was Daniel Seltz. The associates who worked on this matter were Wesley Dozier, Muriel Kenfield-Kelleher, and Hannah Lazarz. The paralegal who worked on this matter was Dushan Arsov.

1 9. As of November 10, 2025 my firm has spent 775 hours working on
 2 this matter. The total lodestar amount for this work is \$694,023. The lodestar
 3 associated with each biller is as follows:

Name	Position	Rate	Hours	Lodestar
Jason Lichtman	Partner	1,080	152.70	\$164,916.00
Daniel Seltz	Partner	1,120	256.90	\$287,728.00
Wesley Dozier	Associate	\$725	187.60	\$136,010.50
Muriel Kenfield- Kelleher	Associate	\$655	75.50	\$49,452.50
Hannah Lazarz	Associate	\$595	40.40	\$24,038.00
Dushan Arsov	Paralegal	\$515	61.90	\$31,878.50

13 10. LCHB attorneys and staff enter their time contemporaneously. The
 14 *Firm Policy Manual*, “Time-Keeping Policy,” requires timekeepers to keep time
 15 sheets on a daily basis, and to submit them by the close of each business week.
 16 LCHB’s accounting department runs a regular time report that lists timekeepers
 17 without time in the system for any given week. Kelly M. Dermody, managing
 18 partner of the San Francisco office of the firm, receives that report and personally
 19 follows up with tardy attorney timekeepers, and instructs staff managers to follow
 20 up with any tardy staff. The firm does not abide late timekeeping,

21 11. The work performed and reflected above was reasonable and necessary
 22 to the prosecution and settlement of this case.

23 12. The tasks performed by my firm, as described above, are broken down
 24 as follows:

Work Description	Hours	Lodestar
Client and Class Member Communications	20	\$10,542

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Work Description	Hours	Lodestar
Investigation and Factual Research	4.3	\$4,764
Pleadings, Briefs and Legal Research	496.7	\$437,568
Discovery and Document Review	17.6	\$16,897
Court Appearances and Preparation	32.3	\$35,156
Experts/Consultants	18.2	\$19,873
Case Management and Litigation Strategy	109.1	\$92,146
Settlement	76.8	\$77,077

13. My firm’s detailed time records describing the work performed are available to the Court for *in camera* review. We will continue to devote time and resources to this case in connection with final approval, settlement implementation, responses to inquiries from Settlement Class Members, and other tasks necessary to ensure the orderly conclusion of this matter.

14. My firm also seeks reimbursement of expenses in the amount of \$29,698.47. These expenses were reasonably incurred in the prosecution of the case, as reflected in the books and records LCHB maintains in the ordinary course of business, and consist of the following:


Expense Category	Total
Computer research	\$1,352.39
Transcripts	\$218.00
Database/document hosting	\$2,667.84
Experts/consultants	\$9,312.60
Federal Express/messenger services	\$95.97
Printing	\$800.80

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Travel	\$16,277.22
Court admission fees	\$128.68
Materials	\$174.03
Total	\$29,698.47

15. All these expenses were reasonably and necessary to prosecute this case and were made for the benefit of the Settlement Class.

DATED: November 18, 2025



Jason L. Lichtman

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re: Shimano Crankset Litigation

Case No.: 8:23-cv-02038-JVS(JDEx)

**DECLARATION OF ADAM J.
LEVITT**

1 Pursuant to 28 U.S.C. § 1746, I, Adam J. Levitt, declare under penalty of perjury
2 as follows:

3 1. I am an attorney and a founding partner of DiCello Levitt LLP. I have
4 been admitted *pro hac vice* in this matter. The facts set forth herein are of my own
5 personal knowledge.

6 2. My firm's resume is attached as Exhibit A.

7 3. My firm presently represents Plaintiff Kouyate as a class representative in
8 the matter.

9 4. My firm spent significant time working with Class Counsel in the
10 investigation and prosecution of this matter. DiCello Levitt also worked with Class
11 Counsel to provide information to substantiate their claims and in response to
12 Defendants' discovery requests, and communicated with Class Counsel regularly
13 throughout all stages of the investigation, litigation, and settlement of the case.

14 5. In connection with this matter, I have reviewed my firm's detailed time
15 and expense records documenting the work performed by our attorneys and staff. These
16 records, which were created contemporaneously and maintained in the ordinary course
17 of business, form the basis of the firm's lodestar calculation, which reflects our current
18 billing rates. Based on my review, I am confident that the entries accurately represent
19 the time dedicated to this case.

20 6. In reviewing my firm's time records, we used reasonable billing judgment
21 to ensure that duplicative or unnecessary time has been excluded and that only time
22 reasonably devoted to the litigation has been included. Responsibilities were allocated
23 among attorneys and staff according to specific, well-defined tasks, allowing us to
24 prosecute the case in an organized and efficient manner.

25 7. The following chart lists each of my firm's timekeepers who billed on this
26 matter, disaggregated by number of hours billed, billing rate, and total fees
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NAME	POSITION	RATE	HOURS	LODESTAR
Adam Levitt	Partner	\$1,650	74.7	\$ 123,255.00
Blake Stubbs	Associate	\$800	12.8	\$ 10,240.00
John Tangren	Partner	\$1,350	122.9	\$ 165,915.00
Julia Veaser	Associate	\$550	132.5	\$ 72,875.00
Steve Jodlowski	Partner	\$1,335	15.2	\$ 20,292.00
Sumner Caesar	Paralegal	\$480	23.8	\$ 11,424.00
TOTAL:			381.9	\$ 404,001.00

8. The hours spent working on this case break down by attorney and staff member and category as follows:

WORK DESCRIPTION	HOURS	LODESTAR
Client and class member communications	11.4	\$10,302.50
Investigation and factual research	6.6	\$8,866.50
Pleadings, briefs and legal research	192.3	\$174,860.50
Discovery and document review	38.7	\$37,570.00
Court appearances and preparation	10.6	\$13,462.50
Case management and litigation strategy	115.4	\$151,464.00
Mediation and settlement negotiations	6.9	\$7,475.00
TOTAL	381.9	\$404,001.00

9. The hourly billing rates for my firm’s attorneys, as reflected herein, are consistent with those approved by federal courts within the Ninth Circuit for lawyers possessing comparable levels of experience, skill, and professional standing.

10. From my experience and understanding of prevailing market conditions, the hourly rates requested are well within the range charged by attorneys of similar expertise and qualifications. In setting our firm’s rates each year, we consider market

1 benchmarks and ensure that the rates applied in contingent class action matters remain
2 aligned with prevailing market standards.

3 11. Through my years of practice, I have also familiarized myself with the
4 market rates charged by attorneys in California and Illinois, and in the United States
5 generally. This understanding comes from discussions with other attorneys about their
6 fees, as well as my review of fee applications, court decisions, surveys, and articles
7 addressing attorney billing practices. Based on this experience, I believe the rates
8 requested herein are consistent with those charged by attorneys of comparable
9 experience, skill, and reputation for similar class action work. Courts within the Ninth
10 Circuit have also found comparable hourly rates to be reasonable for similar services:

- 11 a. *In re Volkswagen "Clean Diesel" Mktg., Sales Practices, and Prod. Liab.*
12 *Litig.*, MDL No. 2672 CRB (JSC), 2017 WL 1047834, at *5 (N.D. Cal.
13 Mar. 17, 2017): consumer class action in which the court in 2017 found
14 reasonable hourly billing rates for plaintiffs' counsel within the range of
15 \$275 to \$1,600 for partners, \$150 to \$790 for associates, and \$80 to \$490
16 for paralegals.
- 17 b. *Grey Fox, LLC v. Plains All-Am. Pipeline, L.P.*, No. 16-cv-03157- PSG
18 (JEMx), 2024 WL 4267431, at *5 (C.D. Cal. Sept. 17, 2024): the court
19 granted a motion for attorneys' fees that included hourly attorney rates
20 from \$925 to \$1,450 for partners and \$300 to \$875 for associates.
- 21 c. *Fleming v. Impax Lab 'ys Inc.*, No. 16-CV-06557-HSG, 2022 WL 2789496,
22 at *9 (N.D. Cal. July 15, 2022): consumer class action in which the court
23 in 2022 found hourly rates reasonable within the ranges of \$760 to \$1,325
24 for partners, \$895 to \$1,150 for counsel, and \$175 to \$520 for associates.
- 25 d. *Hefler v. Wells Fargo & Co.*, No. 16-CV-05479-JST, 2018 WL 6619983,
26 at *14 (N.D. Cal. Dec. 18, 2018): consumer class action in which the court
27 in 2018 found hourly billing rates ranging from \$650 to \$1,250 for partners
28 and senior counsel, \$400 to \$650 for associates, and \$245 to \$350 for

1 paralegals to be reasonable.

2 12. The reasonableness of my firm’s hourly rates is also supported by several
3 surveys of legal rates, including the following:

4 a. Bloomberg Law released an article on June 9, 2022, discussing the sharp
5 escalation of law firm billing rates in recent years. According to the report,
6 average rates increased by approximately 40% between 2007 and 2020,
7 including a jump of more than 6% during 2020 and an additional 5.6%
8 through November 2021 among the nation’s largest firms. The article
9 further observed that several top-tier firms now charge hourly rates
10 exceeding \$2,000, with some individual attorneys billing as much as
11 \$2,465 per hour. A true and correct copy of the article is attached hereto as
12 Exhibit B.

13 b. Similarly, in an article published in the Wall Street Journal on October 4,
14 2024, “lawyers at the nation’s largest firms billed between \$500 to more
15 than \$1,300 per hour for litigation in 2023, according to the National
16 Association of Legal Fee Analysis.” And in more expensive markets,
17 “firms have partner rates that exceed \$2,000 an hour, and can be as high as
18 \$1,000 for associates.” The article also emphasizes that the most sought-
19 after attorneys can command hourly rates of \$2,500 or more. A true and
20 correct copy of this article is attached hereto as Exhibit C.

21 13. My firm also seeks reimbursement of expenses in the amount of
22 \$14,366.29. All these expenses were reasonable and necessary to prosecute this case
23 and were made for the benefit of the Settlement Class. The expenses incurred consist
24 of the following:

EXPENSE CATEGORY	TOTAL
Filing fees	\$2, 365.35
Legal research and litigation support services	\$1,789.15

1	Copies and shipping	\$40.74
2	Travel	\$171.05
3	Marketing ¹	\$10,000.00
4	TOTAL	\$14,366.29

5
6 14. My firm undertook this representation on a wholly contingent basis
7 recognizing that the risk of non-payment has been high throughout this litigation. There
8 were uncertainties in the viability of this case as a class action, as well as uncertainties
9 in the ultimate merits.

10 I declare under penalty of perjury of the laws of the United States of America
11 that the foregoing is true and correct.

12
13 Executed on November 17, 2025 in Chicago, Illinois.

14 /s/ Adam J. Levitt
15 Adam J. Levitt
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28 ¹ On November 7, 2023, DiCello Levitt executed a marketing campaign in agreement with Class Counsel to generate interest among potential plaintiffs in serving as Class Representatives.

EXHIBIT A



DICELLO LEVITT

Justice in all its
DIMENSIONS



Overview

DiCello Levitt is focused on achieving justice for its clients. The firm's attorneys are respected for their ability to win cases and working tirelessly for human beings who deserve the firm's best, whether they be victims in major injury cases, decision-makers for public clients tasked with finding the best lawyers for their communities, or leaders of national and global corporations harmed by misconduct in significant commercial matters. Every day, DiCello Levitt puts its reputation—and its capital—on the line for its clients.

DiCello Levitt has achieved top recognition as *ALM* and *The National Law Journal's* 2023 **Plaintiffs Firm of the Year** and 2023 **Trial Innovation Firm of the Year**, in addition to its high-ranking *Chambers USA* and *Benchmark Litigation* ratings. The firm's individual practice areas have also received distinguished accolades, including being named *Law360's* **Cybersecurity Practice Group of the Year** for three years in a row and *The National Law Journal's* 2023 **Environmental Protection Law Firm of the Year**.

Practice Areas

- Agriculture and Biotechnology
- Antitrust and Competition Litigation
- Civil and Human Rights Litigation
- Class Action Litigation
- Commercial Litigation
- Environmental Litigation
- Labor and Employment Litigation
- Mass Tort Litigation
- Personal Injury
- Privacy, Technology, and Cybersecurity
- Product Liability
- Public Client
- Securities and Financial Products Litigation
- Whistleblower Representation

Landmark Moments

A Historic Human Rights Verdict Against a Global Bank

In a landmark verdict, a federal jury found BNP Paribas liable for financing genocide in Sudan, awarding \$20.75 million to the three bellwether trial plaintiffs, paving the way for more than 23,000 class members to pursue billions of dollars in claims, on a classwide basis, against BNP Paribas. DiCello Levitt's trial team, led by Lead Trial Counsel Bobby DiCello, presented evidence showing how the bank's illegal transactions fueled Sudan's

campaign of violence, resulting in the first-ever verdict holding a global financial institution accountable for enabling crimes against humanity.

Kashef, et al. v. BNP Paribas, et al., No. 1:16-cv-03228 (S.D.N.Y.)

The Largest Consumer Data Breach Settlement in History

DiCello Levitt Partner Amy Keller became the youngest woman ever appointed to lead a nationwide multidistrict litigation in the massive Equifax data breach, which exposed the sensitive personal information of nearly 150 million consumers. Notably, the settlement included a cash fund of up to \$505 million, a commitment from Equifax to invest \$1 billion in security changes, and a guarantee that Equifax would cover credit monitoring for every single class member.

In re Equifax Inc. Customer Data Security Breach Litigation, MDL No. 2800 (N.D. Ga.)

One of the Most Significant Civil Rights Verdicts in History

DiCello Levitt Partners Robert F. “Bobby” DiCello, Mark DiCello, and Justin Hawal achieved one of the most significant civil rights verdicts in history when a jury awarded Arnold Black \$50 million in a case against the City of East Cleveland—a verdict that has been affirmed by all state and federal courts. Arnold was the victim of brazen police misconduct where, after a routine traffic stop, officers detained, beat, and falsely imprisoned him in a storage locker for four days with no food or bathroom facilities.

Black v. Hicks, No. CV-14-826010 (Ohio C.P., Cuyahoga County.)

Pioneering Multidistrict Litigation Leadership

DiCello Levitt Partner Diandra “Fu” Debrosse made U.S. legal history by being the first Black woman ever appointed co-lead of a multidistrict litigation. More impressively, she shattered that glass ceiling twice in less than a year. On May 27, 2022, Fu was appointed Plaintiffs’ Co-Lead Counsel in a products liability case against two of the world’s largest manufacturers of infant formula, Abbott Laboratories and Mead Johnson. The case stems from allegations by parents of premature infants who developed the deadly neonatal condition, necrotizing enterocolitis (NEC), after being fed the defendants’ infant formula. Then, on March 2, 2023, Fu was appointed Plaintiffs’ Co-Lead Counsel in the multidistrict litigation against L’Oréal, Revlon, and other manufacturers of hair-straightening products marketed primarily to Black and Brown consumers after thousands of women nationwide contracted uterine, ovarian, and endometrial cancer from using these products. This litigation prompted the U.S. Food and Drug Administration to plan regulatory rulemaking for early 2024 to ban chemical hair straighteners and relaxers.

In re Abbott Laboratories, et al., Preterm Infant Nutrition Products Product Liability Litigation MDL No. 3026 (N.D. Ill.); *In re Hair Relaxer Marketing Sales Practices and Products Liability Litigation*, MDL No. 3060 (N.D. Ill.)

\$175 Million Consumer Victory Against General Motors

After securing a \$102.6 million jury verdict in one of the few automotive defect class actions ever tried to verdict, DiCello Levitt achieved a \$175 million post-trial settlement for more than 28,000 vehicle owners across four states. The case exposed GM’s concealment of a known engine defect and delivered meaningful compensation of more than \$3,300 per vehicle—far exceeding their trial damages award on a per-vehicle basis. This verdict and ultimate settlement sets a powerful precedent for consumer justice and post-trial recoveries.

Siqueiros, et al. v. General Motors LLC, No. 16-cv-07244 (N.D. Cal)

www.dicellolevitt.com



The Most Significant Environmental Litigation of Our Time

DiCello Levitt's environmental litigation team is counsel for several states investigating and litigating claims of widespread pollution from a group of contaminants known as PFAS (per- and poly-fluoroalkyl substances). This group of ubiquitous and harmful contaminants has been used in countless applications, including well-known consumer goods such as Teflon and Scotchgard, thousands of industrial products, and certain firefighting foams (AFFF). DiCello Levitt's litigation is aimed at compelling some of the largest chemical companies in the world to provide the financial resources necessary for the firm's state clients to end the contamination caused by PFAS and AFFF and meaningfully protect public health, natural resources, and the environment.

Addressing One of the Largest Maritime Disasters in U.S. History

DiCello Levitt has been retained by the City of Baltimore to launch legal action to address the catastrophic impact of the Francis Scott Key Bridge collapse, one of the largest maritime disasters in U.S. history, with damages estimated at more than \$1 billion. Through this engagement, the City will take decisive action to hold accountable all entities responsible for the Key Bridge tragedy—including the owner, charterer, manager/operator, and manufacturer of the MV Dali, as well as any other potentially liable third parties—and to mitigate the immediate and long-term harm caused to Baltimore residents by the disaster.

A Historic Victory for Thousands of Abuse Survivors

In one of the most consequential resolutions of institutional abuse in U.S. history, DiCello Levitt attorneys played a key role in achieving a \$4 billion settlement for approximately 6,800 survivors of sexual abuse in Los Angeles County juvenile detention centers and foster care facilities. This groundbreaking agreement delivered long-overdue justice and financial redress while compelling meaningful reform within the county's juvenile system. Founding Partner Mark DiCello and Partner Doug Rothen, working in collaboration with a coalition of law firms, helped expose decades of systemic abuse, amplified the voices of thousands of vulnerable individuals, and drove sweeping changes in one of the nation's largest youth detention networks.

The DiCello Levitt Trial Center

At the DiCello Levitt Trial Center, the firm's elite trial lawyers combine extensive litigation experience with a science-based, multidisciplinary approach to understand, engage, and connect with jurors. By applying its proprietary system to understand jurors' decision-making processes, the Trial Center crafts the winning story.

The Trial Center leads high-stakes trials for DiCello Levitt's clients, wielding advanced strategies to gain an edge over adversaries who cling to traditional trial methods. The center also trains DiCello Levitt's lawyers to continuously improve their litigation strategies, trial preparation, and courtroom presentations.



Shaping the Future of Trial Science

The DiCello Levitt Trial Center serves as a training solution for the firm's attorneys to sharpen their skills as they engage in significant and consequential litigation; as a research base for focus groups, mock trials, mediation, and arbitration; and as a platform for litigators to test their case with a science-informed method of trial preparation.

The Trial Center capitalizes on the latest research findings in linguistics, literacy, information processing, and cognitive neuroscience to interpret focus group feedback and craft compelling stories for trial. DiCello Levitt's trial lawyers have led thousands of focus groups in the past decade, including comprehensive studies exploring myriad issues that influence jurors.

Trial First

The insights and strategy that DiCello Levitt has developed through the Trial Center have materially enhanced the firm's productivity and effectiveness. The firm's attorneys credit multiple landmark trial outcomes in recent years—including a \$102.6 million jury verdict in a class action trial against General Motors—to the Trial Center's research and testing of hundreds of mock jurors in those cases.

Powered by Nationally Recognized Trial Lawyers

The Trial Center is helmed by Trial Team Leader Bobby DiCello and Trial Center Coordinator Ken Abbarno, who collaborate with other talented trial lawyers at DiCello Levitt. The Trial Center's attorneys are among the nation's most sought-after trial lawyers because of their knowledge and experience with the decision-making behavior of contemporary jurors and the art of trial messaging.

DiCello Levitt has received repeated accolades for the Trial Center's innovative accomplishments and contributions to the advancement of trial science, including from *The National Law Journal* and the *New York Law Journal*.

DiCello Levitt has won more than **\$20 billion** for clients.

Leading in Diversity

DiCello Levitt believes in embedding diversity, equity, and inclusion into the firm's culture. The firm empowers attorneys from diverse backgrounds to reach their full potential while promoting a sense of belonging. Authenticity in the workplace gives DiCello Levitt a real competitive advantage.



The firm proudly includes a diverse group of women attorneys, minority associates and partners, and LGBTQIA+ attorneys and staff. Senior attorneys train and mentor younger talent from minority backgrounds in a conscious effort to build the next generation of diverse leaders.

DiCello Levitt's Diversity, Equity & Inclusion (DEI) Committee is dedicated to creating a workplace that prioritizes hiring, retention, and promotion of diverse talent. Driving societal change by fostering an inclusive workplace engenders leadership opportunities internally at the firm and externally in litigation management.

Diandra "Fu" Debrosse, managing partner of DiCello Levitt's Birmingham office, made legal history with her appointment as the first Black woman on the plaintiffs' side to co-lead two multidistrict litigations. Fu is also a co-founder and president of the advocacy group Shades of Mass, which promotes the appointment of Black and Brown attorneys to leadership roles in mass tort and class action lawsuits. DiCello Levitt proudly supports the group.

Greg Ascioffa, managing partner of the firm's New York office, is a leader for the LGBTQIA+ community in the legal profession, serving as vice chair of the American Bar Association Antitrust Law Section's Diversity Advanced Committee. In addition to co-chairing the firm's DEI Committee, Greg was selected to *Crain's New York Business'* 2023 list of Notable LGBTQIA+ Leaders and appointed to *Law360's* 2023 Diversity & Inclusion Editorial Advisory Board.

Other notable attorneys in the firm exemplify DiCello Levitt's commitment through their active involvement in various advocacy groups and committees. Partner David Straite serves on the LGBTQ Rights Committee of the New York City Bar Association. In 2023, David Straite, Amy Keller, Greg Ascioffa, Eli Hare, and Grant Patterson represented five LGBTQ+ students as pro bono amicus curiae to the U.S. Court of Appeals for the Ninth Circuit in a case addressing whether private religious universities may discriminate against LGBTQ+ student organizations. Their dedication, both within and outside the firm, underscores DiCello Levitt's belief that authentic DEI efforts strengthen the professional community and propel us toward a future where diversity is not just celebrated but integral to the pursuit of justice.

DL Cares

In 2021, DiCello Levitt launched DL Cares, a charitable foundation dedicated to providing increased access to justice in the United States and around the world. DL Cares partners with nonprofits focused on increasing the availability of legal services to underserved communities through meaningful financial contributions and educational efforts.

DL Cares' first partner is Justice Defenders, a nonprofit organization that provides legal education programs to prisoners in Kenya and Uganda to create greater access to justice in their communities. DL Cares pledged a substantial, multiyear commitment to facilitate and enhance Justice Defenders' vital efforts.



Practice Areas

Agriculture and Biotechnology Litigation

Leveraging its deep knowledge of agricultural biotechnology and complex litigation, DiCello Levitt has built an impressive track record of successfully representing plaintiffs in nationwide commercial and class action lawsuits against large corporate conglomerates. The firm has led several of the largest biotechnology class actions in U.S. history, recovering billions of dollars in compensation for damage inflicted and to cover the effects of future damage. While securing landmark settlements on behalf of its clients, DiCello Levitt has pioneered legal strategies in the agriculture and biotechnology space, including a game-changing model to measure crop contamination damages, that has since become the modern industry standard.

Representative Matters

In re Genetically Modified Rice Litigation

DiCello Levitt attorneys achieved aggregate settlements exceeding \$1.1 billion for all U.S. long-grain rice farmers as Co-Lead Counsel in the biotechnology multidistrict litigation against Bayer Crop Science for its contamination of the U.S. rice supply with unapproved, genetically modified rice seed traits.

In re StarLink Corn Products Liability Litigation

DiCello Levitt attorneys obtained a record \$110 million nationwide settlement for all U.S. corn farmers as Co-Lead Counsel in the biotechnology multidistrict litigation against Aventis CropScience and Garst Seed Company for their contamination of the U.S. corn supply with genetically modified seed traits. The plaintiffs' leadership team devised an innovative damages model that is now used in every crop contamination case.

In re Imprelis Herbicide Marketing, Sales Practices, and Products Liability Litigation

DiCello Levitt attorneys reached a nearly \$600 million settlement for homeowners, golf course operators, and other property owners as Co-Lead Counsel in this nationwide class action lawsuit against DuPont, alleging its turf herbicide, Imprelis, killed millions of trees and other nontargeted vegetation and that DuPont knew or should have known its dangers.

Antitrust and Competition Litigation

DiCello Levitt's Antitrust and Competition Litigation Practice Group continuously leads the most significant private antitrust litigations in the country and has done so over the last several decades. DiCello Levitt's antitrust attorneys are nationally recognized for successes in challenging global anticompetitive conduct with their singular focus on getting businesses and consumers economic justice by righting the anticompetitive wrongs in the marketplace. The practice's sophisticated client base includes small businesses, large corporations, public pension funds, health and welfare funds, municipalities and related quasi-government agencies, and individual consumers. DiCello Levitt's antitrust lawyers pursue class,



competitor, and individual (opt-out) claims involving all types of anticompetitive conduct, including price-fixing and market allocation conspiracies among competitors and monopolization of markets by industry giants.

DiCello Levitt's Antitrust and Competition Litigation Practice Group has repeatedly garnered national and international recognition, including Band 1 top honors from *Chambers USA*.

Representative Matters

Fusion Elite All Stars v. Varsity Brands LLC

DiCello Levitt served as Co-Lead Counsel and obtained a \$43.5 settlement with Varsity Brands, other Varsity entities, and the U.S. All Star Federation (USASF) to resolve an antitrust class action over Varsity's monopolization of the All Star Cheer events market. In addition to the cash payments, Varsity consented to significant relief aimed at curbing and unwinding its anticompetitive behavior.

In re European Government Bonds Antitrust Litigation

DiCello Levitt serves as Co-Lead Counsel, alleging several global financial institutions manipulated the price of European government bonds issued by sovereign European governments. To date, DiCello Levitt has achieved settlements with multiple defendants—including JP Morgan, Natixis, UniCredit, and State Street—securing \$40 million and significant cooperation with the class while DiCello Levitt continues to litigate against the remaining defendants.

In re Novartis and Par Antitrust Litigation

DiCello Levitt served as Lead Counsel for end-payors and secured a \$30 million settlement alleging that a brand and generic drug manufacturer entered into an anticompetitive pay-for-delay agreement for the antihypertensive drug Exforge.

In re Opana ER Antitrust Litigation

DiCello Levitt served as Co-Lead Counsel for end-payors and secured a \$15 million settlement midtrial, alleging that certain brand and generic drug manufacturers entered into an anticompetitive pay-for-delay agreement for the pain reliever Opana ER.

Borozny v. RTX Corp., Pratt & Whitney Division, et al.

DiCello Levitt serves as Co-Lead Counsel and secured final approval of \$60.5 million in settlements in a class action alleging that RTX Corp.'s Pratt & Whitney division and several aerospace engineering contractors engaged in an illegal no-poach agreement to restrict competition for skilled labor by avoiding hiring each other's employees in order to suppress wages. The settlement benefits thousands of aerospace workers employed from 2011 to 2025.



Civil and Human Rights Litigation

DiCello Levitt is recognized nationally as a leader in the field of civil and human rights litigation. The Civil and Human Rights Litigation Practice Group represents people who have suffered racial, gender, and religious discrimination, police misconduct and brutality, sexual harassment and assault, human trafficking, and other violations of individuals' civil rights. DiCello Levitt's visionary advocates have litigated—and won—some of the most significant civil rights cases in modern history, including the landmark trial in *Black v. Hicks*, a case of shocking police brutality and corruption that resulted in one of the largest civil rights verdicts for a single person in American history. The firm's civil rights attorneys are dedicated to achieving justice for those whose rights have been violated, and they have the experience and expertise to take on the powerful individuals, corporations, and governmental institutions who violate those rights.

In recognition of the firm's outstanding work in high-stakes civil rights litigation, DiCello Levitt was named a finalist in *The National Law Journal's* 2023 Elite Trial Lawyers Awards in the civil rights category, and several of the firm's attorneys were awarded Public Justice's prestigious Trial Lawyer of the Year award in 2021 for their successful prosecution and trial in the *Black v. Hicks* case.

Representative Matters

Jane Does 1-57 v. Peter Nygard

DiCello Levitt represents victims of the largest individual international sex trafficking lawsuit in U.S. history, which alleges that Peter Nygard, the Nygard Companies, and his employees committed a decades-long conspiracy to rape, sexually assault, and traffic hundreds of women and girls. Due in large part to the efforts of DiCello Levitt, Peter Nygard has since been convicted in a criminal court of multiple sex crimes.

Marquette Williams v. City of Canton, et al.

DiCello Levitt represents James Williams in a civil suit against the City of Canton, Ohio, after one of its police officers shot and killed Williams, a 46-year-old Black man, through a wooden fence without warning. The lawsuit claims the city failed to properly train its officers and has an unwritten policy of "shoot first and ask questions later."

Rolle, et al. v. City of Orlando, et al.

DiCello Levitt represents the family of Kaia Rolle, who, at just six years old, was arrested and restrained by police after administrators at her elementary school reported her to authorities. In addition to seeking damages for this traumatizing event, the family is seeking to change Florida's laws so that children of Kaia's age and older will no longer have to suffer similar trauma.

Jada Walker, et al. v. City of Akron

DiCello Levitt successfully represented the family of Jayland Walker in a lawsuit alleging excessive force and unconstitutional police practices against the City of Akron, Ohio, and the



eight police officers who brutally shot and killed the unarmed 25-year-old in a hail of more than 90 bullets.

Jane Doe 1, et al. v. County of Los Angeles, No. 21STCV20949 (Cal. Super. Ct., L.A. Cty.)

In one of the most consequential resolutions of institutional abuse in U.S. history, DiCello Levitt attorneys played a key role in achieving a \$4 billion settlement for approximately 6,800 survivors of sexual abuse in Los Angeles County juvenile detention centers and foster care facilities. This groundbreaking agreement delivered long-overdue justice and financial redress while compelling meaningful reform within the county's juvenile system. Founding Partner Mark DiCello and Partner Doug Rothen, working in collaboration with a coalition of law firms, helped expose decades of systemic abuse, amplified the voices of thousands of vulnerable individuals, and drove sweeping changes in one of the nation's largest youth detention networks.

Class Action Litigation

DiCello Levitt's Class Action Litigation Practice Group leads some of the largest class actions in the U.S. and consistently delivers innovative and meaningful results for class members. The practice group has recovered billions of dollars in damages for injured class members and clients harmed by corporate entities and executives from many of the world's most powerful corporations in a wide range of industries, including automotive manufacturers, technology companies, financial institutions, and pharmaceutical corporations.


DiCello Levitt's attorneys have decades of experience in class actions involving product liability, antitrust, securities and financial services, environmental law, biotechnology, privacy and cybersecurity, and public clients. They have achieved landmark recoveries for classes harmed by defective products, unfair competition, faulty pharmaceuticals and medical devices, data and security breaches, and other instances of corporate misconduct. The firm's attorneys are frequently named lead or co-lead counsel in large, consequential multidistrict litigations, and they have repeatedly triumphed at the appellate level, including in high-profile appeals that have created new laws and are often cited as precedent.

DiCello Levitt has been honored by the leading industry rankings organizations for its success in class action litigation. In 2021, *Benchmark Litigation* named DiCello Levitt a top plaintiffs' firm nationwide—one of only 12 firms to be recognized—and the firm has received the top honor every year since. *Chambers USA* has repeatedly ranked the firm among the leading plaintiffs' litigation firms nationwide and for its outstanding work in antitrust litigation, and *The Legal 500* has ranked DiCello Levitt for its achievements in product liability, mass tort, and class action litigation.

Representative Matters

In re Fairlife Milk Products Marketing and Sales Practices Litigation

DiCello Levitt secured a \$21 million settlement in a consumer case against Coca-Cola, Fairlife, and other defendants associated with the Fairlife milk brand for deceptive labeling and



marketing of certain dairy products produced using milk from cows that were allegedly treated inhumanely. The settlement—one the highest animal welfare labeling practices settlements ever—also creates an accountability program to ensure that the defendants treat their dairy cows humanely moving forward.


Alaska Electrical Pension Fund v. Bank of America Corp.

DiCello Levitt attorneys served as Class Counsel and secured \$504.5 million in settlements from major dealer banks to resolve claims alleging a conspiracy to manipulate ISDAFIX, a key benchmark for valuing various interest rate derivatives.

NCUA Residential Mortgage-Backed Securities Actions


DiCello Levitt attorneys served as Lead Counsel in more than a dozen high-profile securities actions that the National Credit Union Administration (NCUA) brought against international investment banks for alleged misrepresentations made to investors in connection with subprime-backed residential mortgage securities. Those actions were resolved through settlements totaling more than \$4.5 billion.

In re Navistar MaxxForce Litigation



DiCello Levitt secured a \$135 million settlement—a landmark result in the trucking industry—as Co-Lead Counsel for a class of truck owners and lessees in this multidistrict class action lawsuit alleging that Navistar’s model year 2011–2014 vehicles were equipped with defective MaxxForce diesel engines.

Commercial Litigation



DiCello Levitt’s Commercial Litigation Practice Group has won billions of dollars in verdicts and settlements for clients in commercial disputes. With a focus on bet-the-company and high-stakes litigation, DiCello Levitt’s commercial litigators represent clients affected by commodities traders’ market manipulation and price fixing by corporate executives, corporate ownership disputes, breaches of contract, and tortious interference claims, as well as a myriad of litigation stemming from a range of conduct leading to economic damages. The firm’s driving objective is winning, measured not only by monetary compensation but also in the broad context of clients’ overarching business goals. The firm works with clients to map out a successful strategy based on damages, market positioning, public relations considerations, and long-term profit and loss outlook. Leveraging the same innovative approach applied in court, the Commercial Litigation Practice Group collaborates with clients to obtain the best possible results for their businesses.

Representative Matters

Ownership Dispute Among the Principals of Ivani LLC

DiCello Levitt represented three of the four owners of a technology company who were denied their contractual ownership and management rights. The key owners are now able to advance the progress of their burgeoning technology company.



Green Plains Trade Group v. Archer Daniels Midland Company

DiCello Levitt represents one of the largest ethanol producers in the world against Archer Daniels Midland Company (ADM) for illegally scheming to manipulate the U.S. ethanol market as both a seller and a trader of the same commodity. The scheme made it appear as though there was an oversupply of ethanol in the markets, and ADM's commodities traders allegedly acquired large financial derivative contracts that increased in value as the price of ethanol plummeted. DiCello Levitt's client retained the firm to vindicate their rights and recover their losses stemming from ADM's conduct.

SitNet LLC v. Meta Platforms Inc.

DiCello Levitt represents a patent holder who brought an action against Facebook's parent company, Meta Platforms Inc., alleging that Facebook knowingly infringed the plaintiff's patents for technology relating to situational networking, a critical component of targeted advertising.

Norwegian Air Shuttle ASA v. The Boeing Company

DiCello Levitt represented Norwegian Airlines in prosecuting economic loss and equitable claims exceeding \$1 billion against The Boeing Company and Boeing Commercial Services Europe Limited in an action arising from Boeing's gross negligence, fraud, and breach of contract relating to Boeing's 737 MAX and 787 Dreamliner aircraft. The firm's attorneys secured a confidential settlement in this matter.

Environmental Litigation

DiCello Levitt's Environmental Litigation Practice Group is recognized among the best in the United States for successfully representing people, businesses, and communities, as well as state and local governments, in lawsuits against some of the largest companies in the world for polluting the environment and endangering human health. DiCello Levitt is frequently chosen by state and local governments to lead groundbreaking environmental contamination cases and is committed to helping people who have suffered exposure to harmful pollution, whether from an acute, catastrophic event or through years of continuous air, water, and soil contamination in their towns and neighborhoods. Known for their efficiency and effectiveness in navigating the complexities of environmental, health, and safety regulations, DiCello Levitt's attorneys help environmentally conscious corporate clients protect the environment through compliance with federal laws. The firm also guides businesses in the development of safety and health programs and assists companies with air, water, and waste permitting applications.

DiCello Levitt was named *The National Law Journal's* 2023 **Environmental Protection Law Firm of the Year**.



Representative Matters

PFAS Litigation as Special Assistant Attorneys General

DiCello Levitt has been retained by State Attorneys General to assist their states in multibillion-dollar fights against the manufacturers of per- and poly-fluoroalkyl substances (PFAS) and aqueous film-forming foam (AFFF) for contaminating the states' air, water, and soil. The amount of contamination at issue makes these matters among the largest environmental pollution cases in U.S. history. DiCello Levitt was selected after a highly competitive process involving, at least in one state, 15 competing proposals submitted by law firms across the country.

Chemtool Fire Class Action Litigation

DiCello Levitt serves as Co-Lead Counsel in the Rockton, Illinois, community's class action against Chemtool Incorporated following a massive fire that burned for days at Chemtool's chemical plant in Rockton. The catastrophic event required the evacuation of the surrounding community and contaminated properties for miles around the plant.

Union, Illinois, Toxic Exposure Cases

DiCello Levitt represents more than a dozen residents and former residents of Union, Illinois, who have been diagnosed with devastating illnesses after being exposed to carcinogenic chlorinated solvents dumped into the village's environment by nearby factories for decades.

Climate Change and Deception Litigation

DiCello Levitt represents multiple cities and counties in lawsuits against major oil companies and their industry trade association, the American Petroleum Institute, alleging that these industry giants promoted and profited from deceptive campaigns to discredit climate science and mislead the public about the role their products play in driving climate change. DiCello Levitt seeks to hold these companies financially accountable for the damage caused by climate change.

Labor and Employment Litigation

DiCello Levitt's Labor and Employment Litigation Practice Group represents people harmed by the discriminatory and illegal actions of their employers. The firm investigates, litigates, and exposes systemic workplace abuses, holds companies responsible, and ensures fair practices in recruitment, hiring, promotion, and pay. DiCello Levitt's labor and employment litigators fight for employees who experience discrimination in the workplace based on race, gender, ethnicity, sexual orientation, or religion. They assist women who are denied pay equal to their male peers; pregnant women who are terminated or passed over for promotions; and workers subjected to hostile workplaces, sexual harassment, and disparate treatment. The practice group's extensive experience enables DiCello Levitt to successfully challenge arbitration agreements, noncompete agreements, and other employment contracts and to enforce workers' rights under collective bargaining agreements.



DiCello Levitt understands the risks workers face when they speak out against their employers and knows how to safeguard against retaliation. Not only do the attorneys at DiCello Levitt protect employees' positions and recover compensation for their losses, but they also fight to change the policies and practices that allow labor abuses to take place while ensuring that similar behavior does not occur in the future.

Representative Matters

Angela Betancourt v. Rivian Automotive LLC

DiCello Levitt serves as Co-Lead Counsel in a gender discrimination class action case against Rivian, a major automotive manufacturer, for allegedly permitting and fostering a hostile work environment in its Illinois facility, where women employees are subjected to pervasive sexual harassment and complaints of such harassment are routinely ignored.

Waggoner, et al. v. VSE Corp., et al.

DiCello Levitt negotiated a seven-figure settlement on behalf of a certified collective of unionized workers based on federal contractors' failure to properly pay the firm's clients during rest breaks while working at the Red River Army Depot in Texarkana, Texas.

Correctional Officers Wage and Hour Litigation

DiCello Levitt represents state employees in Wisconsin and North Carolina, part of a certified class and collective, for the states' failure to pay wages for work performed before and after the start of their scheduled shifts.

Confidential Individual Settlement

DiCello Levitt negotiated a favorable settlement for a woman who was terminated in the hospitality industry after disclosing to the company that she was pregnant.

Confidential Group Settlements

DiCello Levitt has achieved numerous multimillion-dollar settlements on behalf of groups of employees and former employees of large companies, international corporations, educational institutions, and other entities who courageously stood up to racial, gender, and other forms of discrimination in all aspects of the employment relationship, from hiring to compensation, promotion, layoff, and termination.

Mass Tort Litigation

DiCello Levitt's nationally recognized and award-winning attorneys leverage their extensive experience to represent plaintiffs in mass torts involving faulty medical devices, pharmaceuticals, cosmetics, and other illegal practices by defendants in the automotive and biotechnology sectors, among others. DiCello Levitt's Mass Tort Litigation Practice Group also leads cases seeking remediation and financial reparation from global companies responsible for environmental pollution, contamination, and endangering human health. Representing individuals, businesses and investors, municipalities, and State Attorneys General, DiCello Levitt's attorneys have recovered billions of dollars for clients across the



United States and effected corporate and legislative changes that protect the safety of all consumers.

DiCello Levitt has received national acclaim for its successful leadership and resolution of mass injury cases and has consistently led the charge on some of the largest such cases in U.S. history, repeatedly getting appointed to leadership positions—including groundbreaking appointments to some of the most diverse plaintiffs’ teams ever—by federal judges across the country.

Representative Matters

In re Hair Relaxer Marketing Sales Practices and Products Liability Litigation

DiCello Levitt serves as Co-Lead Counsel representing thousands of women who have developed uterine, ovarian, and endometrial cancer from using chemical hair relaxers manufactured by L’Oréal, Revlon, and other hair relaxer manufacturers. DiCello Levitt’s attorneys filed the first hair relaxer lawsuit and continue to be a leading force in this significant litigation.

Camp Lejeune Water Litigation v. United States of America

DiCello Levitt represents thousands of military members and their families who suffered catastrophic injuries and death from the toxic water supply at Camp Lejeune.

In re Paraquat Products Liability Litigation

DiCello Levitt serves on the Plaintiffs’ Executive Committee of the multidistrict litigation on behalf of thousands of farmers and other licensed applicators—who developed Parkinson’s disease from using the herbicide paraquat—against defendant manufacturers Chevron and Syngenta.

Glucagon-like Peptide-1 Receptor Agonists (Glp-1 Ras) Products Liability Litigation

DiCello Levitt serves on the Plaintiffs’ Leadership Committee of the multidistrict litigation against drugmakers Novo Nordisk and Eli Lilly, pursuing damages arising from the severe health risks allegedly caused by Ozempic and similar drugs, including intestinal obstruction, gastroparesis, and other acute gastrointestinal injuries.

In re Tepezza Marketing, Sales Practices, and Products Liability Litigation

DiCello Levitt serves on the Plaintiffs’ Executive Committee in the multidistrict litigation against Horizon Therapeutics and represents thousands of plaintiffs who suffered hearing impairment, including complete hearing loss, after taking the prescription drug Tepezza.

In re Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

DiCello Levitt represents thousands of young plaintiffs who have suffered acute injuries because of the defendants’ wrongful actions in purposely creating and marketing addictive and defective social media applications. The plaintiffs seek damages against Meta, Snap, ByteDance, and Google.



In re Baby Food Products Liability Litigation

DiCello Levitt represents thousands of children harmed by the defendants' baby food products that were found in a U.S. government investigation to be highly contaminated with heavy metal toxins, including arsenic, lead, cadmium, and mercury. The plaintiffs seek damages against baby food manufacturers and distributors Walmart Inc., Gerber Products Co., and four other defendants, alleging that their products are contaminated with toxic metals, causing infants to develop autism spectrum disorder and other severe health conditions.

Privacy, Technology, and Cybersecurity

DiCello Levitt's Privacy, Technology, and Cybersecurity Practice Group includes award-winning attorneys and skilled technologists who routinely represent consumers and public clients against some of the largest corporations in the world. DiCello Levitt represents people and businesses affected by major data breaches and wrongful use of their private information. The firm's attorneys have played leading roles in some of the largest data breach, privacy, and technology settlements in the United States, winning significant motions and creating new legal theories and damages models that have been cited in numerous cases across the country.

A first-of-its-kind group with both a dedicated data breach section and privacy section, DiCello Levitt's Privacy, Technology, and Cybersecurity Practice Group has been named *The National Law Journal's* Practice Group of the Year and is the only law firm to be recognized by *Law360* for three consecutive years as Cybersecurity and Data Privacy Practice Group of the Year.

Representative Matters

In re Facebook Internet Tracking Litigation

DiCello Levitt achieved a substantial settlement on behalf of a class of consumers against Facebook, alleging that Facebook inappropriately collected user data even after users logged out of their accounts. The landmark case established the new precedent that personal information has financial value, and the first-of-its-kind nationwide injunction requiring deletion of the at-issue data was hailed by the press as a "watershed moment" in data privacy.

In re Google RTB Consumer Privacy Litigation

DiCello Levitt represents a class of consumers as an Executive Committee member against Google for breaching its contractual promise not to sell users' personal information by rebroadcasting data during real-time bidding auctions, exposing the data to potential ad buyers and participants surveilling the auctions with no intent to purchase ads.

In re Marriott International Inc. Customer Data Security Breach Litigation

DiCello Levitt represents a class of hundreds of millions of consumers as Co-Lead Counsel against Marriott for a data breach that exposed sensitive personal information and for failing to notify the victims in a timely manner. The district court's rulings in favor of the classes are routinely cited in cybersecurity cases



Calhoun v. Google

DiCello Levitt is co-leading a data privacy action brought by Google Chrome users whose Personally Identifiable Information (PII) was collected without their consent while not “synched” with a Google account, in violation of contractual privacy promises. In August 2024, in a landmark opinion, a unanimous panel of the Ninth Circuit rejected Google’s “consent” defenses and remanded it to the district court for trial, pending class certification. For this victory, the team was recognized as *Law360*’s “Legal Lions of the Week.”

Product Liability

When corporations choose their profits over the safety of their customers and the public, DiCello Levitt will act. The firm’s product liability attorneys rely on a scientific approach and decades of trial experience to achieve justice for its clients. DiCello Levitt represents individuals, businesses, State Attorneys General, municipalities, and other public clients in individual lawsuits, mass torts, and class actions. Taking on industry goliaths like Abbott, Syngenta, Volkswagen, General Motors, Apple, and Intel, DiCello Levitt has secured more than \$20 billion in verdicts and settlements for clients in some of the most significant and well-known product liability cases in the country. The firm’s attorneys have successfully wielded their skills on behalf of injured parties in cases involving faulty medical devices, automotive and airplane defects, and other dangerous and defective products. By aggressively pursuing and rooting out corporate malfeasance, DiCello Levitt creates positive and lasting social change—in addition to winning compensation for those already injured.

Representative Matters

In re General Motors LLC Ignition Switch Litigation

DiCello Levitt attorneys achieved a \$121.1 million settlement as a member of the Plaintiffs’ Executive Committee and as Settlement Allocation Counsel for the nationwide class of vehicle owners against General Motors for damages from the defective ignition switches installed in its vehicles.

Simerlein, et al. v. Toyota Motor Corporation, et al.

DiCello Levitt obtained a \$40 million nationwide settlement for owners and lessees of 2011-2018 Toyota Sienna minivans with malfunctioning power sliding doors. The firm’s attorneys worked with Toyota to create a program to provide needed service and reimburse out-of-pocket repairs for the power sliding doors.

In re Volkswagen “Clean Diesel” Marketing, Sales Practices and Products Liability Litigation

DiCello Levitt attorneys served as counsel on a case that ended in a \$17 billion recovery against Volkswagen, Audi, and Porsche for defrauding consumers who believed they were buying vehicles with “clean diesel” engines. Leadership in the case was referred to as the “class action dream team.”



Palmieri v. Intervet Inc. d/b/a Merck Animal Health

DiCello Levitt represents a class of plaintiffs against Merck Animal Health for failing to adequately warn pet owners that its flea and tick medication can cause neurological side effects such as seizures.

Public Client

When corporations harm the public interest through deceptive, dishonest, or dangerous business practices, DiCello Levitt assists state and local governments in recovering the public's damages, penalizing corporate wrongdoing, and enjoining future harm. DiCello Levitt's Public Client Practice Group has worked alongside government attorneys and investigators in numerous high-profile cases and has a deep understanding of the public client perspective. When DiCello Levitt works with public clients, the firm maintains an unwavering focus on what is best for them today, tomorrow, and years into the future. DiCello Levitt's attorneys approach their work as a joint venture, where they provide support through active, ongoing collaboration while drawing on their own significant legal, scientific, and technological resources to aggressively pursue justice and bring about meaningful social change.

Representative Matters

State of New Mexico, ex rel. Hector H. Balderas v. Volkswagen Group of America

DiCello Levitt represented the State of New Mexico against Volkswagen, Audi, and Porsche in litigation arising from the automakers' sale of vehicles with "defeat devices" that the manufacturers installed to evade emissions standards. DiCello Levitt achieved a settlement per vehicle that far exceeded the damages any other state received in related litigation.

State of New Mexico v. Takata Corporation, et al.

DiCello Levitt obtained more than \$25 million on behalf of the State of New Mexico against Honda, Ford, and other automobile companies for the marketing and sale of vehicles with Takata airbag inflators susceptible to rupture and capable of causing death and severe injury.

State of New Mexico, ex rel. Hector H. Balderas v. Solvay Pharmaceuticals, et al.

DiCello Levitt secured a \$24 million settlement on behalf of the State of New Mexico in an action relating to the deceptive marketing of a testosterone therapy supplement as a "cure" for aging men.

PFAS Litigation on Behalf of the States of Michigan and Illinois

The States of Michigan and Illinois retained DiCello Levitt in their multibillion-dollar fights against the manufacturers of the "forever chemicals" known as PFAS for contaminating the states' air, water, and soil. The amount of contamination at issue makes these matters among the largest environmental pollution cases in U.S. history.



Securities and Financial Products Litigation

DiCello Levitt's Securities and Financial Products Litigation Practice Group has worked on—and won—some of the highest-profile securities actions ever filed, including cases against Enron, AOL/Time Warner, BP, Pfizer, Petrobras, Valeant and Volkswagen, as well as the \$1 billion securities class action against Merck & Co. Inc. over alleged misrepresentations about the safety of its drug Vioxx. Many of DiCello Levitt's attorneys have worked for the U.S. Department of Justice, prosecuting financial crimes such as those arising from the residential mortgage-backed securities crisis. Collaborating with a team of e-discovery specialists, investigators, and forensic accountants with federal and state law enforcement experience, the Securities and Financial Products Litigation Practice Group is quick to grasp complex structured finance issues, from mortgage-backed and asset-backed collateralized debt obligations to credit-default swaps and credit-linked notes. When DiCello Levitt suspects financial misconduct, the firm secures serious recoveries for its clients.

DiCello Levitt was named one of the 2023 **Top Boutiques** by the *Daily Journal* in recognition of its leadership in “huge and international” securities litigation matters and legal excellence in the state of California.

Representative Matters

United Association of Plumbers and Pipefitters, et al. v. Syneos Health Inc., et al.

DiCello Levitt serves as Lead Counsel in a national securities class action against Syneos Health Inc. and its former executives. The lawsuit alleges that Syneos made misleading statements about the collapse of its new business and nearly \$3 billion in uncollectable receivables and, as a result, defrauded purchasers of Syneos common stock.

Milestone Cases

In re Enron Corporation Securities Litigation

DiCello Levitt attorneys were among the more than 70 attorneys who led this historic action that obtained a \$7.2 billion recovery—the largest securities class action recovery in history—for investors, primarily from Wall Street's largest banks and the company's auditor, Arthur Andersen.

AOL Time Warner Individual Actions

DiCello Levitt attorneys devised a creative and unique strategy to pursue an institutional investor group action to recover losses resulting from the disastrous merger of AOL and Time Warner. The group action for dozens of institutional investors, including state and local pension funds and multi-employer funds, was ultimately successful in recovering \$629 million for investors.

Merck & Co. Inc. Securities, Derivative & “ERISA” Litigation

DiCello Levitt attorneys were integral members of the Co-Lead Counsel team that secured a unanimous decision from the U.S. Supreme Court in favor of shareholders with respect to the



statute of limitations for securities fraud claims and that ultimately secured a settlement for more than \$1 billion on behalf of the lead plaintiffs, including the Public Employees' Retirement System of Mississippi, and the class.

In re Initial Public Offering Securities Litigation

DiCello Levitt Founding Partner Adam Levitt served on the Plaintiffs' Executive Committee, recovering more than \$500 million for shareholders.

In re Valeant Pharmaceuticals International, Inc. Securities Litigation

A DiCello Levitt attorney was an integral member of the Lead Counsel team that obtained a \$1.21 billion settlement for defrauded Valeant investors, the largest securities class action settlement against a pharmaceutical manufacturer.

Whistleblower Representation

DiCello Levitt's Whistleblower Representation Practice Group represents whistleblowers across the United States and around the globe in pursuing whistleblower actions and securing awards for their role in recovering monies wrongly obtained. DiCello Levitt's attorneys bring a wealth of knowledge from their deep experience as prosecutors at the U.S. Department of Justice and other government agencies, as well as their prior work in private practice. Through its vigorous advocacy, which includes the use of analytics, comprehensive investigations, and extensive legal analysis, DiCello Levitt has successfully collaborated with the government to litigate significant whistleblower actions. With a notable track record of success on behalf of its clients, DiCello Levitt has pursued private litigation across a wide range of industries, including residential mortgage-backed securities, life sciences and medical devices, industrial manufacturing, and government procurement.

DiCello Levitt's whistleblower advocates have extensive experience representing whistleblowers in bringing claims under the federal False Claims Act and its state and local analogues, as well as various agency whistleblower programs. DiCello Levitt also represents consumers, fraud victims, whistleblowers, and government agencies against pharmaceutical companies for fraud, waste, abuse, and deceptive practices in the manufacture, marketing, and sale of drugs and devices.

Representative Matters

United States of America ex rel. Gill et al. v. CVS Health Corp., et al.

DiCello Levitt serves as Co-Counsel in representing whistleblower Michael Gill in his partially intervened lawsuit against CVS Health Corporation and its subsidiaries. Mr. Gill alleges that CVS violated the federal and state False Claims Act by fraudulently billing for and improperly retaining payments on various drug products and healthcare services.



Municipal Bond Rate Rigging Cases

DiCello Levitt represents whistleblower Edelweiss Fund LLC in a set of related lawsuits brought under state false claims acts against some of the largest banks in the nation for allegedly colluding to set inflated interest rates on municipal bonds. The first of these lawsuits, *Illinois ex rel. Edelweiss v. JP Morgan Chase, et al.*, was settled in 2023 for \$70 million.

State of Illinois ex rel. Kenny Gilman v. Fieldturf USA Inc.

DiCello Levitt obtained a substantial settlement during the second week of a jury trial on behalf of whistleblowers in a *qui tam* action over defective athletic fields sold and installed in Illinois.

“An extraordinary plaintiffs’ firm ...”

“... top of the line in litigation strategy and representing clients zealously.”

— Chambers and Partners

Awards and Recognition

Chambers USA

Band 1:

Litigation: Mainly Plaintiffs, Illinois (2021-2025)

Bands 1 and 2:

Litigation: Mainly Plaintiffs, Alabama; Antitrust: Plaintiff, Nationwide; Product Liability: Plaintiffs, Nationwide (2022-2025); Antitrust: Mainly Plaintiff, New York (2021-2025)

Attorneys recognized: Adam Levitt, Greg Ascioffa, Diandra “Fu” Debrosse, and Amy Keller

Benchmark Litigation

Highly Recommended Firm: Top Plaintiffs (2021-2026)

Plaintiff Firm of the Year Finalist (2024)

Ranked: Competition/Antitrust (2023 and 2026)



Attorneys recognized: Mark DiCello, Adam Levitt, Greg Ascioffa, Diandra “Fu” Debrosse, Greg Gutzler, Justin J. Hawal, Amy Keller, and Corban Rhodes

Law360

Cybersecurity and Privacy Practice Group of the Year (2020-2022)

Class Action Practice Group of the Year (2020)

Competition/Antitrust MVP: Greg Ascioffa (2023)

Cybersecurity & Data Privacy MVP: David Straite (2022)

Lawdragon

500 Global Plaintiff Lawyers: Mark DiCello, Adam Levitt, Greg Ascioffa, Diandra “Fu” Debrosse, Bobby DiCello, Greg Gutzler and Amy Keller

500 Leading Plaintiff Consumer Lawyers: Mark DiCello, Adam Levitt, Ken Abbarno, Diandra “Fu” Debrosse, Bobby DiCello, Amy Keller, and John E. Tangren

500 Leading Plaintiff Financial Lawyers: Adam Levitt, Greg Ascioffa, Alex Barnett, Jamie Baskin, Bobby DiCello, Patrick Daniels, Greg Gutzler, Steve Jodlowski, Amy Keller, Brian O’Mara, Roxana Pierce, Caroline M. Robert, Henry Rosen, and David Straite

500 Leading Global Antitrust and Competition Lawyers: Greg Ascioffa, Alex Barnett, and Geralyn Trujillo

500 Leading Global Cyber Lawyers: Nada Djordjevic, Amy Keller, Corban Rhodes, David Straite

500 Leading Civil Rights and Plaintiff Employment Lawyers: Ken Abbarno, Bobby DiCello, and Diandra “Fu” Debrosse

The Legal 500

Ranked: Product Liability, Mass Tort and Class Action – Plaintiff; Antitrust: Civil Litigation/Class Actions – Plaintiff (2022 and 2024-2025); Securities Litigation: Plaintiff (2024-2025)

Attorneys recognized: Greg Ascioffa, Amy Keller, and Jonathan Crevier

The National Law Journal

Elite Trial Lawyers Civil Rights Winner (2024)



Elite Trial Lawyers Plaintiffs Firm of the Year (2023)

Practice areas of the year: Trial Strategy Innovation, Privacy/Data Breach, and Environmental Protection (2023)

Elite Women of the Plaintiffs Bar: Diandra “Fu” Debrosse (2023)

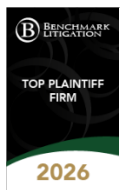
Elite Trial Lawyers: Justin Hawal and Amy Keller (2021)

Trailblazers: Mark DiCello (2020), Adam Levitt (2020), Ken Abbarno (2021), Diandra “Fu” Debrosse (2022), Greg Gutzler (2021), and David Straite (2022)

The New York Law Journal

New York Legal Awards Innovation Winner (2023)

Distinguished Leader Award: Greg Ascioffa (2023)



Members of the Firm

DiCello Levitt’s attorneys are litigators and trial lawyers who have tried cases to verdict—successfully—across the spectrum of complex commercial litigation, financial fraud and securities litigation, public client litigation, class actions, defective drug and device cases, catastrophic injuries, and other areas of law.



Mark A. DiCello
Partner

EMAIL:
madicello@dicellolevitt.com

EDUCATION
Cleveland-Marshall College of Law,
J.D.

University of Dayton, B.A.

After 20 years of jury trials and serving in lead roles in some of the largest personal injury cases in Ohio and around the country, Mark DiCello co-founded DiCello Levitt to create a first-of-its-kind firm that brought together top talent in the most important areas of complex litigation.

Beginning his career as an Assistant County Prosecutor, Mark honed his trial skills, streamlining and simplifying issues presented to juries. After representing the state in criminal matters, Mark wanted to turn his attention to ensuring that victims were represented in other ways: via the private civil justice system.

Mark's clients range from individuals suffering catastrophic personal injuries to groups of plaintiffs harmed by medical devices, pharmaceutical products, chemicals, automobiles, and more. He has led headline-grabbing mass tort and product liability cases and co-led massive multidistrict litigations. Mark has been recognized by a number of different organizations, including being ranked by Super Lawyers and receiving the Crisis Management Trailblazer and Elite Boutique Trailblazer awards from *The National Law Journal*. *Lawdragon* has recognized Mark as one of the 500 Leading Plaintiff Consumer Lawyers, and *Benchmark Litigation* recognizes Mark as a Litigation Star in Product Liability and Personal Injury. Mark is also rated an "AV" Preeminent Attorney by Martindale-Hubbell and is a member of The Summit Council, a national group of noted trial lawyers with several multi-million-dollar jury verdicts.

Understanding that technology often evolves at a faster pace than the law, Mark frequently teaches other lawyers about how to best use new tools in discovery to counter some of the most sophisticated arguments presented by Big Tech defendants. For example, Mark is a frequent lecturer on using trial science to reach jurors, modeling damages for large-scale litigation, and leveraging technology to develop discovery in some of the most difficult, scorched-earth litigation. By developing cutting-edge techniques to represent those individuals hurt by large corporations, Mark presents their stories after a vigorous focus-group and mock-trial process, in coordination with the DiCello Levitt Trial Center.

Mark presently represents thousands of individual service members and their families who were injured at the U.S. Marine Corps Base Camp Lejeune by exposure to drinking water contaminated with industrial solvents, benzene, and other chemicals. Leading the charge to hold the government accountable for his clients' catastrophic injuries and losses, Mark employs his decades of experience in leading mass torts and complex litigation to achieve justice for those willing to make the ultimate sacrifice.

Mark continues to lead with vision and, together with co-founder Adam Levitt, has built a diverse and fearless team of lawyers focused on some of the most important litigation of our time.



Adam Levitt

Partner

EMAIL

alevitt@dicellolevitt.com

EDUCATION

Northwestern University School of Law, J.D.

Columbia College, Columbia University, A.B., *magna cum laude*

Adam Levitt is one of the nation's leading advocates for plaintiffs in complex, multidistrict, class action, public client, mass tort, and commercial litigation. Drawing on his extensive experience pursuing and obtaining justice for those who have been wronged by powerful defendants, he co-founded DiCello Levitt to create a top-tier complex issues and trial firm founded on excellence, trust, and respect.

In his decades-long career, Adam has scored numerous significant and precedent-setting victories, delivering more than \$20 billion in recoveries to clients in biotechnology, financial services, securities, insurance coverage, consumer protection, automotive defects, agricultural products, and antitrust disputes. He has been appointed to leadership positions in many historic and headline-grabbing litigations, including three of the largest biotechnology class actions in U.S. history, where he served as co-lead counsel, helped recover more than \$1.7 billion on behalf of plaintiffs, and created a crop contamination damages model that set the modern industry standard. He was also retained by multiple State Attorneys General to hold some of the world's largest chemical companies accountable for widespread environmental contamination from their "forever chemicals" known as PFAS (per- and polyfluoroalkyl substances) and was retained by the City of Baltimore to address the catastrophic impact of the Francis Scott Key Bridge collapse, one of the largest maritime disasters in U.S. history. Additionally, as part of a leadership group characterized as a "class action dream team," Adam helped secure a \$16 billion settlement in litigation arising from Volkswagen's emissions scandal, and, in a rare class action trial, he and his fellow co-lead counsel secured a milestone \$102.6 million jury verdict against General Motors for hiding engine defects from consumers.

Adam is also a leader in the legal profession and a frequent speaker on multidistrict litigation, consumer protection, automotive litigation, biotechnology, corporate governance, securities litigation, and internet privacy. Nationally recognized as an authority on class action litigation, Adam writes a monthly class action column in *The National Law Journal*, has testified before the Illinois Supreme Court Rules Committee on class action practice, and chairs an annual class action litigation conference in Chicago.

As a founding partner of DiCello Levitt, Adam has cultivated a diverse roster of skilled litigators to advance the cause of justice for individuals, businesses, and public clients through class action, business-to-business, whistleblower, personal injury, civil rights, and mass tort litigation. With a long history of working with public clients, Adam and his partners understand the wants and needs of government officials and their teams, and, as experts in trial practice and jury persuasion, they consistently achieve best-in-class results for their clients.

Adam's own groundbreaking work on behalf of plaintiffs has been recognized locally and nationally in prestigious ranking directories and publications, including *Chambers USA*, *Benchmark Litigation*, *The National Law Journal*, *Crain's Chicago Business*, and *Lawdragon*.



Kenneth Abbarno

Partner

EMAIL

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EDUCATION

Cleveland-Marshall College of Law,
J.D.

Canisius College, B.A.

Ken Abbarno is a seasoned trial lawyer whose career has been defined by results in the courtroom. With more than three decades of experience trying complex cases nationwide, Ken is known for his steady command of the facts and his ability to connect with jurors in difficult cases. He has led or co-led hundreds of high-exposure matters, securing multimillion-dollar verdicts and settlements for clients in catastrophic injury, transportation, civil rights, medical malpractice, and other complex cases.

As the managing partner of DiCello Levitt's Cleveland office, general counsel for the firm, and co-coordinator of the DiCello Levitt Trial Center, Ken plays a central role in shaping and executing the firm's trial strategy. He oversees trial preparation from the earliest stages of discovery, using in-house focus groups, mock juries, and case framing research to sharpen messaging and anticipate how jurors will respond to complex facts. This trial-first approach—honed through years of courtroom experience—has contributed to more than \$2 billion in verdicts and settlements since the firm's founding. Ken's leadership has been pivotal in some of the firm's most consequential trials, including his work on the team that secured a \$20.75 million jury verdict against global banking giant BNP Paribas for financing genocide in Sudan—a landmark result paving the way for tens of thousands of survivors to seek billions more in recovery.

Ken's ability to balance legal precision with genuine empathy makes him an advocate that clients trust during the most difficult periods of their lives. Drawing on his early experience as a defense lawyer, he brings a 360-degree view of the courtroom—anticipating opposing arguments, mastering the details, and ensuring every case is trial-ready. His work on high-profile civil rights cases, including his representation of the family of Jayland Walker, a young Black man killed in a police shooting in Akron, demonstrates his commitment to accountability and justice at the highest levels.

A recognized leader in his field, Ken has earned numerous accolades throughout his career, including being named to *Lawdragon's* 500 Leading Plaintiff Consumer Lawyers and Ohio Super Lawyers every year since 2010. He is also featured in *The Best Lawyers in America* for transportation law.

Ken's impact reaches beyond his legal work. As a mentor, he is dedicated to developing the next generation of trial attorneys and advancing their careers. His service as an assistant football coach and community volunteer further reflects his deep commitment to supporting and empowering young people.



Mark M. Abramowitz

Partner

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EDUCATION

University of Toledo College of Law,
J.D.

University of Guelph, B.A.

Mark Abramowitz has demonstrated expertise in leveraging cutting-edge technology in DiCello Levitt's modern and evolving trial practice to achieve what were previously believed to be impossible results for his clients. An internet technology expert, he is a student of integrating technology into the practice of law. He has been selected to serve on national discovery review teams and is regularly consulted on cloud-based systems, discovery technology, the Internet of Things, and litigation concerning data storage and security. He has also testified before the Ohio State Legislature multiple times on data security and related issues.

Mark is a respected litigator and trial lawyer who has recouped life changing compensation for clients around the country. He has expertise and experience ranging from defective products to Internet technology disputes. Mark is recognized for breaking barriers in medical malpractice litigation through groundbreaking work in exposing electronic medical record alterations and successfully expanding states' damages caps in joint replacement surgery cases.

Mark was a member of the trial team that, in 2022, secured a \$102.6 million verdict in the class action case *Raul Siqueiros, et al. v. General Motors LLC*, Case No. 3:16-cv-07244, in the U.S. District Court for the Northern District of California.

Mark brings a unique voice to the Sedona Conference's Data Security and Privacy Liability working group and is one of the authors of Sedona's Biometric Privacy Primer. He has also served as a Trustee of the Ohio Association for Justice since 2014. Mark is currently Editor-in-Chief of *Ohio Trial* and is a member of *Law360's* Personal Injury Editorial Advisory Board.



Sara Aguiñiga

Partner

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EDUCATION

American University Washington
College of Law, J.D.

University of Maryland, Baltimore
County, B.S.

Sara Aguiñiga is a trial lawyer focused on mass torts, civil rights, and public entity litigation. With a steadfast dedication to achieving justice for her clients, Sara has helped secure hundreds of millions of dollars in settlements on behalf of plaintiffs.

Prior to joining DiCello Levitt, Sara worked for two prominent national plaintiffs' firms, where she assumed leadership roles of teams litigating product liability cases involving pharmaceutical and agricultural products, led discovery in data privacy and other matters, and was the first point of contact for public clients. She also served as second chair in a major opioids trial against three of the largest pharmaceutical companies in the United States.

Sara earned her law degree from the American University Washington College of Law, where she was a member and managing director of the Mock Trial Honor Society and a Dean's Fellow on the Trial Advocacy Program. She has been recognized as one of the National Trial Lawyers' "Top 40 Under 40," on *Lawdragon's* 500 X list of leading next-generation lawyers, and by Best Lawyers in America as "Ones to Watch" in mass tort and class action litigation.

Sara is a single mother to two young children. She is fluent in Spanish and Portuguese, competed on the Mexican national figure skating team, and serves as a mentor to law students through the Hispanic Bar Association of the District of Columbia. She also has provided pro bono representation to unaccompanied minors immigrating to the United States from Central America.



Greg Ascioffa
Partner

EMAIL

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EDUCATION

Catholic University of America, J.D.

Boston College, B.A., *cum laude*

Greg Ascioffa is a partner in DiCello Levitt's New York office, where he serves as Chair of the firm's Antitrust and Competition Litigation Practice, Managing Partner of the New York office, and Co-Chair of the DEI Committee. Greg focuses on representing businesses, public pension funds, and health and welfare funds in complex antitrust and commodities class actions, including price-fixing, monopolization, commodities manipulation, pay-for-delay agreements, and other anticompetitive practices. He also has successfully represented, pro bono, three Ugandan LGBTQ clients seeking asylum in the United States.

Recovering billions on behalf of his clients, Greg leads extensive investigations into potential anticompetitive conduct, often resulting in first-to-file cases. Prior to joining DiCello Levitt, Greg chaired a nationally recognized antitrust practice group as a partner and oversaw significant growth in group size, leadership appointments, cases filed, investigations, and reputation. He also served as a partner in the antitrust practice group at a top ranked AmLaw100 firm. Greg began his career as an attorney at the U.S. Department of Justice's Antitrust Division.

Greg is regularly appointed to leadership positions in major antitrust cases in federal courts throughout the United States, including *Generic Drugs Pricing Antitrust Litigation*, *European Government Bonds Antitrust Litigation*, *Platinum and Palladium Antitrust Litigation*, *Surescripts Antitrust Litigation*, *Crop Inputs Antitrust Litigation*, *Opiana ER Antitrust Litigation*, *Borozny v. Raytheon*, *Fusion Elite v. Varsity Brands*, and *Novartis and Par Antitrust Litigation*.

Named a "Titan of the Plaintiffs Bar" and "Competition/Antitrust MVP" by *Law360* as well as a leading plaintiffs' competition lawyer by *Global Competition Review* and *Chambers USA*, Greg is often recognized for his experience and involvement in high-profile cases. He has been named one of the "Leading Plaintiff Financial Lawyers in America" by *Lawdragon*, a "Distinguished Leader" by *New York Law Journal*, a "Litigation Star" by *Benchmark Litigation*, and a "Leading Lawyer" and a "Next Generation Lawyer" by *The Legal 500*, with sources describing him as "very effective plaintiffs' counsel" and "always act[ing] with a good degree of professionalism."

Greg makes substantial contributions to the antitrust bar. In 2016, he was elected to the Executive Committee of the New York State Bar Association Antitrust Law Section, where he currently serves as the Finance Officer. He concurrently serves as Vice Chair of the ABA's Diversity.Advanced Committee, Co-Chairman of the Antitrust and Trade Regulation Committee of the New York County Lawyers' Association, and Treasurer and Membership Director of the Committee to Support the Antitrust Laws. Greg is an annual invitee of the exclusive Antitrust Forum, serves as the U.S. representative to the Business & Banking Litigation Network, and is on the Advisory Board of the American Antitrust Institute.



Alex Barnett

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EDUCATION

St. John's University School of Law,
J.D.

University of Pennsylvania, B.A.

Alex Barnett is a partner in DiCello Levitt's New York office and a member of the firm's Antitrust and Competition Litigation Practice Group. An accomplished attorney with decades of experience in complex and class action litigation, Alex's practice focuses on advocating for consumers, public clients, and businesses injured by antitrust violations, unfair competition, and unlawful or unjust business practices.

For nearly 30 years, and with empathy for the persons and entities he represents, Alex has dedicated himself to litigation that is aimed at bringing about economic and social justice. His work has earned him a spot on *Lawdragon's* 500 Leading Plaintiff Financial Lawyers list every year from 2019 through 2025 and on *Lawdragon's* 500 Leading Global Antitrust and Competition Lawyers in 2025. In 2019, it earned him, along with his colleagues, the American Antitrust Institute's Outstanding Antitrust Litigation Achievement in Private Law Practice Award. And it has earned him invitations to serve as a panel speaker at conferences regarding antitrust law and class action practice.

Alex demonstrates his commitment to justice in his other endeavors as well. He is a past president of the Committee to Support the Antitrust Laws (COSAL), the only organization in the United States dedicated to lobbying for strong antitrust laws and effective private enforcement. He served as the vice chair of Public Justice's Food Project, which aims to address structural and institutional inequities in the food system. Prior to his litigation career, he served as the executive director of the International Association of Jewish Lawyers and Jurists (American Section), whose mission is the promotion of the rule of law.

Alex was on the advisory council of Rescuing Leftover Cuisine (RLC), a national nonprofit food rescue organization, operating across the United States and headquartered in New York City, that provides solutions to prevent excess wholesome cuisine from being wasted. In addition, Alex served as a volunteer for the following organizations: K.E.E.N. (Kids Enjoy Exercise Now), an organization dedicated to empowering youth with disabilities, providing them with access to recreational opportunities and helping them develop athletic skills; New York Cares, an organization that provides volunteer assistance to charities and nonprofit organizations throughout the metropolitan New York area; D.C. Cares, an organization that provides volunteer assistance to charities and nonprofit organizations throughout the Washington, D.C., area; and A Broader Image Inc., a Washington, D.C., nonprofit organization that provided internet access and other technology-based educational tools to children in inner-city schools.

Alex and his wife are active participants in the multiracial family community and have served as speakers for and supporters of various organizations dedicated to fostering understanding and acceptance of multiracial families, including LovingDay.org. They also founded a stuffed animal company and, through that entity, donated thousands of newly made stuffed animals to children in New York City's Homes for the Homeless program.

Alex is a graduate of the University of Pennsylvania and St. John's University School of Law.



Jonathan Crevier
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EDUCATION

Benjamin N. Cardozo School of Law,
J.D., *cum laude*

New York University, B.A., *magna
cum laude*

DiCello Levitt Partner Jonathan Crevier prosecutes complex antitrust class actions on behalf of businesses and consumers. He actively litigates cases against a number of the world's largest companies in antitrust matters involving price-fixing, monopolization, illegal information exchanges, exclusive dealing, tying, and other anticompetitive practices. Jonathan is heavily involved in one of the largest, most complex antitrust cases of all time, *In re Generic Pharmaceuticals Pricing Antitrust Litigation* (E.D. Pa.). He was also a member of DiCello Levitt's trial team in *In re Opana ER Antitrust Litigation* (N.D. Ill.).

As part of the firm's nationally recognized Antitrust and Competition Litigation Practice Group, Jonathan leads DiCello Levitt's antitrust investigation unit. In this capacity, Jonathan has investigated and filed several cutting-edge antitrust cases, including *In re Manufactured Home Lot Rents Antitrust Litigation* (N.D. Ill.) and *Unger v. The Walt Disney Company* (N.D. Cal.).

Prior to joining the firm, Jonathan was an associate in a nationally recognized competition and antitrust litigation group, where he represented plaintiffs in complex antitrust matters. He also previously served as a Judicial Intern for the Honorable Henry Pitman, U.S.M.J., in the District Court for the Southern District of New York.

Jonathan and his wife Christine live in Denver, Colorado where they are active in their local community and school district. Outside of work, Jonathan enjoys spending time outdoors.



Patrick W. Daniels

Partner

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EDUCATION

University of San Diego School of Law, J.D.

University of California – Berkeley,
B.A. *cum laude*

Patrick W. Daniels is the co-founder and chair of the Securities and Financial Products Litigation Practice Group.

Patrick is widely recognized as a leading corporate governance and investor advocate. *Daily Journal*, the leading legal publisher in California, named him one of the 20 most influential lawyers in California under 40 years of age. Additionally, the Yale School of Management’s Millstein Center for Corporate Governance and Performance awarded Patrick its “Rising Star of Corporate Governance” honor for his outstanding leadership in shareholder advocacy and activism.

Patrick is an advisor to political and financial leaders throughout the world. He counsels private and state government pension funds and fund managers in the United States, United Arab Emirates, Kuwait and Oman, the United Kingdom, and the European Union on issues related to corporate fraud in the U.S. securities markets and “best practices” in the corporate governance of publicly traded companies.

In advancing international standards on human rights, Patrick was a lead counsel in an international coalition of attorneys and human rights groups that won a historic settlement with major U.S. clothing retailers and manufacturers, including The Gap, Ralph Lauren, Donna Karan, and Calvin Klein. The settlement was on behalf of a class of over 50,000 predominantly female, Chinese garment workers on the island of Saipan in an action seeking to hold the Saipan garment industry responsible for creating a system of indentured servitude and forced labor in the island’s garment factories. The coalition obtained an unprecedented agreement for supervision of working conditions in the Saipan factories by an independent nongovernmental organization as well as a substantial multimillion-dollar compensation award for the workers.

When recognizing DiCello Levitt as a Recommended Firm in the Securities Litigation: Plaintiff category, *The Legal 500* highlighted the Securities Practice Group for its “outstanding technical skills and the capacity to listen to clients and take their concerns on board.” The publication also commended Patrick for his “thorough market knowledge and capacity for confidence building.” In addition, Patrick has been named a Leading Plaintiff Financial Lawyer by *Lawdragon* from 2019 to 2024.



Diandra “Fu” Debrosse
Partner

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EDUCATION

Case Western Reserve University
School of Law, J.D.

City College of the City University of
New York, B.A., *summa cum laude*

Diandra “Fu” Debrosse is a fearless plaintiffs’ attorney who fights unapologetically for individuals and public entities injured by wrongful conduct, whether by defective medical devices, drugs, or cosmetics, environmental contamination, corporate misconduct, or civil rights abuse. Nationally recognized as a powerhouse in mass torts, class actions, products liability, discrimination, and sexual assault claims, Fu has recovered nearly \$1 billion in damages for her clients. Blending her exceptional talents in multidistrict and mass tort litigation with state-of-the-art tools, Fu uses sophisticated modeling to identify technology-based and other forms of discrimination, including environmental injustice, defective devices, and unfair insurance practices.

As the managing partner of DiCello Levitt’s Birmingham office, co-chair of the firm’s Mass Torts division, and co-chair of its Civil and Human Rights Litigation Practice Group, she holds prominent leadership positions in numerous multidistrict litigations. She is Co-Lead Counsel in the massive products liability multidistrict litigation against two of the world’s largest infant formula manufacturers, Abbott Laboratories and Mead Johnson, and in the MDL against L’Oréal and other makers of disease-causing hair relaxer products marketed primarily to Black and Latina women. Fu also holds leadership positions in several other significant MDLs, including the litigation against Chevron and Syngenta for their marketing and sale of the disease-causing herbicide paraquat, as well as the social media MDL in which the plaintiffs are seeking damages against Meta Platforms, TikTok, YouTube, and others for creating defective products that encourage addictive behavior, resulting in various emotional and physical harms, including death.

Fu also leads many systematic civil rights and sexual assault cases; represents the City of Baltimore in legal actions addressing the catastrophic of the Francis Scott Key Bridge collapse; and represents dozens of Alabama, Mississippi, Georgia, Maryland, and North Dakota counties and a number of cities and counties in Maryland, Delaware, and other jurisdictions in two separate prescription opiate MDLs.

Fu was recognized by *Forbes* as one of the top 200 attorneys in the United States in 2024, and *The National Law Journal* named her to its 2023 list of Elite Women of the Plaintiffs Bar. In 2022, 2023, and 2024, *Lawdragon* recognized Fu as one of the 500 Leading Consumer Lawyers. *Chambers USA* 2022 ranked the firm’s Litigation: Mainly Plaintiffs team among the top five in Alabama, and the *Birmingham Business Journal* honored Fu with a Best of the Bar Award and Who’s Who in Law recognitions in 2021, 2022, and 2023.

Fu is a founding member of Shades of Mass, an organization dedicated to encouraging the appointment of Black and brown attorneys in national mass tort actions. She is a board member of Public Justice and the Southern Trial Lawyers Association. Fu previously served as a hearing officer for the Alabama State Bar, held leadership roles in the American Association for Justice and the Alabama Access to Justice Commission, and acted as Alabama State Bar vice president and commissioner.

Fu is fluent in French and Haitian Creole and functional in Spanish. Her steadfast pursuit of justice is motivated in large part by her experience as a mother of two extraordinary young girls.



Marisa N. DeMato

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EDUCATION

University of Baltimore School of Law, J.D.

Florida Atlantic University, B.A.

Marisa N. DeMato is a nationally recognized securities litigator and the Head of the U.S. Securities Practice Group. With more than twenty years of experience in complex securities litigation, Marisa is a passionate advocate dedicated to protecting the investments of public and multiemployer labor pension funds. She has built her practice around safeguarding the retirement security of teachers, firefighters, police officers, municipal employees, and building trade workers across the United States and Canada. As the daughter of a retired detective and a nurse, Marisa's commitment to public safety and the well-being of public sector employees is both personal and professional.

Throughout her career, Marisa has played a central role in groundbreaking shareholder litigation, securing significant settlements and implementing critical corporate governance reforms. Notably, she represented the Seattle City Employees' Retirement System in achieving a landmark \$90 million settlement and historic governance reforms at Twenty-First Century Fox following systemic workplace harassment at Fox News. Her extensive litigation experience includes securing multimillion-dollar recoveries in high-profile cases involving LifeLock, Camping World, Rent-A-Center, and Castlight Health as well as substantial recoveries in actions such as *In re Managed Care Litigation* (\$135 million), *Cornwell v. Credit Suisse Group* (\$70 million), and *Ross v. Career Education Corporation* (\$27.5 million).

At DiCello Levitt, Marisa serves as an integral member of the Securities and Financial Products Litigation Practice Group, playing a key role in case evaluation and development. She leverages her deep expertise in advising and representing institutional investors on opportunities to recover losses through shareholder litigation, guiding the firm's clients from initial case evaluation through settlement negotiations.

Beyond her litigation successes, Marisa is a tireless advocate for women's empowerment and leadership in the pension, investment, and legal communities. She has founded and led firm-wide initiatives that have earned national and international recognition for their positive impact on diversity, equity, and inclusion, including events shortlisted for awards by *Chambers USA* and *Euromoney*. Through her strategic programming and community-building efforts, Marisa continues to champion women's leadership and economic opportunities.

A respected voice in the fields of securities and financial products litigation, Marisa is an accomplished speaker who has presented at conferences across the United States and Europe on topics related to securities litigation, fiduciary responsibility, corporate governance, and diversity initiatives. Her insights and advocacy have led to invitations to testify before legislative bodies, including the Texas House of Representatives' Pensions Committee.

Marisa has received numerous accolades for her legal and advocacy work, including recognition by *The National Law Journal* as a Plaintiffs' Lawyers Trailblazer and by *The American Lawyer* as a Northeast Trailblazer. She has also been named among *Lawdragon's* 500 Leading Plaintiff Financial Lawyers in America.

Marisa actively participates in professional and community organizations, including the National Association of Public Pension Attorneys (NAPPA), the National Association of Securities Professionals (NASP), and the Investors in Education Committee supporting the Neighborhood Youth Association (NYA), which provides educational opportunities to inner-city youth in Los Angeles.

Driven by a deep sense of justice and fairness instilled from childhood, Marisa's approach to the law is defined by her commitment to ensuring that workers have a voice and a seat at the table when confronting powerful corporate interests, providing vigorous and compassionate representation to those she serves.



Chuck Dender

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EDUCATION

Cornell Law School, J.D.

New York University Stern School of
Business, M.B.A.

Temple University, B.A.

Chuck Dender is an experienced litigator who has practiced at two of the country's largest law firms. With a demonstrable record of excellence and a track record of success for his clients, the foundation of Chuck's broad litigation experience was formed while defending some of the most significant commercial litigation matters in the United States over the last two-plus decades. While Chuck began his litigation career on the defense side of the table, he is a plaintiffs' attorney at heart. He now represents plaintiffs exclusively. With a background that includes membership in the International Brotherhood of Teamsters, Chuck has personally experienced what it's like to be a plaintiff in need of outstanding legal representation.

Chuck's legal expertise is enhanced by his Master in Business Administration, with a specialization in finance and quantitative finance from the New York University Stern School of Business. This additional accreditation and education give Chuck a unique advantage when it comes to identifying issues related to financial crimes and damages, including working with economists and other expert witnesses. As proof of this point, Chuck played a key role in presenting the damages model of one of the largest financial institutions in the world after the collapse of Lehman Brothers Holding, Inc.

Chuck represents aggrieved investors (both individuals and entities) in all aspects of complex litigation against players in the financial services industry, as well as other public and private companies. He also represents whistleblowers who cooperate with government agencies in their efforts to shine the light on corporate malfeasance.

In whistleblower matters, Chuck has a keen understanding of both the types of information that government agencies are looking for and the best methods for presenting that information to the agencies so they can act and wield justice from corporate wrongdoers. Chuck has authored compelling whistleblower submissions on behalf of both corporate insiders and interested outsiders. He has the good fortune of learning this complicated dance under the tutelage of the principal architect of the Security and Exchange Commission's (SEC) Whistleblower Program. Chuck has also presented whistleblowers and supporting witnesses in front of the highest-ranking members of the SEC's Whistleblower Program during multiple-day interviews.

Chuck is experienced in a wide range of legal disciplines, with a specific focus representing clients in litigation involving the financial services industry or any matter where the calculation and presentation of damages is anything but a run-of-the-mill issue.



Bobby DiCello

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EDUCATION

Cleveland-Marshall College of Law,
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Northwestern University, M.A.

University of Dayton, B.A.

Bobby DiCello is a nationally recognized trial lawyer whose work has reshaped how complex cases are tried and won. Known for his command of the courtroom and ability to turn evidence into narrative that resonates with juries, Bobby has earned record verdicts across the country in cases ranging from catastrophic injury and wrongful death to human rights and financial misconduct. His trial results speak for themselves—outcomes that not only secure justice for clients but also set new standards for accountability in modern trial practice.

A former prosecutor who is known today as veteran trial strategist, Bobby has first-chaired catastrophic injury and death cases, civil rights and police misconduct trials, medical malpractice actions, mass tort bellwethers, *qui tam* matters, financial services cases, and complex criminal trials. Among his landmark results is a \$50 million jury verdict for Arnold Black in *Black v. Hicks*—one of the most significant civil rights verdicts for a single plaintiff, challenged up to the U.S. Supreme Court. In addition, Bobby led the trial team that secured a \$20.75 million jury verdict against BNP Paribas for financing genocide in Sudan—a landmark human rights verdict that not only held a global bank liable for enabling atrocities but also opened the door for tens of thousands of survivors to seek billions more in recovery.

Bobby also builds the systems that produce those results. He leads the DiCello Levitt Trial Center, where he and his colleagues apply a research-driven process—rooted in linguistics, literacy, information processing, and cognitive neuroscience—to map how judges and jurors actually make decisions. Through iterative focus groups, mock trials, and real-world presentation testing, the Trial Center uncovers the themes, visuals, and storytelling that move decision-makers. That trial-first approach has helped drive firmwide outcomes totaling more than \$2 billion.

Beyond the courtroom, national media and the legal community turn to Bobby for insight into high-profile trials. ABC News enlisted him for weeks of live analysis during “The Death of George Floyd—Derek Chauvin on Trial,” where he explained strategy, evidence, and juror psychology to audiences in the U.S. and abroad.

Bobby’s work has earned sustained recognition. Public Justice named him Trial Lawyer of the Year for *Black v. Hicks*, and *The National Law Journal* has twice honored him as an “agent of change” in its annual list of Plaintiffs’ Lawyers Trailblazers.

A teacher as much as an advocate, Bobby trains lawyers across the country through the Trial Center and consults on theme development, case framing, motion practice, and courtroom visuals. At every stage of a case, his focus is the same—giving clients back their voices and making the truth impossible to ignore.



Nada Djordjevic
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EDUCATION

University of Illinois College of Law,
J.D., *summa cum laude*, Order of the
Coif

Grinnell College, B.A.

Nada Djordjevic brings justice to those who are harmed by consumer fraud, unfair business practices, data privacy breaches, deceptive insurance sales practices, and other egregious acts. With more than two decades of experience representing plaintiffs in class actions and complex commercial litigation matters, Nada zealously protects the interests of aggrieved clients throughout the United States.

Nada's clients benefit from her skilled and varied litigation practice. In addition to consumer protection cases and class actions, she has represented clients in issues related to securities fraud, ERISA violations, deceptive insurance sales practices, and qui tam cases under the False Claims Act.

Nada was recently named to the Plaintiffs' Executive Committee as the Chair of Damages in the multidistrict class action litigation against Samsung Electronics related to multiple data breaches in 2022 involving more than 50 million consumers.

Nada's litigation successes include a \$25 million settlement on behalf of 800,000 people in a class action lawsuit. The action involved claims of violations of state consumer protection and deceptive practices laws against a major athletics event organizer. She also represented a multistate plaintiff class in a data breach case that resulted in one of the largest breach-related settlements in healthcare history. Nada was also part of the litigation team that negotiated settlements worth more than \$275 million for universal life insurance policyholders in two nationwide class actions alleging improper monthly policy charges.



Daniel R. Ferri

Partner

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EDUCATION

University of Illinois College of Law, J.D., *magna cum laude*

New York University, B.A., *cum laude*

Dan Ferri is a litigator whose practice focuses on fraud, breach of contract, and intellectual property theft claims. He has achieved tens of millions of dollars in recoveries on behalf of individual, small business, and public clients.

This past year, Dan helped win a jury trial in a class action that, after appeal, may provide over \$100 million to purchasers of defective GM trucks and sport-utility vehicles. He also concluded a multi-year litigation on behalf of the State of New Mexico that successfully resolved claims against AbbVie for the deceptive advertising of a potentially dangerous pharmaceutical.

Dan's other recent work includes successfully representing the State of New Mexico in cases arising from Volkswagen's use of "defeat devices" to cheat emissions standards and other automakers' sales of vehicles containing dangerous Takata airbag inflators; achieving a substantial settlement for a class of consumers who purchased Toyota minivans with defective sliding doors; and successfully settling, after a bench trial, a patent infringement claim against GoDaddy.

Dan is a member of the Northern District of Illinois Trial Bar.



Daniel R. Flynn

Partner

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EDUCATION

Indiana University Maurer School of Law, J.D., *cum laude*

Illinois Wesleyan University, B.A.

Dan Flynn represents governmental entities, individual consumers, and corporate clients—all with one primary goal in mind: ensuring the protection of human health and the environment. His stewardship not only ensures that polluters be held responsible for contamination and clean-up, but that corporate entities understand their responsibilities under state and federal environmental laws. As a result of his advocacy in advising corporations on compliance, Dan’s clients lead their respective industries in environmental stewardship efforts under a number of rules and regulations, including the Clean Water Act; the Clean Air Act; the Comprehensive Environmental Response, Compensation, and Liability Act; the Emergency Planning and Community Right-to-Know Act; and the Resource Conservation and Recovery Act.

Dan assists corporate entities, governmental agencies, and the public by ensuring that companies that have contaminated the environment and violated regulations take responsibility for their actions. Through contribution and cost-recovery actions, common law claims, citizen suits, enforcement actions, and proper due diligence and contract negotiation, he ensures polluters and bad actors remediate the harm they have caused.

Dan is part of the DiCello Levitt team working with several states in investigating and addressing poly- and perfluoroalkyl substance (PFAS) contamination. DiCello Levitt’s PFAS team, along with other Special Assistant Attorneys General and the Illinois Attorney General, most recently filed a lawsuit against 3M for PFAS contamination from its facility in Cordova, Illinois. Cases involving these “forever chemicals” will have wide-reaching implications for state governments and their residents.

Dan also represents public clients in groundbreaking litigation against the world’s largest fossil fuel companies and the American Petroleum Institute, alleging that the defendants, for decades, misled and failed to warn the public about the catastrophic consequences of climate change.

Dan works with communities that have been impacted by years of exposure to polluted air, water, and soil. Recently, Dan and DiCello Levitt’s environmental team joined with co-counsel in representing several residents and former residents of Union, Illinois in filing suit against companies responsible for polluting the groundwater with carcinogenic chlorinated solvents. Dan also serves as interim co-lead counsel in a class action on behalf of the residents of Rockton, Illinois and surrounding communities for property damages they sustained following a catastrophic fire at a local chemical factory.

In addition to his environmental work, Dan frequently counsels clients on developing and maintaining state-of-the-art safety and health programs that ensure all employees enjoy safe and healthful workplaces. He works closely with both his clients and the Occupational Safety and Health Administration (OSHA) to enhance employee safety and health well beyond OSHA’s minimum requirements.



Markus Green

Partner

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EDUCATION

Rutgers Law School, J.D.

John Jay College of Criminal
Justice, B.S., *summa cum laude*

Markus Green is a seasoned advocate who dedicates his practice to empowering communities and consumers harmed by corporate wrongdoing. With more than 25 years of extensive global legal experience—spanning government service, corporate counsel, and complex litigation—Markus leverages his deep understanding of government and private sector dynamics to hold powerful interests accountable and protect the rights of marginalized people. As partner at DiCello Levitt, Markus specializes in representing public sector clients, including State Attorneys General, in consumer protection and civil rights litigation.

During his tenure at the New Jersey Office of the Attorney General, Markus served as Executive Assistant Attorney General and Chief of Staff, overseeing major litigation, coordinating significant policy initiatives, and managing interactions between various divisions within the office. Earlier in his career, Markus honed his prosecutorial skills as an Assistant District Attorney at the New York County District Attorney's Office, where he investigated and prosecuted complex felony white-collar crimes, identity theft, and fraud cases related to the aftermath of the September 11 attacks.

Markus brings a uniquely multifaceted perspective to his practice, informed by nearly two decades at Pfizer, where he held senior positions including Vice President and Assistant General Counsel. In this role, Markus managed nationwide government investigations and high-stakes litigation, skillfully navigating congressional inquiries and regulatory scrutiny. His global experience handling investigations across multiple countries—including Brazil, China, Egypt, Japan, and Nigeria—has given him a rare aptitude for handling nuanced, culturally complex disputes.

Central to Markus's approach is his commitment to amplifying the voices of communities historically underserved by legal systems. He actively seeks litigation opportunities that connect consumer rights with broader civil rights concerns, such as cases addressing discriminatory business practices that disproportionately affect communities of color. His advocacy emphasizes the crucial role State Attorneys General play as frontline consumer protectors, assisting their offices with strategic support and supplemental resources to effectively combat corporate misconduct.

Known for his empathetic advocacy, exceptional judgment, and ability to forge genuine connections, Markus is adept at building powerful coalitions among diverse stakeholders. His reputation for crisis management and innovative thinking has earned him recognition and accolades, including the National Black Prosecutors Association (NBPA) honoring him with the President's Award and naming their youth conference after him, Pfizer granting him its General Counsel Award, and the Appleseed Network giving him their Pillars of Justice Award.

Markus is deeply committed to public service and community engagement. He serves on numerous influential boards, including those of the Congressional Black Caucus Foundation, where he serves as Treasurer of its Executive Committee; Appleseed Network; and Grow, Unite, Build Africa (GUBA), where he advances educational opportunities and advocates for women's rights across the African diaspora. Markus also remains closely involved with his alma mater, John Jay College of Criminal Justice, guiding first-generation college students toward meaningful careers in public service.

Guided by an unwavering belief in the power of law as an instrument of justice and social equity, Markus continues to champion litigation that not only seeks remedies for past wrongs but also proactively shapes fairer, safer, and more just communities.



Greg G. Gutzler
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EDUCATION

University of Michigan, J.D.

University of California –
Berkeley, B.A.

Greg Gutzler is the lawyer you call in the most high-conflict cases. He is relentless and one of the few lawyers with a track record of recovering billions of dollars for his clients. Greg is a trusted resource for taking on Wall Street giants, holding global corporations accountable for their misconduct, and battling billion-dollar defendants on behalf of survivors of sexual abuse and workplace discrimination. Whether securing a record-breaking \$1 billion verdict or leading landmark human rights lawsuits, Greg brings an aggressive and strategic approach to every case. With experience on both sides of the courtroom, including leading his own boutique firm and serving as a partner at an Am Law 100 firm, he is the advocate for clients who, like him, refuse to back down.

Greg specializes in complex litigation, including complex commercial litigation, headline-making human rights and sexual abuse cases, securities actions, whistleblower cases, and claims involving discriminatory employment practices. Clients turn to him not just for his legal expertise but for his ability to manage high-intensity conflicts with confidence, precision, and compassion.

Greg is at the forefront of major human rights and sexual abuse cases. He was a critical part of the DiCello Levitt trial team that helped secure a \$20.75 million jury victory against global bank BNP Paribas for financing genocide in Sudan—a landmark case that set a powerful precedent for financial accountability in international human rights cases. In addition, Greg serves as lead counsel in a civil suit against former fashion mogul Peter Nygard, involving the world’s largest-ever sex trafficking case, which spans six countries and fifty years of abuse. He also represents survivors of sexual assault and sexual abuse in the case against World Wrestling Entertainment (WWE) and Vince and Linda McMahon, a prominent case against music and media giant Sean “Diddy” Combs, and the wide-ranging RICO and sex trafficking case against the NXIVM cult, among other high-profile sexual abuse cases.

Greg has led more than a dozen major actions against global investment banks, securing over \$4.5 billion for investors. He has taken on contentious commercial disputes, representing businesses, hedge funds, private equity firms, and individuals in contract, valuation, and ownership conflicts, including a patent infringement case against DuPont in which he secured a \$1 billion jury verdict using innovative damages theories that set new precedents.

Outside of his legal work, Greg lends his time and energy to causes that reflect his deep sense of justice and empathy. He volunteers with his rescue dog, Sugar, at a mental health and substance abuse treatment center, offering comfort and companionship to those in recovery. Additionally, he is actively involved with Justice for Our Daughters, a nonprofit dedicated to advocating for survivors of gender-based violence and ensuring their voices are heard.



Eli Hare
Partner

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EDUCATION

Tulane University School of Law, J.D.

University of Alabama, University
Honors College, B.A., *cum laude*

Eli Hare is a trial attorney focusing on mass torts, civil and human rights violation cases, personal injury, environmental contamination, and employment discrimination disputes. He represents people and public entities victimized by companies that cause harm by manufacturing and selling defective products, chemicals, and medical devices. People who have had their constitutional rights trampled on by governmental institutions and those who have suffered discrimination in the workplace because of their race, gender, or sexuality also rely on Eli to provide effective, hands-on legal counsel.

Deeply involved in every stage of litigation, Eli's experience includes briefing and arguing motions, leading complex discovery, overseeing expert work, and managing the review of millions of documents produced in discovery. Eli is involved in litigation in state and federal courts across the United States, as well as before administrative bodies and in alternative dispute resolution forums.

Eli was recently appointed to the Plaintiffs Executive Committee of the *In re Future Motions Inc. Products Liability Litigation* and the Leadership Development Committee of the *In re Hair Relaxer Marketing Sales Practices and Products Liability Litigation*.

Prior to joining DiCello Levitt, Eli worked with a prominent, national plaintiffs'-side law firm, where he represented people injured by wrongful conduct, environmental contamination, and civil rights abuses. He also worked at a large defense firm, where he represented businesses, municipalities, and nonprofit organizations through all stages of litigation. Prior to beginning his legal practice, Eli served as a judicial extern to a federal judge in the U.S. District Court for the Northern District of Alabama.



Justin J. Hawal

Partner

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EDUCATION

Cleveland Marshall College of Law,
J.D., *cum laude*

Saint Louis University, B.A., *cum
laude*

Justin Hawal’s work spans a broad range of practice areas, with special expertise in complex catastrophic injury, civil rights abuse, mass tort, and class action litigations.

Justin’s practice also encompasses police misconduct, human trafficking, and sex abuse. He currently represents dozens of women in the largest international sex trafficking lawsuit in U.S. history against Peter Nygard and his companies. Justin was integral to the consumer plaintiffs’ success in the Equifax data breach multidistrict litigation, the largest consumer data breach settlement in U.S. history.

Justin was recently one of only 40 attorneys nationwide to be named a 2021 *National Law Journal* “Elite Trial Lawyers: Rising Star.” Justin was also awarded *Public Justice’s* 2021 “Trial Lawyer of the Year” for his work on the trial team in *Black v. Hicks*, a groundbreaking civil rights case involving shocking police misconduct and resulting in a \$50 million jury award. During law school, Justin was selected as a member of the Cleveland State Law Review and published a scholarly article regarding independent tort actions for spoliation of evidence under Ohio law. He was also an active member of the civil litigation clinic, through which he represented an asylum-seeking immigrant from Honduras fleeing gang violence.



Steve Jodlowski

Partner

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EDUCATION

California Western School of Law,
J.D., *cum laude*

University of Central Oklahoma,
B.M.

For nearly 20 years, Steve Jodlowski has been actively involved in a variety of cases involving securities fraud, antitrust, competition, corporate takeover, consumer fraud, and commercial litigation. Representing investors, shareholders, and policyholders, he has recovered nearly \$2 billion for clients around the world.

Steve has represented institutional and individual shareholders in corporate takeover actions and breach of fiduciary litigation in state and federal court. He has handled pre- and post-merger litigation stemming from the acquisition of publicly listed companies in the biotechnology, oil and gas, information technology, specialty retail, electrical, banking, finance, and real estate industries, among others.

In recent years, he has specialized in representing investors in a series of antitrust actions involving the manipulation of benchmark rates, including the *ISDAfix Antitrust Litigation*, which resulted in the recovery of \$504.5 million on behalf of investors, and the *SSA Bonds Antitrust Litigation*, which resulted in the recovery of \$95.5 million on behalf of investors. He served as co-lead class counsel in *Thompson v. 1-800 Contacts, Inc.*, where he helped recover \$40 million in settlements from various contact lens retailers. Steve also served on the trial team in an antitrust monopolization case against a multinational computer and software company and represented more than 100 newspaper publishers in the *Google Digital Advertising Antitrust Litigation*.

Super Lawyers named Steve a “Rising Star” for five straight years. He was also named a finalist for Consumer Attorneys of California’s Attorney of the Year Award for his work in *Negrete v. Allianz Life Insurance Co. of North America* and more recently was recognized by the American Antitrust Institute’s Antitrust Enforcement Awards for the category of Outstanding Antitrust Litigation Achievement in Private Law Practice. Based in part on his work in the ISDAfix and SSA Bonds litigation, his antitrust group was named by *Law360* as Competition Practice Group of the Year for 2019 and recognized by *The National Law Journal* as a finalist in its list of 2020 Elite Trial Lawyers in the antitrust category.



Amy Keller

Partner

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EDUCATION

John Marshall Law School, J.D.
(n/k/a The University of Illinois at
Chicago School of Law)

University of Michigan, B.A.

Amy Keller has held leadership positions in a variety of complex litigations across the nation, where she successfully litigated high-profile and costly data security and consumer privacy cases. As the Managing Partner of the firm's Chicago office and the Privacy, Technology, and Cybersecurity practice chair, she is the youngest woman ever appointed to serve as co-lead class counsel in a nationwide class action. In the multidistrict litigation against Equifax related to its 2017 data breach, Amy represented nearly 150 million class members and helped to secure a \$1.5 billion settlement, working alongside federal and state regulators to impose important security practice changes to protect consumer data.

Amy has represented consumers against industry titans like Apple, Marriott, Electrolux, and BMW, securing victories against each. She has been appointed to leadership positions in more multidistrict litigations than any other woman in the past eight years, each case requiring sophistication in not only understanding complex legal theories, but also in presenting multifaceted strategies and damages modeling to ensure favorable results. For example, in leading a nationwide class action related to a data breach that exposed the confidential information of over 300 million individuals, Amy worked with her team to develop an argument recognized by the trial court that the loss of someone's personal information, alone, could trigger financial liability, and later secured a rare victory, certifying that case to proceed as a class action to trial. In another matter, Amy defended her team's victory all the way to the U.S. Supreme Court, ensuring that consumers would be able to band together as a class when a company defrauds them for small amounts individually that are worth millions of dollars in the aggregate.

Amy is rated by *Chambers & Partners* for her work in cybersecurity litigation and is an elected member of the American Law Institute. She serves on the Steering Committee of the Sedona Conference's Working Group 11, which focuses on advancing the law on issues surrounding technology, privacy, artificial intelligence, and data security, and she is also on drafting teams for both Model Data Breach Notification Principles and Statutory Remedies and the California Consumer Privacy Act. Her work in cybersecurity and privacy has been recognized many times over—in both 2021 and 2022, she was honored as one of Benchmark Litigation's Top 250 Women in Litigation; in 2020 and 2021, she was named by *The National Law Journal* as one of the Elite Women in the Plaintiffs' Bar; and the practice group which she chairs has won Practice Group of the Year in 2020, 2021, and 2022 by *Law360* and in 2020 by *The National Law Journal*. Amy is also recognized by Illinois Super Lawyers as a "Rising Star," and was named a "trailblazer" by *The National Law Journal*. In 2022, Amy was named to the "40 Under 40" list for *Crain's Chicago* for her leadership in litigation roles and promoting diversity and inclusivity in the bar.

Amy proudly holds leadership positions in both the American Association for Justice and the Public Justice Foundation, organizations which both focus on access to the courts for civil litigants.



Brian O'Mara
Partner

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EDUCATION

DePaul University College of Law,
J.D.

University of Kansas, B.G.S.

Brian O'Mara is the managing partner of DiCello Levitt's San Diego office and a partner in the Las Vegas office. His practice focuses on investigating and prosecuting complex securities, antitrust, and consumer protection litigation in state and federal courts across the United States. Brian also leads the firm's new shareholder matters group, which evaluates new cases, advises institutional clients in connection with lead plaintiff motions, and assists them in securing appointment as lead plaintiff.

Over the past 20 years, Brian has served as lead or co-lead counsel in numerous shareholder, consumer protection, and antitrust actions involving companies in the financial services, technology, pharmaceutical, entertainment and gaming, and telecommunications industries, which have yielded billions of dollars in recoveries. He has helped institutional investors protect their fund investments by securing leadership positions in dozens of securities and antitrust actions and has been responsible for a number of significant trial and appellate court rulings in the securities and antitrust space.

Prior to joining DiCello Levitt, Brian was a partner at a leading complex litigation law firm and served as chief underwriter officer for a global private equity and advisory firm specializing in litigation finance, judgment enforcement, asset recovery, and related strategies serving claimants, law firms and other professional service firms, and businesses across the globe. In this capacity, Brian was responsible for directing the firm's underwriting process for prospective investments and managing the firm's investment portfolio, which included litigation and arbitration disputes in jurisdictions around the world.

Brian has been twice recognized by the American Antitrust Institute's Antitrust Enforcement Awards for the category of Outstanding Antitrust Litigation Achievement in Private Law Practice for his work in the ISDAfix price-fixing litigation and the EpiPen class action alleging antitrust and RICO violations. He has also been named a Super Lawyer by *Super Lawyers Magazine* for the past six consecutive years and recognized as a Leading Plaintiff Financial Lawyer by *Lawdragon*.

Brian graduated from the University of Kansas with a degree in economics, and he received his law degree from DePaul University College of Law, where he was the recipient of a CALI Excellence for the Future Award in securities regulation. Following graduation, Brian began his legal career serving as the law clerk to the Honorable Jerome M. Polaha in the Second Judicial District Court for the State of Nevada.



Roxana Pierce

Partner

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EDUCATION

Thomas Jefferson School of Law, J.D.

Pepperdine University, B.A.

Sorbonne University, France, *with honors*

Roxana Pierce is the co-founder of the Securities Practice Group and an international attorney who brings a unique level of diversity and experience to her litigation practice, protecting investor rights and the rights of victims of consumer fraud, waste, and abuse.

Representing governmental and private pension funds, large institutional investors, attorneys general, international banks, asset managers, foreign governments, multi-national corporations, and sovereign wealth funds and individuals, Roxana has served clients from more than 20 states and 82 countries, with extensive experience in the Middle East, Europe, and Asia. Zealous and passionate, Roxana advocates for her clients through litigation, arbitration, mediation, and in negotiations.

Roxana represents clients in consumer protection, securities, products liability, contracts, and other claims in private, group, and class actions. Prior to joining DiCello Levitt, Roxana became a seasoned attorney through her experience working on cases against the world's largest pharmaceutical and automobile manufacturers as well as litigation concerning the 2008 global financial crisis. In addition, Roxana's background includes contract negotiations for hundreds of projects, including several valued at more than \$1 billion, with governmental and corporate leaders both foreign and domestic.

When recognizing DiCello Levitt as a Recommended Firm in the Securities Litigation: Plaintiff category, *The Legal 500* highlighted the Securities Practice Group for its "outstanding technical skills and the capacity to listen to clients and take their concerns on board." The publication also commended Roxana for her "outstanding skills in proactive communication." In addition, Roxana was named a Leading Plaintiff Financial Lawyer by *Lawdragon* in 2024.

Deeply committed to serving her community, Roxana serves as Director and Board member to The Invisible Hand Foundation, Inc., which provides funding to Washington, D.C. and Maryland-area residents facing hardships. For her work with that organization, Roxana was honored by the National Center for Children and Families with the Humanitarian Spirit Award for Advocacy.

Roxana studied French at the Sorbonne University in France before earning her bachelor's degree in international affairs and international relations from Pepperdine University. She is fluent in Farsi and proficient in French and Turkish. Roxana began her legal career as a paralegal with focus on corporate law, receiving her certificate from the University of San Diego. She earned her Juris Doctor from Thomas Jefferson School of Law, where she focused on international law.



Adam Prom
Partner

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EDUCATION

The University of Texas School of Law, J.D.

Marquette University, B.A., *magna cum laude*

Adam Prom has contributed significantly to and led a variety of complex litigations that have resulted in settlements worth hundreds of millions of dollars, including class actions and multi-district litigations. He has represented consumers, small and large businesses, whistleblowers, and public entities in all types of cases, including those involving consumer protection, privacy, product liability and automotive defects, environmental contamination, False Claims Act *qui tam*, and business disputes. Adam's broad knowledge base and experience sets him apart and allows him to successfully traverse any practice area at the firm, all the while focusing on redressing harm caused by others' unscrupulous business practices. Notably, Adam has represented consumers and businesses against industry titans like Google, Meta, CVS, Nissan, Navistar, and Peloton. He has been listed annually since 2019 as an Illinois Rising Star by *Super Lawyers*, and he is part of the firm's Privacy, Technology, and Cybersecurity Litigation Practice Group, which *Law360* recognized as "Group of the Year" for three consecutive years, from 2020 to 2022..

In addition to monetary recoveries for their clients, Adam also pursues important injunctive relief to correct business practices moving forward. In one case, in addition to a settlement fund of \$21 million, Adam served as part of a team that obtained an agreed injunction to ensure the humane treatment of animals. In other cases involving privacy and cybersecurity, Adam and his colleagues are at the forefront of not only pursuing and obtaining large settlements but also the deletion of ill-gotten personal data and prevention of other personal intrusions.

Beyond his class action work, Adam has substantial trial experience in state and federal court, and he has successfully led and won multiple arbitrations for individual consumers and businesses, including a multi-day arbitration against a multibillion-dollar group of trusts.

Adam has demonstrated a commitment to public service and is active in multiple legal advocacy organizations, including Public Justice, the American Association for Justice, and other state and federal bar associations. Adam also serves on the Chicago Bar Association's Judicial Evaluation Committee. He also volunteers his time to organizations that provide assistance to Africans denied due process, including prisoners and those suffering from modern day slavery, and he has been a mentor for high school students at the Legal Prep Charter Academy in Chicago.



Corban Rhodes

Partner

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EDUCATION

Fordham University School of Law,
J.D., *cum laude*

Boston College, B.A., *magna cum
laude*

Corban Rhodes is a seasoned litigator who has recovered more than a billion dollars for consumers and investors in some of the country's largest and most historic cybersecurity, data privacy, and securities fraud cases. Working at the intersection of law and technology, Corban focuses on cases that involve the intentional misuse or misappropriation of consumer data and data breaches.

As co-lead plaintiffs' counsel in the *Facebook Biometric Information Privacy Litigation* matter, Corban helped secure a landmark \$650 million settlement in one of the first cases asserting consumers' biometric privacy rights under Illinois law. He has litigated cases of negligence or malfeasance leading to data breaches, including a class action against Yahoo for one of the largest known data breaches in history that affected nearly 3 billion consumers. Continuing his groundbreaking work at this critical moment for privacy rights and the law, he currently represents consumers in pivotal web browser privacy cases, including in *Calhoun v. Google* and *Google RTB Consumer Privacy Litigation*.

Corban also prosecutes complex securities fraud cases on behalf of institutional investors, representing both large public pension funds and individual investors. He successfully resolved dozens of cases against some of the largest Wall Street banks in the wake of the mortgage-backed securities financial crisis. His work in securities fraud cases has held companies accountable to investors for fraud and market manipulation in the banking, pharmaceutical, and manufacturing sectors in some of the largest securities class actions of the last decade.

Corban has been recognized by *Law360* as a Rising Star and as one of five attorneys on its Top Attorneys Under 40 for Consumer Protection. He was also named by *Benchmark Litigation* as a Future Star and on its New York 40 Under 40 list and by *Super Lawyers* as a New York Rising Star, and he received a Thurgood Marshall Award for his pro bono representation of a death row inmate appealing from capital punishment. He is an active member of the Sedona Conference Working Group 11 on Data Security and Privacy Liability and sits on the *Law360* Cybersecurity & Privacy Editorial Board. He is a regular speaker and writer on issues related to protecting the rights of the individual against corporate malfeasance.



Doug Rothen

Partner

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EDUCATION

California Western School of Law,
J.D.

University of Michigan, B.A.

Douglas Rothen is a distinguished trial attorney recognized for his dynamic advocacy and unwavering commitment to clients nationwide. As a partner at DiCello Levitt, Doug's practice is focused on single-event catastrophic injuries and sexual abuse litigation.

Doug has secured numerous significant verdicts and settlements, achieving justice and substantial compensation for victims of traumatic brain injury, paralysis, amputation, catastrophic orthopedic loss, severe sensory impairments, and wrongful death. He has obtained multiple seven- and eight-figure awards, including a more than \$25 million settlement in product defect cases, a \$14.5 million personal injury settlement involving a cycling accident, and a \$9 million award for defective roadway design where pedestrians were struck by an errant vehicle. He was also part of the landmark \$114 million settlement against the prison in Dublin, California, in which each victim was awarded an average of \$1.2 million.

In his advocacy for survivors of sexual abuse, Doug has secured landmark settlements and verdicts in complex cases against powerful entities and individuals. Most recently, Doug was Liaison Counsel in a historic \$4 billion settlement for survivors of sexual abuse in Los Angeles County's juvenile detention and foster care systems—the largest payout of its kind in U.S. history. He represented over 2,000 individuals subjected to sexual abuse, assault, and harassment while incarcerated in California jails and prisons, addressing systemic abuses such as those at the Federal Correctional Institution in Dublin, within the Los Angeles County juvenile justice system, and at various women prisons in California, all known as sites of rampant misconduct.

A respected leader within the legal community, Doug has been an active member of the American Association for Justice, holding key leadership roles to influence legislation protecting vulnerable populations. Additionally, his service with the Consumer Attorneys of California (CAOC) and Consumer Attorneys Association of Los Angeles (CAALA) reflects his commitment to ensuring fair treatment for victims of corporate misconduct. He also has authored numerous articles in prominent legal journals and magazines on topics ranging from workers' compensation to rights of sexual abuse survivors to the use of experts in product liability cases.



Henry Rosen

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EDUCATION

University of Denver, J.D.

University of California, San Diego,
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Henry Rosen is a results-driven litigator with over three decades of experience recovering money on behalf of institutional and individual investors. A leading attorney in securities fraud class actions, he has obtained more than \$1 billion in monetary recovery for investors.

Henry has significant experience running all aspects of large, complex litigation. From ensuring his institutional and individual investor clients are prepared for depositions and court, to overseeing massive document reviews, to handling hundreds of depositions, to preparing pleadings and for oral argument before the court, Henry is a hands-on and meticulous attorney.

Some of Henry's notable representations in large complex securities fraud class actions include:

- *In re Cardinal Health, Inc. Securities Litigation*: This \$600 million settlement is the largest recovery ever in a securities fraud class action in the U.S. Court of Appeals for the Sixth Circuit.
- *Jones v. Pfizer Inc.*: A \$400 million settlement was reached on the eve of trial for investors in this misclassification of revenue case.
- *In re FirstEnergy*: Recovered \$89.5 million for investors in a securities fraud class action after this Ohio utility company artificially inflated its stock price through false statements and omissions.

Henry is the lead litigator responsible for the ongoing 2016 Brazilian arbitration against Petrobras before the Bovespa panel in São Paulo, Brazil, a case brought by 24 institutional investors, including the largest sovereign wealth funds globally and public pension funds across the United States.



Dan Schwartz
Partner

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EDUCATION

New York University School of Law, J.D., *magna cum laude*, Order of the Coif

Brandeis University, Ph.D.
Candidate, M.A.

Vassar College, B.A.

Dan Schwartz works for individuals, small businesses, and public clients in complex multidistrict, commercial, public client, and class action litigations and arbitrations. An experienced litigator with deep knowledge of a wide range of matters, Dan has successfully represented clients in high stakes disputes involving, among other things, affirmative and defensive antitrust claims, fraud, the False Claims Act, consumer privacy, FLSA class and collective actions, trade secret misappropriation, the Anti-Kickback Statute, defamation, securities fraud, toxic tort, bankruptcy, the Affordable Care Act, and patent matters.

Dan has also represented clients on appeal in a number of significant cases in state and federal courts, including arguing a First Amendment matter of first impression in the Seventh Circuit Court of Appeals. He previously worked for several major international law firms and clerked for the Honorable Carlos T. Bea of the U.S. Court of Appeals for the Ninth Circuit.

Dan graduated *magna cum laude* from New York University School of Law and was elected to the Order of the Coif. Prior to his legal career, Dan graduated Phi Beta Kappa from Vassar College and earned a Master of Arts from Brandeis University. He is a proficient Russian speaker.



Michael D. Shroge
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EDUCATION

Cleveland-Marshall College of
Law, J.D.

Cleveland State University, B.A.

Michael Shroge has dedicated his career to securing justice for individuals and families devastated by medical negligence and catastrophic injury. As a partner in DiCello Levitt's Cleveland office, Michael is a relentless advocate for victims of medical malpractice, poor nursing home care, high-stakes personal injury, and wrongful death claims. A top-tier trial lawyer with decades of experience navigating complex medical litigation, he has built a reputation for representing patients against powerful hospitals and clinics, physicians and health care workers, and other corporate health care entities that fail them.

A former elite figure skater, Michael represented the United States at the 1988 Junior World Championships and competed on the U.S. National Figure Skating Team for several years before turning his focus toward academics and the courtroom. After earning his law degree from Cleveland-Marshall College of Law, he began his legal career on the defense side, working at one of Ohio's largest medical malpractice defense firms and later serving as associate general counsel at the Cleveland Clinic.

Over the years, Michael has secured significant victories for victims of medical negligence, including in a nearly decade-long case that reached the Supreme Court of Ohio, where he fought to overturn a lower court ruling and allow his client's case to proceed. His cases have spanned birth injuries, wrongful deaths caused by medication errors, and emergency room failures that led to preventable tragedies. In one particularly striking case, Michael successfully represented a widow whose husband died of a heart attack after a hospital emergency department illegally refused to treat him, securing justice for the grieving family and exposing systemic failures in hospital emergency care.

Michael's relentless pursuit of justice extends beyond the courtroom. He has been a powerful advocate in the Ohio Legislature, lobbying for laws that protect the rights of injured patients and ensure fair compensation for victims of medical malpractice. His contributions to legal reform have earned him multiple Distinguished Service Awards from the Ohio Association for Justice.

Recognized as an Ohio Super Lawyer for over a decade, Michael is also a sought-after speaker on legal ethics, professionalism, and trial strategy. Outside of his practice, Michael remains active in his community, dedicating his time to local arts initiatives and youth sports programs.



Anna Claire Skinner
Partner

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EDUCATION

Vanderbilt University Law School,
J.D., Order of the Coif

Washington and Lee University,
B.A., *cum laude*

Anna Claire Skinner represents governmental entities, individual consumers, and corporate clients, with the primary purpose of the protection of human health and the environment. She has litigated cases in both administrative tribunals and state and federal court from inception through settlement and trial. She has experience with numerous environmental statutes and regulations, including the Clean Water Act; the Clean Air Act; the Comprehensive Environmental Response, Compensation, and Liability Act; the Emergency Planning and Community Right-to-Know Act; and the Resource Conservation and Recovery Act.

Anna Claire is part of the DiCello Levitt team working with several states in investigating and addressing poly- and perfluoroalkyl substance (PFAS) contamination. DiCello Levitt's PFAS team, along with other Special Assistant Attorneys General and the Illinois Attorney General, most recently filed a lawsuit against 3M for PFAS contamination from its facility in Cordova, Illinois. Cases involving these "forever chemicals" will have wide-reaching implications for state governments and their residents.

Anna Claire also represents public clients in litigation seeking to hold the world's largest fossil fuel companies accountable for decades of deception concerning climate change and the costs and other consequences that climate change is imposing on those governments. She works with communities that have been impacted by years of exposure to polluted air, water, and soil. Recently, Anna Claire and DiCello Levitt's environmental team joined with co-counsel in representing several residents and former residents of Union, Illinois in filing suit against companies responsible for polluting the groundwater with carcinogenic chlorinated solvents. Anna Claire is also part of the team leading a class action on behalf of the residents of Rockton, Illinois, and surrounding communities for property damages they sustained following a catastrophic fire at a local chemical factory.

In addition to her environmental work, Anna Claire helps clients develop and maintain safety and health programs that meet all of the Occupational Safety and Health Administration's (OSHA) regulatory requirements and ensure all employees enjoy safe and healthful workplaces. She regularly counsels clients when compliance and litigation questions arise under OSHA.

Outside of the office, Anna Claire continues her work on environmental-related issues by serving as co-chair of the Kentucky Bar Association's Environment, Energy, and Natural Resources section. She also focuses on giving back to her community through her participation on the executive committee of the Living Arts and Science Center Board of Directors.



Peter Soldato is a tireless advocate for clients in and out of the courtroom. He began his career in the public sector, litigating cases on behalf of the government and later representing individuals against the government. He leverages this experience to protect the interests of individuals, businesses, and public entities in a wide range of disputes.

As a graduate of the Trial Lawyers College and a contributing member of DiCello Levitt's Trial Center, Peter has had repeated success using focus group analysis to distill even the most complex of cases into stories that a judge and jury can understand and apply, which has resulted in positive outcomes for clients in a wide variety of disputes.

Peter Soldato

Partner

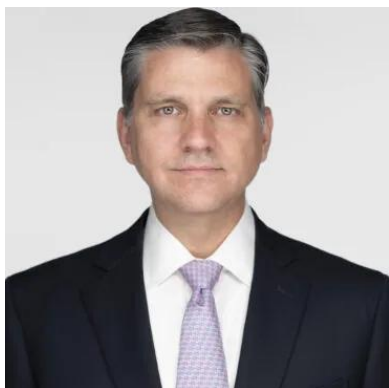
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EDUCATION

University of Chicago Law School,
J.D.

Butler University, B.A.



David A. Straite, CIPP/US
Partner

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EDUCATION

Villanova University School of Law,
J.D., *magna cum laude*, Managing
Editor, *Villanova Law Review*, and
Order of the Coif

Tulane University, Murphy
Institute of Political Economy, B.A.

David is one of the nation's leading voices for the recognition of property rights in personal data, a 10-year effort culminating in the Ninth Circuit's landmark April 2020 decision in *In re: Facebook Internet Tracking Litigation* and the Northern District of California's March 2021 decision in *Calhoun v. Google*, both of which he argued. David also successfully argued for the extraterritorial application of the Computer Fraud and Abuse Act in 2019 in *In re: Apple Device Performance Litigation*, and filed the first-ever data privacy class action under seal to address a dangerous website vulnerability under Court supervision in *Rodriguez v. Universal Prop. & Cas. Ins. Co.* As M.I.T. Technology Review magazine put it, David is "something of a pioneer" in the field. In September 2022, Law360 named him a Cybersecurity/Privacy "MVP." He also protects investors in securities, corporate governance, and hedge fund litigation in federal court and in the Delaware Court of Chancery, admitted to practice in both New York and Delaware.

David is a former adjunct professor at Yeshiva University's Sy Syms School of Business, teaching Business Law and Ethics every fall semester from 2015-2021. He has co-authored *Dobbs Ruling Means It's Time to Rethink Data Collection* in Law360 (2022), *Google and the Digital Privacy Perfect Storm* in E-Commerce Law Reports (UK) (2013), authored *Netherlands: Amsterdam Court of Appeal Approves Groundbreaking Global Settlements Under the Dutch Act on the Collective Settlement of Mass Claims*, in The International Lawyer's annual "International Legal Developments in Review" (2009), and was a contributing author for Maher M. Dabbah & K.P.E. Lasok, QC, *Merger Control Worldwide* (2005). He speaks frequently on topics related to both privacy and investor protection.

David co-chairs the firm's Diversity, Equity and Inclusion Committee, which seeks to promote diversity within the firm and the legal profession generally. In 2022, David was also appointed to the LGBTQ Rights Committee of the New York City Bar Association, whose mission is to address "legal and policy issues in legal institutions and in the court system that affect lesbian, gay, bisexual, transgender and queer individuals."

David also co-chairs the firm's Artificial Intelligence Working Group, tasked with vetting new AI products and related contracts; coordinating firm-wide training; drafting all relevant AI policies; and leading the AI ethics subcommittee. David has presented on numerous panels addressing the law of AI.

Prior to joining the firm, David was a partner with Kaplan Fox & Kilsheimer LLP, and helped launch the US offices of London-based Stewarts Law LLP before that, where he was the global head of investor protection litigation. Prior to joining the plaintiffs' bar, David was an associate with the New York office of Skadden Arps Slate Meagher & Flom LLP.



Carrie Syme

Partner

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EDUCATION

New York University School of Law,
J.D., *cum laude*

Yale University, B.A., *magna cum
laude*

Carrie Syme is a partner in DiCello Levitt's Antitrust and Competition Litigation Practice Group, bringing a formidable background in complex litigation, government enforcement, and trial advocacy. With over a decade of experience prosecuting high-stakes antitrust violations for the U.S. Department of Justice, Carrie is a tenacious advocate for those harmed by corporate misconduct and collusion.

Before joining DiCello Levitt, Carrie served for 13 years as a trial attorney in the DOJ's Antitrust Division, including more than two years as Assistant Chief of its New York office, where she led investigations and prosecutions involving price-fixing, bid-rigging, and market allocation conspiracies. She played a pivotal role in some of the division's largest and most complex cases, including on the winning trial team in *United States v. Apple Inc.* concerning the e-books market and a landmark series of criminal prosecutions of major banks and traders engaged in foreign currency exchange market manipulation.

Carrie also played a critical role in the DOJ's criminal enforcement efforts against anticompetitive employment practices, leading the investigation and prosecution against executives of major aerospace industry companies in one of the first criminal no-poach cases. Her extensive trial experience has sharpened her ability to navigate the most intricate antitrust disputes, making her a formidable litigator in the courtroom.

Prior to her government service, Carrie spent more than a decade at a prominent full-service law firm, where she handled commercial and intellectual property litigation for a diverse range of clients.



John E. Tangren

Partner

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EDUCATION

University of Chicago Law School,
J.D., *with honors*

University of Chicago, B.A., *with
honors*

As Chair of the Firm's Consumer Products Group, John Tangren has exclusively represented plaintiffs for the past decade in multistate automotive defect class actions. In addition to the hundreds of millions of dollars he's recovered for his clients, he also obtained nearly half a million dollars in sanctions for discovery misconduct in a class action involving unintended acceleration in Ford vehicles. Most recently, John was a member of a trial team and led plaintiffs' presentation on damages in a multi-state class action involving oil consumption of trucks and sports-utility vehicles, in which the jury awarded the class \$102.6 million. The verdict—a rarity in class action litigation—is one of the highest-ever achieved for an automotive defect class action, setting the bar for litigating similar cases across the country. In another case, involving ignition switch defects, John served as Settlement Allocation Counsel in a blockbuster \$121.1 million settlement against General Motors.

John's professional accomplishments are among the most impressive in the country. He has recovered hundreds of millions of dollars in product defect cases, including \$600 million for property damage caused by an herbicide, \$135 million for defective heavy truck engines, and \$45 million and \$40 million in cases involving defective SUV parts, all while setting himself apart as an expert legal writer and tactician.

John's expertise in legal writing is recognized in the community; John frequently presents to other lawyers on how to best communicate their message, present advocacy in compelling ways, and use tools and technology to streamline the process. He also presents on other topics—ranging from communications with absent class members at an annual antitrust conference, to issues related to Article III standing in the federal court system. Some of his other presentations have included a lecture to members of the Chicago Bar Association concerning the Class Action Fairness Act and its impact on litigation since its passage, the use of discovery tools and techniques for electronically-stored information, and how to avoid legal ethics violations and liability for malpractice by following established protocols and procedures.

John has been recognized as an Illinois Super Lawyer, in the National Trial Lawyers "Top 40 Under 40," and as an Emerging Lawyer by the Law Bulletin Publishing Company.



GERALYN TRUJILLO
Partner

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EDUCATION

University of Texas at Austin School of Law, J.D.

Georgetown University, B.S.

GERALYN TRUJILLO is a partner in DiCello Levitt’s New York office and a member of the Antitrust and Competition Litigation Practice Group. With extensive experience litigating antitrust matters on behalf of government entities and as defense counsel, GERALYN brings a unique strategic perspective to her cases.

Before joining DiCello Levitt, GERALYN spent fifteen years in government service enforcing the antitrust laws at both the state and federal level. During her tenure at the Federal Trade Commission’s Bureau of Competition, she served as lead attorney in significant matters resulting in commission victories and led investigations across a variety of industries, including healthcare, digital platforms, medical devices, consumer goods, and industrial products. At the Office of the New York State Attorney General, GERALYN investigated anticompetitive conduct and litigated cases involving pricing fixing and anticompetitive mergers and acquisitions.

Prior to her work in government, GERALYN spent ten years at an esteemed multinational law firm, representing public and private companies in antitrust matters, including mergers and acquisitions, civil antitrust litigation, and government investigations.

GERALYN is an active member of the Executive Committee and Diversity Committee of the New York State Bar Association’s Antitrust Law Section and is a member of the American Bar Association’s Antitrust Section.



J. Gordon Bergstresser
Senior Counsel

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EDUCATION

New England School of Law, J.D.

Lycoming College, B.A.

Gordon Bergstresser’s passion for ESI flows from his recognition that every case litigated by the firm, from the largest data breach class action to an individual tort victim, is brought because someone was harmed by another’s wrongful conduct. Gordon’s experience includes in-depth collection and review of ESI in a number of industries, including data privacy, internet tracking, mobile devices, cryptocurrency, securities exchange platforms, automotive, pharmaceutical, security contractors, and food labeling. This wide range of hands-on experience gives him a wealth of knowledge to draw upon when new cases with pressing ESI issues come through the door.

Gordon’s approach builds advantages into the ESI workflow at the outset of a case. When the time comes for the litigation team to marshal the ESI needed to achieve the best outcome for a client, Gordon has already created the infrastructure so that important evidence can be quickly located and presented.

Gordon’s background includes working in review rooms to produce ESI for civil defendants, giving him unique insight in his current work receiving document productions on behalf of plaintiffs. Crafting search terms and leveraging predictive coding is central to Gordon’s strategy for finding the smallest of needles in the largest of haystacks. He has experience in all of the major review platforms, including Relativity and Everlaw, ensuring that every case, whether ESI is managed directly by DiCello Levitt or with partner firms, can be brought to successful resolution for our clients.



Anne Box
Senior Counsel

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EDUCATION

University of Tulsa, College of Law,
J.D.

University of Tulsa, B.S.

Anne Box is a strategic and results-driven trial lawyer with a deep background in securities, antitrust, and other complex litigation. She serves as senior counsel in DiCello Levitt's Securities and Financial Products Practice Group in San Diego, where she represents institutional investors and banks in cases against major financial institutions and corporations that engage in fraud and deceptive practices.

Before joining DiCello Levitt, Anne Box built an extensive litigation career spanning civil and criminal cases. As a partner at a prominent complex securities litigation firm, she represented institutional investors in high-stakes securities fraud class actions, supervising litigation teams from complaint through trial preparation and settlement negotiations. She played a key role in securing significant recoveries, including a \$7.2 billion settlement in the landmark *In re Enron Corporation Securities Litigation* and a groundbreaking case against major credit rating agencies for their role in the subprime mortgage crisis. Later, as counsel at another distinguished firm, Anne continued advocating for investors and businesses harmed by financial misconduct, litigating cases involving mortgage-backed securities fraud, breach of fiduciary duty, and antitrust violations in the pharmaceutical sector.

Anne founded and operated her own law firm, where she advised corporate executives on compensation and employment matters and consulted on complex litigation. Her diverse experience also includes serving as a chief felony prosecutor in Texas, where she tried over 100 jury trials to verdict, and litigating energy disputes on behalf of major oil companies early in her career. She also served as an articles editor for the *Energy Law Journal* while in law school.

Outside of her legal practice, Anne is committed to community service. She is the president of the Friends of the Mission Hills-Hillcrest/Knox Library, supervising 60-plus volunteers and providing support to the San Diego Public Library branch by organizing programs, operating a bookstore, and hosting fundraising events. She also volunteers with KSDS Jazz 88.3 FM, supporting the station's fundraising efforts and community outreach programs.



Elton H. Darby III
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EDUCATION

University of Alabama School of
Law, J.D

University of Mississippi, B.A.,
magna cum laude

Elton Darby is a senior counsel at DiCello Levitt’s Birmingham, Alabama, office. He believes authenticity, empathy, and understanding are critical to building trust and effectively advocating for his clients. With focus on mass tort, personal injury, and civil and human rights litigation, Elton puts his passion and experience to work for individuals who have suffered injury and injustice at the hands of others.

Prior to joining DiCello Levitt, Elton represented individuals, small companies, small financial institutions, and large corporations in business-related disputes, including general liability, workers’ compensation, premises liability, and bankruptcy. He chose his current direction in representing individual clients because he wants to make a difference in the lives of the most vulnerable, rather than defending those with the most power.

Elton received his Juris Doctor from the University of Alabama School of Law. During law school, he worked in the Civil Law Clinic, helping students and local residents in West Alabama address legal issues that local law firms would not pursue. He also served as senior editor of the *Civil Rights and Civil Liberties Law Review*.



Kathleen Herkenhoff
Senior Counsel

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EDUCATION

Pepperdine University School of Law, J.D.

University of California, Berkeley,
B.A.

Kathleen Herkenhoff is a veteran complex litigation attorney with more than 30 years of experience representing government entities, institutional investors, pension funds, and individuals in securities, consumer, antitrust, and shareholder derivative litigation, as well as representing both individuals and classes in employment and data privacy matters. She has appeared in courts nationwide, at both the state and federal level, and has frequently litigated before the Judicial Panel on Multidistrict Litigation and the Ninth Circuit Court of Appeals. As senior counsel in DiCello Levitt’s San Diego office, she brings a proven record of success of more than \$1.5 billion recovered for clients and advancing corporate governance reforms.

Kathleen has secured leadership appointments in a number of high-stakes securities and consumer class actions, achieving appellate victories and delivering meaningful results for investors and consumers harmed by corporate misconduct. Known for her meticulous preparation, strategic insight, and keen ability to frame complex cases, she ensures that cases advance efficiently from complaint through discovery, briefing, and resolution.

Among her recent achievements, Kathleen co-chaired the Law and Briefing Committee in *In re Apple Device Performance Litigation*, successfully defending the \$310 million settlement on appeal, and represented the CalSTRS public pension fund in *In re Facebook Derivative Litigation*, in which she successfully defeated defendants’ attempt to obtain dismissal of the case on demand futility grounds. She also played a central role in securing her former firm’s leadership position in *In re FTX Cryptocurrency Litigation* with a focus on the claims against the auditors that historically provided services to the various FTX entities.

At the outset of her legal career, Kathleen served as a staff attorney at the U.S. Securities and Exchange Commission, where she prosecuted securities fraud and insider trading cases, securing a \$22 million judgment in a complex offering fraud. She then joined a large class action litigation firm, where she served as a partner and helped to obtain recoveries exceeding \$1 billion in litigation involving HealthSouth (\$671 million), AOL Time Warner (\$618 million), Mattel (\$122 million), Honeywell International (\$100 million) and many other corporate entities, including large value recoveries and enhanced corporate governance improvements in shareholder derivative actions.

In 2010, Kathleen spearheaded the launch of a boutique firm’s California office, managing its securities class and shareholder derivative actions through early 2017. In that role, she secured leadership positions and obtained multimillion-dollar settlements in cases such as *In re Diamond Foods Inc. Shareholder Derivative Litigation* and drafted innovative Foreign Corrupt Practices Act-related reforms in *In re SciClone Pharmaceuticals Inc. Shareholder Derivative Litigation*, which a judge described as “the most detailed and extensive corporate governance changes” she had seen in a derivative settlement.

Kathleen’s background also includes serving as a partner at a law firm focused on employment litigation—including individual, class, and PAGA actions—while continuing her securities and consumer work. Prior to joining DiCello Levitt, Kathleen worked on behalf of a local government, allowing for additional insight into the effective defense of public entities. Her passion, however, has always been in practicing in the field of securities class and shareholder derivative actions. One of her fondest memories in litigation to date was successfully arguing before the Ninth Circuit Court of Appeals to defeat a writ by a competing movant to the appointment of her former firm’s client as Lead Plaintiff in a securities class action.



Alexius Miller
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EDUCATION

University of California, Hastings
College of the Law, J.D. (n/k/a
University of California College of
the Law, San Francisco)

Indiana University, B.A.

Alexius Miller is a seasoned litigator with more than two decades of experience adeptly navigating complex litigation. Known for her analytical insight, strategic diligence, and meticulous attention to detail, Alexius consistently crafts compelling arguments and innovative approaches that secure meaningful outcomes for her clients. As senior counsel at DiCello Levitt, she represents plaintiffs in complex mass torts and civil rights litigation. Her legal background, spanning private practice and government roles, uniquely equips her to anticipate opposing counsels' tactics and vigorously advocate for clients facing systemic injustices and corporate misconduct.

Alexius has a proven track record advocating for plaintiffs in high-stakes civil rights, consumer protection, whistleblower, and class action cases. Previously, she served as a Deputy Attorney General at the California Office of the Attorney General, where she spearheaded sophisticated investigations and litigation involving whistleblower allegations related to financial wrongdoing and corporate governance. Alexius also served as in-house counsel at the Judicial Council of California, handling sensitive litigation and providing strategic guidance in cases involving judicial entities, and as a staff attorney for the Ninth Circuit Court of Appeals.

Among her notable successes, Alexius has secured impactful, high-dollar settlements, including a \$1.1 billion resolution in litigation addressing disability access violations by California's transportation department and a \$95.5 million settlement in litigation involving fraudulent recruitment practices by Education Management Corporation to obtain federal funding. She has also achieved significant victories on complex summary judgment and other dispositive motions in cases involving civil rights violations and consumer protection claims.

Outside of our legal practice, Alexius has served as a law lecturer at the University of California Hastings College of the Law (now the University of California College of Law) and Temple University in Tokyo, Japan, where she developed curricula and taught courses in legal research and writing, moot court, and appellate advocacy. Her passion for teaching consistently earned her recognition as Best Moot Court Professor at UC Hastings.



Caroline Robert
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EDUCATION

University of San Diego School of Law, J.D.

University of San Diego, B.A., *magna cum laude*

Caroline Robert is a senior counsel in DiCello Levitt’s Securities and Financial Services Litigation practice based in San Diego. Her practice is focused on representing institutional investors in complex securities litigation matters. With a history of high-stakes victories against Wall Street banks and large corporations, she has an impressive track record of success for clients impacted by financial misdeeds or securities regulations violations.

In the wake of 2008’s worldwide financial crisis, Caroline played an integral role in litigation that secured settlements on behalf of institutional investors against Wall Street banks for their part in structuring residential mortgage-backed securities (RMBS) that subsequently collapsed. These matters included the high-profile action brought by China Development Industrial Bank (CDIB) against Morgan Stanley to recover losses CDIB suffered as a result of its investment in the STACK 2006-1 collateralized debt obligation tied to RMBS. Caroline’s experience also includes representation of international institutional investors impacted by Volkswagen and Daimler’s defeat device emissions scandal in representative actions in Germany under the Capital Market Investors’ Model Proceeding Act (KapMuG).

Prior to joining DiCello Levitt, Caroline represented clients in complex securities litigation matters and also gained experience in real estate litigation and transactions for financial institutions and other related clients.

Committed to pro bono work, Caroline has provided legal counsel through the Immigration Legal Clinic at the University of San Diego School of Law and received honor’s recognition for her service. She has also provided pro bono service through the San Diego Legal Aid Society, which garnered her the State Bar of California’s prestigious Wiley W. Manuel Award.

Born and raised in France, Caroline is multilingual; she is fluent in French, English, and Spanish. She holds a bachelor’s degree from the University of San Diego, where she double-majored in international relations and Spanish language and literature. Caroline earned her Juris Doctor at the University of San Diego School of Law and is admitted to practice law in California, New York, and the District of Columbia.



Jarett Sena
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EDUCATION

Fordham University School of Law,
J.D., cum laude

University of Wisconsin-Madison,
B.A., Phi Beta Kappa

Jarett Sena is a senior counsel in DiCello Levitt's New York office whose practice focuses on counseling institutional investor clients around the world and litigating securities-related matters and complex commercial disputes on their behalf. He has litigated all aspects of securities opt-out and business valuation matters in courts around the country. Specifically, Jarett has successfully prosecuted securities opt-out litigation, class actions, appraisal proceedings, breach of fiduciary duty cases, and other complex commercial disputes on behalf of investors.

Prior to joining DiCello Levitt, Jarett was the Director of Litigation Analysis at ISS Securities Class Action Services, where he provided unbiased guidance and analysis to pension fund, asset manager, sovereign wealth, private wealth, and hedge fund clients on securities-related matters in the U.S. and abroad. In his role, Jarett also developed an opt-out monitoring service to help clients make informed decisions about whether to pursue direct action. Prior to ISS, Jarett worked for several prominent, New York-based plaintiffs' firms, where he represented institutional investors in securities fraud matters, business valuation disputes, fiduciary duty claims, and other complex commercial disputes and class actions from inception through trial.

An experienced litigator, Jarett has been an integral trial team member in high-profile bench trials in the Delaware Court of Chancery. He was also a leading member of a team named Kids in Need of Defense's 2021 Newark Pro Bono Team of the Year for its work achieving asylum for a father forcibly separated from his son.



James Ulwick
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EDUCATION

Loyola University Chicago, J.D., *cum laude*

Kenyon College, B.A.

James Ulwick is a senior counsel in DiCello Levitt's Chicago office with experience litigating complex commercial cases and actions involving serious injuries. He represents individuals, businesses, and public entities in a wide range of disputes, protecting their interests in state and federal courts across the country.

Prior to joining the firm, James was an insurance defense attorney, representing individuals, corporations, and local municipalities through all stages of litigation.

He has successfully argued for the dismissal of several suits, including their subsequent appeals in multiple state courts of appeal, and has successfully obtained favorable resolutions for his clients through dispositive motions, mediation, and settlement. While this experience was valuable, James joined the firm because he wanted to pivot his focus from defending insurance companies to protecting consumers and those injured by corporate malfeasance.

Outside of the office, James has focused on assisting in the development of the next generation of trial and appellate litigators by coaching the Loyola University Chicago National Health Law Moot Court Team.



Robert J. DiCello
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EDUCATION

Cleveland-Marshall College of Law,
J.D.

John Carroll University, B.A., *magna
cum laude*

A co-founder of one of DiCello Levitt's predecessor firms, Robert DiCello has amassed more than 45 years of professional experience and an extensive list of seven- and eight-figure recoveries for victims of injustice. He has deep experience in a wide range of class actions, personal injury cases, complex mass torts, and probate matters. Over his long and successful career, he has won multiple appeals before the Ohio Supreme Court.

Robert put himself through Cleveland-Marshall College of Law while working as a safety director at U.S. Steel Corporation. While in law school, he was selected to join the *Cleveland-Marshall Law Review*. He began his legal career as an assistant prosecutor in the Lake County Prosecutor's Office and later become President of the Lake County Bar Association. He formed his own firm in 1978, managing it with great success over nearly 40 years until its members founded DiCello Levitt.



Tricia McCormick
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EDUCATION

University of San Diego School of
Law, J.D., *cum laude*

University of Michigan, B.A.

Tricia McCormick represents institutional investors and individuals in securities class action cases. As a member of a team that maintains contact with clients who wish to become actively involved in securities fraud litigation, Tricia is active in all phases of the firm's lead plaintiff motion practice.

Tricia has litigated numerous cases against public companies in state and federal courts that have recovered hundreds of millions of dollars for investors. She has been instrumental in securing appointment of clients as lead plaintiff in dozens of cases across the United States that have resulted in significant recoveries for the classes.

Before joining DiCello Levitt, Tricia worked for 25 years at a prominent complex litigation firm where she focused on securities litigation, litigated derivative actions, and helped establish the firm's lead plaintiff group.



Ryder Thomas Of Counsel

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EDUCATION

University of the Pacific,
McGeorge School of Law, J.D.

Cornell University, M.B.A.

University of Georgia, B.A.

Ryder Thomas counsels hedge funds, pension funds, sovereign wealth funds, family offices, and large multi-class asset managers on matters related to corporate fraud, investor rights, and securities-related litigation in the U.S. securities markets and abroad.

Ryder began his career as a lawyer in the San Diego and San Francisco offices of a national law firm, where he focused on securities, mergers and acquisitions (M&A), antitrust, and consumer class action litigation. He subsequently joined a highly esteemed San Francisco complex litigation boutique, where he litigated complex financial cases on behalf of private and public companies, bankruptcy trustees, and creditors' committees as both plaintiffs' and defense counsel.

In addition to his deep legal experience, Ryder has a diverse financial background. As an investment banker in the San Francisco office of GCA Savvian (since acquired by Houlihan Lokey), he specialized in M&A and private capital transactions on behalf of high-growth technology companies. Later, as a founding member of the hedge fund coverage group at Houlihan Lokey, he worked with multi-strategy hedge funds on idea generation as well as M&A, public and private financings, complex valuations, and financial restructuring engagements across industry verticals.



Stephanie Schroder Of Counsel

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EDUCATION

University of Kentucky, College of
Law, J.D.

University of Kentucky, B.A.

Stephanie Schroder is the Co-Head of the U.S. Securities Practice Group at DiCello Levitt. Based in the firm's San Diego office, Stephanie has more than twenty-four years of experience representing institutional investors, including public and multi-employer pension funds, in complex securities litigation and providing counsel on corporate fraud matters. She is deeply committed to advancing accountability and transparency in the United States and global financial markets.

Stephanie has represented institutional investors in securities fraud litigation that has resulted in billions of dollars in collective recoveries. Before joining DiCello Levitt, Stephanie was part of a team that obtained a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, a case that *Vanity Fair* reported as "the corporate scandal of its era" that had raised "fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations." This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest securities class action settlement ever. Additional prominent cases include: *In re AT&T Corp. Sec. Litig.* (\$100 million recovery at trial); *In re FirstEnergy Corp. Sec. Litig.* (\$89.5 million recovery); *Rasner v. Sturm (FirstWorld Communications)*; and *In re Advanced Lighting Sec. Litig.* Stephanie also specializes in derivative litigation for breaches of fiduciary duties by corporate officers and directors. Significant litigation includes *In re OM Grp. S'holder Litig.* and *In re Chiquita S'holder Litig.* Stephanie previously represented clients that suffered losses from the historic Madoff fraud in the *Austin Capital* and *Meridian Capital* litigations, which were also successfully resolved. In addition, Stephanie is a frequent lecturer on securities fraud, shareholder litigation, and options for institutional investors seeking to recover losses caused by securities and accounting fraud.

Stephanie is a member of the Bar in California and Kentucky. She earned her Bachelor of Arts degree from the University of Kentucky and her Juris Doctor degree from the University of Kentucky, College of Law. In 2006, she helped campaign for her father, the late Justice Wil Schroder, who was elected to the Kentucky Supreme Court and served from 2007, until his retirement in January 2013.



Timothy R. O'Reilly Of Counsel

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EDUCATION

University of Nevada, Las Vegas,
William S. Boyd School of Law, J.D.

University of Nevada, Las Vegas,
B.S.

Timothy R. O'Reilly is an accomplished attorney who oversees DiCello Levitt's Las Vegas office. Tim combines extensive litigation experience with a focus on complex business disputes and catastrophic personal injury matters. He has also advised clients on a broad range of transactional matters, including business and real estate transactions, gaming law, and regulatory compliance.

Tim's advocacy is defined by his commitment to achieving exceptional results, whether through strategic pretrial motions or compelling representation in bench and jury trials. His broad experience and client-centered approach make him a trusted partner in navigating high-stakes legal challenges.

Tim has also offered legal counsel in select criminal matters and administrative proceedings across Nevada, including representing professional athletes in various capacities. Committed to advancing the legal profession, Tim has served as a mentor in the State Bar of Nevada's Transitioning Into Practice (TIP) program, where he provides invaluable guidance and support to newly admitted attorneys, sharing the insights and experience that have defined his distinguished career.

Before joining DiCello Levitt and the O'Reilly Law Group, where he serves as president, Tim worked at the Clark County District Attorney's Criminal Appeals Division, where he drafted appellate briefs for cases before the Clark County District Court, Nevada Supreme Court, and United States Supreme Court. He also served at the Nevada Attorney General's Office in the Department of Transportation, contributing to the Litigation Division's work on eminent domain and condemnation cases.

While in law school, Tim completed judicial externships with Chief Justice William A. Maupin of the Nevada Supreme Court and Chief Judge Lee Gates of the Clark County District Court. Additionally, he clerked in the DUI Division of the Clark County District Attorney's Office, where he assisted with case preparation and grand jury hearings.

Born and raised in Las Vegas, Tim has established himself as a leader in the local culture and a dedicated member of the community. His journey embodies the spirit of a true Las Vegas local. While serving as the starting placekicker for the University of Nevada, Las Vegas, Tim earned multiple academic honors, including recognition as a UNLV Football Scholar Athlete, while pursuing his ultimate goal of attending law school at UNLV.

Today, Tim continues to grow in his professional career and business ventures while remaining deeply rooted in the Las Vegas community. His commitment to giving back to the city he will always call home has only strengthened over time.

Together with his wife, Tamara, Tim is raising their four children in Las Vegas, ensuring his legacy of connection and service continues. He is also a founding board member of Lexicon Bank, where he remains an active member of the Board of Directors. Established in 2019, Lexicon Bank serves as a community-focused financial partner for professionals, small businesses, and nonprofits across Southern Nevada.



Justin S. Abbarno
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EDUCATION

The Ohio State University Moritz
College of Law, J.D.

The University of Dayton, B.A.,
summa cum laude

Justin Abbarno is an aggressive, creative, results-oriented trial lawyer whose practice focuses primarily on medical malpractice, nursing home neglect, catastrophic injury, sexual assault, product liability, and mass torts. He is steadfast in his devotion to seeking justice and works to hold individuals and businesses accountable for the harms that his clients have suffered.

Justin has litigated multiple jury and bench trials to verdict, as well as multiple arbitrations to final decision. An advocate for advancing the craft of trial practice, he is a contributing member of the DiCello Levitt Trial Center, where he helps attorneys fine-tune their cases through focus groups and mock trials.

During law school, Justin was a key member of The Ohio State University's award-winning Moritz College of Law's Mock Trial Team. He also received the Michael F. Colley Award, as a top mock trial performer in the 2020 graduating class and was named Best Attorney during the 2019 Ohio Attorney General's Mock Trial Competition. Before law school, Justin graduated from the University of Dayton, *summa cum laude*, where he was elected to serve the undergraduate student body as a representative for the UD Student Government Association and was appointed to serve as the Speaker of the Student Body Senate. During his undergraduate studies, Justin worked on a successful Senate campaign and was an intern in the United States House of Representatives. Justin was also a member of UD's NCAA Division 1 FCS Football program and was named to the Pioneer Football League's All-Academic Team.



Kelsey Anderson

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EDUCATION

University of California College of the Law, San Francisco, J.D.

Université Paris-Panthéon-Assas, LL.M.

Columbia University, School of International and Public Affairs, Master of European Law

University of Southern California, B.A.

Kelsey Anderson is an associate in DiCello Levitt's San Diego office. As part of the Securities and Financial Products Litigation Practice Group, she uses her experiences to understand the needs of domestic and international clients and help them protect their investments and maximize their recoveries in fraud-related disputes. Representing individual shareholders and business entities in private, group, and class actions, Kelsey is dedicated to recouping her clients' wrongfully lost assets.

Prior to joining DiCello Levitt as an associate, Kelsey worked as law clerk for the firm, compiling legal research and managing the evidence database for international securities litigation. While at the University of California College of Law, San Francisco, Kelsey participated in the Haiti Justice Partnership, where she interviewed asylum seekers at the U.S.-Mexico border and contributed to a report submitted to the Inter-American Commission on Human Rights. She worked in-house through the Corporate Counsel Externship Program at Recology, a recycling and sustainable waste management company, and served as senior articles editor for the *UC Law Journal*. Kelsey's legal career has included a judicial externship for the Honorable Justice Joshua P. Groban at the Supreme Court of California and a legal clerkship focusing on land use and housing legislation.

Kelsey completed her law degree at the University of California College of the Law, San Francisco, and a Master of Law at Université Paris-Panthéon-Assas. Prior to law school, she earned a Master of International Affairs from Columbia University, School of International and Public Affairs, and a Bachelor of Arts in communication from the University of Southern California. She has worked in the human rights nonprofit sector, in digital media, and in foreign language education. Kelsey has lived in the United States, Japan, the United Kingdom, France, and Colombia.



Emma Bruder

Associate

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EDUCATION

Benjamin N. Cardozo School of
Law, J.D.

University of Michigan, Ann Arbor,
B.A.

Emma Bruder is an associate in DiCello Levitt's New York Office whose practice focuses on data privacy and cybersecurity, representing plaintiffs affected by wrongful use or exposure of their private information.

Prior to joining DiCello Levitt, Emma practiced at an esteemed New York-based plaintiffs' firm, where she worked on plaintiff class actions in cybersecurity and data privacy, employment and labor, and civil rights law. While at Yeshiva University's Benjamin N. Cardozo School of Law, Emma served as notes editor for the *Cardozo Journal of Equal Rights and Social Justice*. She also interned at the Legal Aid Society's Domestic Violence Unit, the Manhattan District Attorney's Office, the Bronx Defenders' Family Defense Practice, and the Queens District Attorney's Office's Domestic Violence Bureau.

Emma received her Bachelor of Arts from the University of Michigan, where she majored in sociology, concentrating in law, justice, and social change, and minored in creative writing and philosophy. At Michigan, Emma was also selected to perform in the wind ensemble as a flutist, and she volunteered at the Sexual Assault Prevention and Awareness Center.



Elizabeth Carpenter
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EDUCATION

Loyola University Chicago School of Law, J.D.

DePaul University, B.A.

Elizabeth Carpenter is an associate in DiCello Levitt's Chicago office, where her practice is focused on protecting human health and the environment. Combining her commitment to environmental law with her knowledge of public policy, Elizabeth provides clients with a deeper understanding of the evolving environmental issues that shape their cases.

Prior to joining DiCello Levitt, Elizabeth was the sole judicial law clerk for the Acting Presiding Judge of Law Division of the Circuit Court of Cook County, where she assisted on more than 200 written opinions, and served as the Motion Section Pool Clerk Coordinator. While studying at Loyola University Chicago School of Law, Elizabeth worked as a research assistant to professors James Thuo Gathii and Steven Ramirez and as the head law clerk for a nationally recognized, Chicago-based plaintiffs' law firm.

Elizabeth is a member of the discovery committee in *In re Bio-Lab Class Actions*, a case in which DiCello Levitt was appointed Co-Lead Counsel on behalf of more than 90,000 residents and business owners in Conyers, Georgia, and the surrounding area who have been affected by a catastrophic chemical fire.

Elizabeth is dedicated to serving in volunteer positions which advance the rule of law and democracy. Elizabeth is the co-chair of the Chicago Bar Association's Environmental Law Committee, where she coordinates and teaches CLE for Chicago attorneys seeking greater expertise on emerging environmental law issues. Elizabeth also serves on the Chicago Bar Association's Board of Managers. On the state level Elizabeth serves on the League of Women Voters of Illinois Board of Directors and in the General Assembly of the Illinois State Bar Association. Elizabeth's pursuit of environmental advocacy and justice also led her to serve on the League of Women Voters Lake Michigan Region Board of Directors as a representative of the State of Illinois.



Noah Cozad
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EDUCATION

University of Minnesota Law
School, J.D.

University of Minnesota, B.A.

Noah Cozad is an associate in DiCello Levitt's New York office litigating antitrust class actions against some of the world's largest and most powerful companies across diverse industries, including technology, agriculture, and entertainment. Noah works hard to ensure consumers and businesses can recover from the harms caused by unlawful price-fixing and monopolistic conduct.

Noah has contributed to a number of cases, including multiple class actions brought against meat packing companies for alleged price fixing; a class action brought by pharmacies alleging inflated fees and conspiracy to restrain trade; and a class action against manufactured home community owners for alleged conspiracy to fix home lot rental prices.

In law school, Noah acted as a community mediator in disputes, such as parenting and neighbor conflicts. After law school, he worked as a judicial clerk for a trial court judge in Minneapolis. In this position, Noah observed and was actively involved in a large variety of cases, from inception to trial. Noah has also represented clients pro bono, including one case against the federal government regarding an incarcerated individual denied necessary healthcare.



James Crisafulli

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EDUCATION

The George Washington University
Law School, J.D.

Northwestern University, B.A.

James Crisafulli specializes in environmental litigation and has assisted lawyers in litigating some of the largest and most groundbreaking environmental cases in the country. James constantly searches for innovative ways to push the law forward to serve his clients, and his focus on efficacy and efficiency helps clients consistently achieve meaningful results.

While in law school, James worked with a variety of firms and organizations bringing important environmental lawsuits against polluters across the United States. As a law clerk at a leading, California-based environmental litigation firm, he helped sue the largest fossil fuel companies in the world for their roles in implementing a campaign of deception concerning the impacts of fossil fuels on the climate, work that he continues with DiCello Levitt. Relatedly, James fought for the rights of youth to a healthy environment and safe climate as a law clerk at the nonprofit, public interest law firm Our Children’s Trust. James also served as a law clerk in the U.S. Department of State’s Office of the Legal Adviser, where he researched international environmental law issues and helped prepare for treaty negotiations, among other duties, and he was a legal intern at a New York-based social justice law firm, where he drafted complaints seeking redress for greenwashing and harmful agricultural practices. In these roles, James gained valuable experience not only in environmental litigation matters but also in consumer protection and public client representation.

James graduated from the George Washington University Law School at the top of his class. During his time there, he was published in two flagship law journals for his environmental law scholarship and was recognized for his contributions to the field. James also advanced to the international finals in a global environmental law moot court competition hosted by Stetson Law School and was individually recognized for his oral advocacy. James graduated in three years from Northwestern University with a degree in political science, after which he completed the Coro Fellowship in Public Affairs in Los Angeles, where he is from.



Eaghan Davis
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EDUCATION

Northeastern University School of Law, J.D.

University of Michigan, B.A.

Eaghan Davis is a passionate advocate for justice, leveraging his legal insights to champion the rights of clients and balance the scales between powerful corporations and the public. In a world where money and influence often dictate outcomes, he is committed to empowering people to hold companies accountable for greed and negligence.

Before joining DiCello Levitt, Eaghan served as a law clerk to Michigan Supreme Court Justice Richard H. Bernstein, where he was exposed to some of the state's most pressing issues, including the Flint water contamination cases, where the court held that citizens of Flint had the right to sue the State of Michigan for their exposure to lead, PFAS, Legionella, and other harmful materials in state-supplied drinking water. As an Assistant Attorney General in the Office of the Illinois Attorney General, Criminal Division, Eaghan represented the public's interests in a variety of matters in Illinois state and federal courts, including arguing before the Illinois Supreme Court in *People v. Gorss*, 2022 IL 126464 (2022). After leaving public service, Eaghan joined a Chicago class action boutique, where he represented patients in antitrust lawsuits against pharmaceutical companies for their delay of generic medications that significantly lower prescription costs.

While attending the Northeastern University School of Law, Eaghan interned for Michigan Supreme Court Chief Justice Bridget Mary McCormack, U.S. District Court for the Eastern District of Michigan Judge Victoria A. Roberts, and two Boston plaintiffs' law firms. Recognizing the significant role mentors played in his legal education, Eaghan now serves as a moot court judge and coach at Michigan State University College of Law.



Éviealle Dawkins
Associate

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EDUCATION

Howard University School of Law,
J.D.

University of Maryland, College
Park, B.A.

Éviealle Dawkins has developed deep personal perspectives on justice and responsibility that are foundational to her legal practice. As a DiCello Levitt associate, Éviealle applies her insight to litigation work on behalf of plaintiffs injured by civil or human rights abuses, environmental hazards, and other acts of corporate malfeasance. Prior to joining DiCello Levitt, Éviealle honed her litigation research skills on claims ranging from consumer protection and toxic tort to data and privacy.

While attending Howard University School of Law, Éviealle held an externship with the ADR Consortium Clinic at the Equal Employment Opportunity Commission, where she participated in mediations to resolve employment discrimination claims and assisted parties through the mediation and settlement process. She also served as a summer law clerk for the Maryland Office of the Attorney General's Thurgood Marshall Clerkship Program in the Civil Rights and Legislative Affairs Divisions. As a student attorney in her law school's Fair Housing Clinic, she represented low-income families in the District of Columbia Landlord Tenant Court. A merit scholarship recipient, Éviealle was also a member of the Charles Hamilton Houston National Moot Court Team and served on the Executive Boards of the Student Bar Association and her professional membership organizations.

Between earning her bachelor's degree in English language and literature at the University of Maryland and enrolling in law school, Éviealle worked on electoral and issue-based campaigns as the Operations Director for a Washington D.C.-based political consulting firm. Éviealle served as a White House intern in Spring 2013. She also served as a Congressional Intern for U.S. Congressman Edolphus "Ed" Towns while completing her undergraduate studies.



Joseph Frate
Associate

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EDUCATION

Case Western Reserve University
School of Law, J.D.

Ohio University, B.A., *cum laude*

Joe Frate’s compassion, diligence, and effective communication result in successful case outcomes for his clients.

As an associate in DiCello Levitt’s Cleveland office, Joe has made important contributions to victories in numerous personal injury, product liability, and civil and human rights cases, including the landmark \$20.75 million jury verdict in the precedent-setting case against global bank BNP Paribas for financing genocide in Sudan. He helped secure a \$102.6 million jury verdict against General Motors in a rare class action trial—and a subsequent \$175 million settlement—for thousands of vehicle owners affected by defective GM engines.

Joe received his Juris Doctor from Case Western Reserve University School of Law (Case Western). During his time at Case Western, he was a member of the Milton Kramer Health and Human Trafficking Law Clinic, where he represented and assisted disenfranchised citizens in receiving Social Security benefits and criminal record expungements. Joe was also named to the Dean’s list during his time at Case Western.

Prior to law school, Joe graduated from Ohio University, *cum laude*, where he was elected to serve as Commissioner for off-campus students for the University’s Student Senate.



Hannah Grace
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EDUCATION

New York University School of Law,
J.D.

Stanford University, B.A.

Hannah Grace leverages class actions to advance justice for her clients. An associate in the firm's New York office, she litigates on behalf of people wronged by corporate malfeasance, focusing her practice on data privacy and commercial litigation.

Before beginning her career in plaintiff-side work, Hannah clerked for the Honorable Joseph N. Laplante at the U.S. District Court for the District of New Hampshire. Hannah was previously a litigation associate at a large U.S. law firm, where her pro bono legal experience included representing a tenant in a landlord/tenant dispute, a parent in family court proceedings, and victims of racial discrimination.

Hannah graduated from New York University School of Law, where she externed at the New York State Office for the Attorney General, participated in the Racial Justice Clinic, and served as development editor at the *Annual Survey of American Law*. Prior to law school, Hannah graduated from Stanford University with a bachelor's degree in English and completed an AmeriCorps service term at a childhood literacy nonprofit organization.



Madeline R. Harding
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EDUCATION

Georgetown University Law Center,
J.D.

Quinnipiac University, B.A.

Madeline Harding is an associate in DiCello Levitt’s New York office, where her practice focuses on civil and human rights litigation, personal injury, and whistleblower matters. Drawing on more than six years of experience as a prosecutor, Madeline brings seasoned trial advocacy and a trauma-informed approach to representing individuals who have suffered harm, discrimination, and injustice.

Recently, Madeline played an important role on the trial team in *Kashef, et al. v. BNP Paribas, et al.*—a landmark human rights case in which a federal jury awarded more than \$20 million to survivors of the genocide in Sudan, holding the global bank accountable for financing crimes against humanity.

Before joining DiCello Levitt, Madeline served as a senior felony assistant district attorney in the Domestic Violence Bureau of the Kings County District Attorney’s Office in Brooklyn, New York. There, she led the prosecution of complex felony cases involving sexual assault, domestic violence, and homicide. She successfully tried and secured convictions in numerous high-stakes trials, including those involving charges of rape in the first degree and murder in the second degree. At any given time, she managed a demanding docket of 25–30 active felony cases, from investigation and indictment through trial.

Madeline earned her law degree from Georgetown University Law Center and holds a bachelor’s degree in legal studies from Quinnipiac University. During law school, she served as a judicial intern at the U.S. District Court for the Southern District of New York.



Madeline Hills
Associate

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EDUCATION

University of Wisconsin Law
School, J.D., *magna cum laude*,
Order of the Coif

University of Missouri, B.A., *summa
cum laude*

Madeline Hills is an associate in DiCello Levitt’s class action group, where her practice is focused on breach of contract, products liability, and data security. Madeline is devoted to confronting systemic injustices, empowering individuals, and achieving impactful legal outcomes through collective action.

Madeline previously served as an Assistant Attorney General in the Civil Litigation Section of the Missouri Attorney General’s Office. There, she defended state entities and officials in a broad range of matters, including general torts, civil rights, administrative procedure, and class actions. Notably, Madeline defended the state labor agency’s administration of Missouri’s fund for tort victims through a bench trial to favorable verdict; she served as third chair in a jury trial defending state officials against intentional tort claims; and she secured a victory on behalf of two state court judges before the U.S. Court of Appeals for the Eighth Circuit in a case alleging civil rights violations.

While in law school, Madeline worked as a student law clerk to the Honorable Judge Duane Benton of the U.S. Court of Appeals for the Eighth Circuit and the Honorable Justice Ann Walsh Bradley of the Wisconsin Supreme Court. She also served as vice president of communications for First Generation Lawyers and as a student researcher for the State Democracy Research Initiative.



Nicholas Horattas
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EDUCATION

Case Western Reserve School of
Law, J.D.

University of Akron, B.A.

Nicholas “Niko” Horattas represents individuals as part of DiCello Levitt’s Personal Injury, Mass Tort, and Class Action Litigation practice groups. He advocates for clients who have suffered injuries or harm caused by the wrongful conduct of others, including negligent individuals and corporations as well as unfair and deceptive business practices. He believes strongly in holding businesses accountable and is committed to helping his clients recover damages for injuries suffered at the hands of large corporations that have prioritized profits over their customers’ and surrounding communities’ well-being. Whether he is representing a single client or hundreds of clients in a mass or class action, Niko ensures that each client feels personally represented.

After earning a bachelor’s degree in Corporate Finance and Business Administration at the University of Akron, Niko received his law degree from Case Western Reserve University School of Law where he was recognized as a Law and Leadership Scholar. During law school, he held a judicial clerkship and later served as a certified legal intern at the Milton A. Kramer Law Clinic at Case Western Reserve. Prior to becoming an Associate at DiCello Levitt, Niko worked at the firm as a law clerk. He also previously served as a legal clerk for a medical malpractice law firm where he worked on cases involving the professional negligence of healthcare providers.



Mitch Laing
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EDUCATION

The Ohio State University Moritz
College of Law, J.D.

Samford University, B.A.

Mitch Laing developed a solid experiential foundation as an assistant prosecutor and committed trial lawyer that he now brings to DiCello Levitt. As an associate at the firm, his focus is on personal injury, including product liability, medical malpractice, and mass disaster claims across the United States.

Mitch joined DiCello Levitt to help people who have been devastated by wrongful conduct and who need top-flight representation to put their lives back together. Mitch fights daily on behalf of those in need.

Prior to joining DiCello Levitt, Mitch served as an assistant prosecuting attorney for Union County, Ohio, and as a law clerk for the Columbus, Ohio, city attorney prosecutor's division. He holds a Bachelor of Arts in political science and economics from Samford University in Birmingham, Alabama, and earned his law degree from The Ohio State University's Moritz College of Law.



Stacey MacKinnon

Associate

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EDUCATION

University of Florida Levin College
of Law, J.D.

Florida State University, B.A.

Stacey MacKinnon is an associate in DiCello Levitt's New York office and a member of the firm's electronically stored information (ESI) team. Stacey works with clients and partners to ensure that the firm responds appropriately and accurately to e-discovery requests, attending to any client concerns in that process. She analyzes and summarizes documents produced by defense counsel, gathering the best evidentiary support for her clients and using that evidence to prepare her fellow counsel for crucial depositions and interrogatory responses. Be it healthcare fraud, intellectual property rights, or environmental justice, Stacey's keen eye for detail has uncovered case-deciding evidence that malevolent actors would have preferred to remain hidden.

A champion of data privacy, Stacey leverages her wealth of experience handling the most sensitive information to develop workflows and best practices that safeguard privileged or otherwise protected information. She has applied this knowledge in her roles leading several multilingual e-discovery teams to ensure adherence to U.S. and international data privacy laws, including the European Union's General Data Protection Regulation (GDPR).

Prior to joining DiCello Levitt, Stacey spent fifteen years honing her ESI skills. Working for a Fortune 500 company, she helped discover a scheme to defraud the federal government and the Environmental Protection Agency. She investigated failure-to-warn claims against pharmaceutical manufacturers as well as misappropriation of intellectual property in the software industry, protecting the rights of inventors and innovators. During an assignment with a team of specialists in Switzerland, she uncovered a well-disguised, multimillion-dollar shell company scheme that would have threatened the client bank's very existence.

Stacey is a member of Phi Beta Kappa. She earned her Juris Doctor from the University of Florida and studied French at L'Institut Catholique de Paris. She is also proficient in German.



Jordyn Parks

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EDUCATION

Case Western Reserve University
School of Law, J.D.

University of Cincinnati, B.S., *summa
cum laude*

Jordyn Parks represents individuals and classes who have suffered injury and injustice due to police misconduct, corporate malfeasance, discrimination, and other wrongdoing. With a focus on civil and human rights, labor and employment, and class action litigation, Jordyn works to rectify racial, gender, and economic disparities and promote systemic change to advance the cause of equality.

While attending Case Western Reserve University School of Law, she honed her litigation skills through the Kramer Law Clinic's human trafficking and re-entry divisions, helping survivors of human trafficking seek justice against their abusers and assisting formerly incarcerated individuals with criminal record expungements. She was also a member of the Black Law Student Association's Executive Board during law school, where she crafted demands toward faculty and staff and advocated for changes to improve the experience of students of color at the law school. Prior to joining DiCello Levitt, Jordyn interned with the Cleveland Municipal Court and the Cuyahoga County Juvenile Court and served as an intern and a law clerk at several Cleveland-area law firms, including a civil rights and criminal defense firm, where she gained valuable experience in litigation involving wrongful imprisonment and other civil rights abuses.

In her capacity as an attorney and in her personal life, Jordyn strives to inspire and create a better world for future generations.



Grantham Patterson
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EDUCATION

Cumberland School of Law, J.D.

Troy University, B.S.

Grantham Patterson’s practice focuses primarily on civil rights, mass tort litigation, and complex personal injuries. He advocates for those with diverse backgrounds and identities in cases involving widespread corporate injustices—from the sale of dangerously defective products to discriminatory employment practices—as well as government actors and institutions that target individuals based on their race, nationality, sexual orientation, gender identity, or religion.

Believing that every person deserves equal access to the rights, benefits, and privileges afforded to them under the law, Grant practices law to seek justice for all—especially in communities that the legal justice system has historically left behind.

Prior to beginning his legal practice, Grant clerked at DiCello Levitt while in law school and served as executive editor for the *American Journal of Trial Advocacy*, Vol. 46. He also worked as a judicial intern for a federal judge in the U.S. District Court for the Northern District of Alabama, clerked at a prominent immigration firm, and served as a legislative intern in the Alabama House of Representatives.



Ruben Peña is an associate in DiCello Levitt’s San Diego office. His practice focuses on complex securities fraud class actions in state and federal courts across the United States.

Ruben graduated from the Santa Clara University School of Law. During law school, he worked as a law clerk for the U.S. Attorney’s Office for the Northern District of California, and served on the Board of Editors for the *Santa Clara Law Review*. Prior to joining DiCello Levitt, he worked as an associate in the class action practice group of a national firm.

Ruben Peña

Associate

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EDUCATION

Santa Clara University School of Law, J.D.

Virginia Wesleyan University, B.A.

Ruben received a Bachelor of Arts from Virginia Wesleyan University, where he studied criminal justice and psychology. At Virginia Wesleyan, Ruben was a member of the men’s lacrosse team.



Joseph "J.J." Nelson
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EDUCATION

Cleveland State University College of Law, J.D., *cum laude*

Cleveland State University Monte Ahuja College of Business, M.B.A.

University of Mount Union

Joseph "J.J." Nelson is an associate in DiCello Levitt's Chicago office, where his practice focuses on complex litigation, including class actions and commercial disputes.

Before joining DiCello Levitt, J.J. clerked for judges at various levels of the judiciary, including the United States Court of Appeals for the Seventh Circuit and the Supreme Court of Ohio. In these positions, he conducted extensive research, drafted opinions and orders, and advised judges on a broad range of issues.

J.J. earned his law degree and graduated *cum laude* from Cleveland State University College of Law, where he served as editor-in-chief of the *Global Business Law Review*, regional moot court director for the Black Law Students Association, and research assistant for Professor Heidi Gorovitz Robertson. J.J. earned his bachelor's degree from the University of Mount Union, where he participated in the school's track and field team.



Theo Salem-Mackall
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EDUCATION

Georgetown University Law Center,
J.D., *cum laude*

Colgate University, B.A., *magna cum laude*

Theo Salem-Mackall is an associate at DiCello Levitt. His practice focuses on litigating high-level antitrust and competition matters across a wide range of industries.

Prior to joining DiCello Levitt, Theo clerked for Magistrate Judge Valerie Figueredo in the Southern District of New York. Theo also practiced at a major international law firm, working across their enforcement, litigation, and antitrust practice groups.

During his time at Georgetown University Law Center, Theo worked as a managing editor on the *Annual Survey of White Collar Crime* and on the Executive Board of the *American Criminal Law Review*. He interned in the Enforcement Division of the Securities and Exchange Commission and worked with Professor Maria Glover to help her generate a groundbreaking paper on mass arbitration. He also directly represented low-income tenants facing eviction proceedings in D.C. Superior Court and held a fellowship with the Washington Legal Clinic for the Homeless. Prior to law school, Theo spent over two years working as a paralegal at the Defense, Industrials, and Aerospace Section of the Antitrust Division of the Department of Justice.



Elijah Savage
Associate

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EDUCATION

Lewis & Clark Law School, J.D.

University of California, Santa
Barbara, B.A., with honors

Elijah Savage is an associate attorney in DiCello Levitt’s Chicago office whose practice focuses on class action, employee benefit, and public client litigation. A steadfast advocate for the public interest, Elijah strives to uphold the highest standards of justice and transparency, working to achieve impactful and fair outcomes for those he represents.

Elijah earned his law degree from Lewis & Clark Law School, where he was an associate editor of *Environmental Law*, was selected as one of two 2023 Wyss Scholars, and served as a judicial extern to a federal judge in the U.S. District Court for the District of Oregon. He also worked as a law clerk for Professor Robert Klonoff, where he gained practical experience in aggregate and complex litigation.



Maggie Sposato
Associate

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EDUCATION
City University of New York School
of Law, J.D.

University of Vermont, B.S.

Maggie's career focuses on serving the public interest. As an associate in DiCello Levitt's New York office and a member of the firm's electronically stored information (ESI) team, she contributes to a variety of cases across different practice areas, including whistleblower; mass tort; civil and human rights; and privacy, technology, and cybersecurity litigation. Maggie leverages her experience in database management, target searching, and training predictive coding models to creatively and proactively problem-solve for her clients.

Before joining DiCello Levitt, Maggie spent 10 years as a solo practitioner, providing services to nonprofit organizations in all stages of development. She handled a variety of issues including incorporation, tax exemption, compliance, organizational structure, contracts, governance issues, and trademark registration. Additionally, she served as a court-appointed receiver in a commercial litigation involving a shareholder dispute.

Prior to going into solo practice, Maggie worked as an associate and of counsel for several small law firms, handling nonprofit and small business transactional matters, affordable housing issues including HDFC structure and conversion, real estate transactions, and civil litigation including landlord-tenant proceedings.

Maggie continues to support nonprofit organizations through pro bono consultations on incorporation and tax exemption. She serves on the boards of Innate Health Research, a consulting group dedicated to changing the way people think about mental health; Williamsburg Music Center, a jazz performance space founded to foster the appreciation of American classical music and jazz and to honor the African music diaspora; and Allocate NYC, which Maggie founded herself to assist individuals experiencing housing instability.

While earning her law degree at the City University of New York School of Law, Maggie was a staff member of the *New York City Law Review*, editing the public interest practice and articles sections. She also served in the Community Economic Development Clinic, where she worked directly with nonprofit organizations. She interned at an organization serving individuals with HIV, assisting attorneys on issues facing the community, including landlord-tenant proceedings, bankruptcy, discrimination under the Americans With Disabilities Act, and fair hearings for denial of public benefits.

At the University of Vermont, Maggie was a member of the school's Division I swim team, serving as captain her senior year. She received the Joseph Fisher Award and was a four-time America East qualifier and an Eastern College Athletic Conference qualifier.

**Michael P. Trexler**

Associate

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EDUCATIONUniversity of Akron School of Law,
J.D.University of Akron, B.A., *cum laude*

Michael Trexler is an associate in DiCello Levitt's Cleveland office, where his practice is focused on employment, personal injury, product liability, and mass tort litigation. Michael works to empower clients to seek compensation for their injuries and losses through individual and mass claims. He fights for employees' rights and to ensure workplace injustices are addressed. With dedication and compassion, Michael strives to make a meaningful difference in the lives of the people he represents.

After earning his bachelor's degree in criminology and criminal justice from the University of Akron, Michael received his law degree from the University of Akron School of Law, where he was recognized as an honor scholar. During law school, he held a judicial internship with the Honorable John Adams in the U.S. District Court for the Northern District of Ohio and worked as a law clerk at DiCello Levitt.



Rebecca Trickey

Associate

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EDUCATION

Case Western Reserve University,
B.A., *cum laude*

Northwestern University Pritzker
School of Law, J.D., *cum laude*

Rebecca Trickey is an associate in DiCello Levitt's Chicago office. She represents individuals and classes who have been wronged by corporate deception and unfair business practices. A fierce advocate for the right to privacy in the digital age, Rebecca focuses her practice on data privacy and cybersecurity matters, ensuring that bad actors are held accountable for misusing or negligently handling their customers' data.

Prior to joining DiCello Levitt, Rebecca litigated complex bankruptcy matters at a distinguished international firm, representing clients across a wide variety of industries. At her previous firm, she also maintained a robust pro bono practice, advocating on behalf of asylum seekers and working towards expanding tenants' rights in the Chicago area.

While attending the Northwestern Pritzker School of Law, Rebecca was an associate editor of the *Journal of Law and Social Policy*, president of Collaboration for Justice, and a board member of Invisible Identities, an advocacy organization for lawyers with disabilities. In addition to graduating from Northwestern with honors and dean's list recognition, Rebecca received recognition as a Public Service Star for her community service commitments. Rebecca regularly volunteers with Chicago-area organizations dedicated to helping young people understand their constitutional rights and increasing youth engagement with public policy.



Julia Veeseer

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EDUCATION

Chicago-Kent College of Law,
J.D., *cum laude*

University of Michigan, B.A.

A lifelong advocate for others, Julia Veeseer understands the importance of putting clients' needs at the forefront of legal problem solving. With a focus in data privacy and commercial litigation, Julia strives to promote honest business practices and enhance corporate transparency through strategic advocacy and efficient communication.

While in law school, Julia was a notes and comments editor for the *Chicago-Kent Law Review* and served as an executive board member for Chicago-Kent's Moot Court Honor Society. As a CALI Award recipient in privacy law and a Dean's List honoree, Julia's devotion to legal excellence brought her to DiCello Levitt, where she worked as a law clerk before beginning as an associate attorney.

Julia also graduated from the University of Michigan with a double major in political science and Spanish. On top of balancing a rigorous academic schedule, Julia participated in varsity athletics, where she achieved two national cheerleading championships and was a four-time U-M Athletic Academic Achievement Award recipient.



Mary “MK” Verhiley
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EDUCATION

Cleveland State University, B.S.,
cum laude

Cleveland State University College
of Law, J.D.

Mary Kate “MK” Verhiley is an associate in DiCello Levitt’s Cleveland office. Her practice focuses on advocating for people who have been harmed by others—whether they are victims of discrimination, those seeking compensation for personal injuries, or consumers affected by dangerous or defective products.

After receiving her bachelor’s degree in health sciences with a certificate in bioethics, MK earned her law degree from Cleveland State University College of Law, where she developed a passion for protecting individuals’ rights and ensuring all voices are heard. While in law school, she deepened her focus on personal injury and health care through a certification in health law and an externship with the Centers for Disease Control and Prevention, which sharpened her strategic approach to advocating change. MK began her journey at DiCello Levitt as a law clerk, an experience that highlighted the importance of empowering others through legal education and community involvement.



Mollie Weiss

Associate

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EDUCATION

Georgetown University Law Center,
J.D., *magna cum laude*, Order of the
Coif

Carleton College, B.A.

Mollie Weiss is an associate in DiCello Levitt’s New York office, where her practice focuses on complex litigation, including commercial disputes, class actions, and cases on behalf of sexual assault survivors.

Before joining DiCello Levitt, Mollie clerked for the Honorable Barry Ted Moskowitz of the United States District Court for the Southern District of California. She also volunteered at the New York Legal Assistance Group’s Federal Pro Se Clinic and practiced at a prestigious, New York-based law firm, where she primarily worked on patent, antitrust, and complex commercial litigation, as well as on a pro bono immigration matter.

Mollie earned her law degree from the Georgetown University Law Center, graduating *magna cum laude* and selected for inclusion in the Order of the Coif. While in law school, she was a student attorney at Georgetown’s Juvenile Justice Clinic, representing young people charged with delinquency, and interned in both the special litigation and trial divisions of the Public Defender Service of the District of Columbia. Mollie also served as managing editor of the *Georgetown Law Journal’s Annual Review of Criminal Procedure*.



Jay R. Wexler
Associate

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EDUCATION

Cornell Law School, J.D.

Cornell University, B.S.

Jay Wexler is an associate in DiCello Levitt's Antitrust and Competition Practice Group in New York. He represents individuals and businesses harmed by anticompetitive practices, using private litigation to hold powerful actors accountable.

Jay brings passion, creativity, and nearly a decade of experience investigating and litigating complex commercial and class action matters in venues across the country. Clients turn to Jay for his deep understanding of federal and state antitrust violations such as monopolization, monopoly leveraging, price fixing, wage fixing, no-poach agreements, illegal information exchanges, group boycotts, exclusive dealing, unfair competition, and tying. Jay litigates against companies and trade associations across a variety of industries, including consumer products, emerging technologies, securities, telecommunications, and sports.

Before joining DiCello Levitt, Jay clerked for the Honorable Anne M. Nardacci, U.S. District Judge for the Northern District of New York. Jay previously served as a trial attorney for a federal agency, where he prosecuted individuals and businesses for violating laws, regulations, or the terms of government agreements. He also worked as a litigation associate in the top-tier antitrust group of an international law firm, representing both plaintiffs and defendants—particularly in sports and technology cases involving employment or intellectual property issues. With the benefit of these experiences, Jay is well-acquainted with all aspects of federal litigation, from investigation through class certification, dispositive briefing, fact and expert discovery, evidentiary disputes, and ultimately trial and appeal.

Jay earned his law degree from Cornell Law School, where he was an articles editor for the *Journal of Law and Public Policy* and an administrative law research assistant. During law school, Jay also worked at a nonpartisan think tank where he researched and litigated civil rights and elections matters. Jay earned his bachelor's degree in industrial and labor relations from Cornell University, with minors in American law and society, German, and inequality studies.

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re: Shimano Crankset Litigation

Case No.: 8:23-cv-02038-JVS(JDEx)

**DECLARATION OF ERIC S.
DWOSKIN**

1 Pursuant to 28 U.S.C. § 1746, I, Eric S. Dwoskin, declare under penalty of
2 perjury as follows:

3 1. I am an attorney and partner with Dwoskin Wasdin LLP. I have been
4 admitted *pro hac vice* in this matter. The facts set forth herein are of my own personal
5 knowledge.

6 2. My firm's resume is attached as Exhibit A.

7 3. My firm presently represents Plaintiffs Adelman, Delgado, Erazo,
8 Gonyer, Lewis, Litam, Scorsolini, Semizarov, and Tirado in this matter. My firm also
9 previously represented Plaintiffs Bongiovanni and Sielski in this matter.

10 4. My firm has spent significant time working with Class Counsel in the
11 investigation and prosecution of this matter. We worked with Class Counsel to provide
12 information to substantiate their claims and in response to Defendants' discovery
13 requests, and communicated with Class Counsel regularly throughout all stages of the
14 investigation, litigation, and settlement of the case.

15 5. I have reviewed all of my firm's time entries related to the prosecution of
16 this matter. The time and descriptions displayed in these records were regularly and
17 contemporaneously recorded by the listed timekeepers and have been maintained in the
18 ordinary course of business. I reviewed these records and believe that they fairly reflect
19 the amount of time spent by each of the timekeepers that worked on this case. In fact,
20 it is my belief that each of us spent more time on the case than is reflected in the time
21 sheets because we often collectively strategized about the case, in person or on calls,
22 without subsequently memorializing that time in our timekeeping system.

23 6. In reviewing my firm's time records, we used reasonable billing judgment
24 to ensure that duplicative or unnecessary time has been excluded and that only time
25 reasonably devoted to the litigation has been included.

26 7. After reducing our hours in the exercise of billing judgment as described
27 above, attorneys at my firm worked a combined total of 356.9 hours litigating this case,
28 representing a total lodestar of \$339,055. My firm dedicated this time without any

1 assurance of success in this matter and thus without any assurance of compensation. A
 2 break-down of the fees incurred by my firm follows. Copies of detailed timesheets and
 3 expenses will be made available for *in camera* review if requested by the Court.

4 8. The following chart lists each of my firm’s timekeepers who billed to this
 5 matter, disaggregated by number of hours billed, billing rate, and total fees

6 NAME	7 POSITION	8 RATE	9 HOURS	10 LODESTAR
Eric Dwoskin	Co-Managing Partner	\$950.00	209.9	\$199,405.00
Nicholas Wasdin	Co-Managing Partner	\$950.00	147	\$139,650.00
TOTAL:			356.9	\$339,055.00

11
 12 9. The hours spent working on this case break down by attorney and category
 13 as follows:

14 WORK DESCRIPTION	15 HOURS	16 LODESTAR
Client and class member communications	53.2	\$50,450
Investigation and factual research	16.8	\$15,960
Pleadings, briefs and legal research	161	\$152,950
Discovery and document review	81	\$76,950
Experts and consultants	0.1	\$95
Case management and litigation strategy	39.3	\$37,335
Settlement	5.5	\$5,225
TOTAL	356.9	\$339,055.00

24
 25 10. In performing our work on this matter, we endeavored to avoid duplication
 26 of effort, as we divided up the work as noted into discrete tasks. I believe this division
 27 of effort contributed to efficiently prosecuting the case.

28 11. The hourly rates for the attorneys in my firm, as listed herein, are in line

1 with rates for attorneys of comparable skill, experience, and qualifications that have
2 been approved by federal courts within the Ninth Circuit.

3 12. Based on my knowledge and experience, the hourly rates requested herein
4 are within the range of market rates charged by attorneys of equivalent experience,
5 skill, and expertise. In determining my firm's hourly rates from year to year, we have
6 consciously taken market rates into account and have aligned our requested rates in
7 contingent class action matters with the market.

8 13. Through my practice, we have become familiar with the market rates
9 charged by attorneys in California, Florida, and Illinois and the United States generally.
10 This familiarity has been obtained in several ways: (1) by discussing fees with other
11 attorneys; and (2) by reviewing attorneys' fee applications and awards in other cases,
12 as well as surveys and articles on attorneys' fees in legal newspapers and treatises. The
13 information we have gathered shows that our requested rates are in line with the market
14 rates charged by attorneys of reasonably comparable experience, skill, and reputation
15 for reasonably comparable class action work. In fact, comparable hourly rates have
16 been found reasonable by various Ninth Circuit district courts for reasonably
17 comparable services, including:

18 a. *Harbour v. Cal. Health & Wellness Plan*, No. 5:21-cv-03322-EJD, 2024
19 WL 171192, at *8 (N.D. Cal. Jan. 16, 2024): consumer class action in
20 which the court in 2024 found reasonable billing rates ranging from \$660-
21 \$1,200 for partners, \$425-\$725 for associates, and \$150-\$335 for litigation
22 support.

23 b. *Rollins v. Dignity Health*, No. 13-CV-01450-JST, 2022 WL 20184568, at
24 *6 (N.D. Cal. July 15, 2022): consumer class action in which the court in
25 2022 found reasonable hourly billing rates ranging from \$625 to \$1,060
26 for partners, and from \$215 to \$625 for associates, litigation assistants, and
27 document analysts.

28 c. *Fleming v. Impax Lab 'ys Inc.*, No. 16-CV-06557-HSG, 2022 WL 2789496,

1 at *9 (N.D. Cal. July 15, 2022): consumer class action in which the court
2 in 2022 found hourly rates reasonable within the ranges of \$760 to \$1,325
3 for partners, \$895 to \$1,150 for counsel, and \$175 to \$520 for associates.

4 d. *Hefler v. Wells Fargo & Co.*, No. 16-CV-05479-JST, 2018 WL 6619983,
5 at *14 (N.D. Cal. Dec. 18, 2018): consumer class action in which the court
6 in 2018 found hourly billing rates ranging from \$650 to \$1,250 for partners
7 and senior counsel, \$400 to \$650 for associates, and \$245 to \$350 for
8 paralegals to be reasonable.

9 e. *In re Volkswagen "Clean Diesel" Mktg., Sales Practices, and Prod. Liab.*
10 *Litig.*, MDL No. 2672 CRB (JSC), 2017 WL 1047834, at *5 (N.D. Cal.
11 Mar. 17, 2017): consumer class action in which the court in 2017 found
12 reasonable hourly billing rates for plaintiffs' counsel within the range of
13 \$275 to \$1,600 for partners, \$150 to \$790 for associates, and \$80 to \$490
14 for paralegals.

15 f. *Cottle v. Plaid Inc.*, Case No. 4:20-cv-03056-DMR, 2022 WL 2829882, at
16 *11 (N.D. Cal. July 20, 2022) (finding partner hourly rates of \$850 to
17 \$1,025 to be reasonable);

18 14. The reasonableness of my firm's hourly rates is also supported by several
19 surveys of legal rates, including the following:

20 a. On June 9, 2022, Bloomberg Law published an article examining the rapid
21 rise in billing rates for law firms in recent years, finding that rates rose by
22 roughly 40% from 2007 to 2020. This increase includes a surge of more
23 than 6% in 2020, followed by another 5.6% through November of 2021
24 among the nation's largest firms. The article noted that several top law
25 firms are currently billing at hourly rates in excess of \$2,000, with
26 individual attorneys billing at rates as high as \$2,465 per hour. A true and
27 correct copy of this article is attached hereto as Exhibit B.

28 b. Bloomberg Law article dated June 13, 2024, reported that the nation's

1 largest law firms by revenue increased their rates by 9.2%. The article also
2 highlighted that some associates at top firms are billing as much as \$850
3 per hour, while partners with eight years of experience are charging up to
4 \$1,695 per hour. A true and correct copy of this article is attached hereto
5 as Exhibit C.

6 c. An article published in the Wall Street Journal on October 4, 2024, reported
7 that “lawyers at the nation’s largest firms billed between \$500 to more than
8 \$1,300 per hour for litigation in 2023, according to the National
9 Association of Legal Fee Analysis.” And in more expensive markets,
10 “firms have partner rates that exceed \$2,000 an hour, and can be as high as
11 \$1,000 for associates.” The article also notes that the most sought-after
12 attorneys can command hourly rates of \$2,500 or more. A true and correct
13 copy of this article is attached hereto as Exhibit D.

14 d. Similarly, an April 3, 2023 article in the ABA Journal shows that second-,
15 third-, and fourth-year associates are charging hourly rates between \$960
16 and \$1,035 per hour. A true and correct copy of this article is attached
17 hereto as Exhibit E.

18 e. The hourly rates in contingency fee class action matters for all billing
19 attorneys from my firm are comparable to the rates reflected in the current
20 Laffey Index. *See* Laffey Matrix, <http://www.laffeymatrix.com/see.html>
21 (listing hourly rate of \$948 for attorneys with similar years of experience
22 as the Dwoskin Wasdin partners listed above). A true and correct copy of
23 the Laffey Index is attached hereto as Exhibit F. The methodology of
24 calculation and benchmarking for the Laffey Matrix has been approved in
25 a number of cases. *See, e.g., McDowell v. Gov’t of D.C.*, No. CIV A. 02-
26 1119RWRJMF, 2006 WL 1933809, at *2 (D.D.C. July 11, 2006); *Salazar*
27 *v. Dist. of Col.*, 123 F. Supp. 2d 8 (D.D.C. 2000).

28 15. My firm undertook this representation on a wholly contingent basis

1 recognizing that the risk of non-payment has been high throughout this litigation. There
2 were uncertainties in the viability of this case as a class action, as well as uncertainties
3 in the ultimate merits.

4 I declare under penalty of perjury of the laws of the United States of America
5 that the foregoing is true and correct.

6 Executed on November 17, 2025 in Boca Raton, Florida.

7 /s/ Eric S. Dwoskin
8 Eric S. Dwoskin

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EXHIBIT A

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Dwoskin Wasdin LLP is a boutique litigation firm founded in 2023 by former partners at two of the top plaintiff and defense firms in the country—Robbins Geller Rudman & Dowd and Kirkland & Ellis. Together, we have significant experience representing plaintiffs and defendants in federal courts across the country, from nationwide class actions on behalf of individuals and institutions to high-profile jury trials on behalf of Fortune 500 companies. Our attorneys' experience is not only broad in scope but also diversified in perspective, which, we believe, helps us achieve better results for our clients because we understand the other side's incentives and use that knowledge to craft stronger litigation positions.

Additional information about our attorneys is below.

Eric S. Dwoskin

Mr. Dwoskin is licensed to practice law in the states of Florida and New York and is admitted to practice law in the U.S. District Courts for the Southern and Middle Districts of Florida, the U.S. District Court for the Northern District of Illinois, and the U.S. Court of Appeals for the Eleventh Circuit. Prior to co-founding Dwoskin Wasdin LLP in 2023, Mr. Dwoskin was a partner at Robbins Geller Rudman & Dowd—a leading class action firm—where he practiced consumer fraud and data breach litigation in large nationwide class actions.

Select Representative Matters:

- *Patricia Gooiker et al v. Mindvalley, Inc. et al* – appointed as Class counsel to represent consumers in a case alleging Mindvalley disclosed their subscribers' video request and viewing history without effective consent.
- *Apple Inc. Device Performance Litigation* – represented consumers in a case alleging Apple misrepresented its iPhone devices and the nature of updates to its mobile operating system (iOS), which allegedly included code that significantly reduced the performance of older-model iPhones and forced users to incur expenses replacing these devices or their batteries.
- *Forth v. Walgreen Co. / Stafford v. Rite Aid Corp.* – represented consumers and third-party payors in putative class actions seeking to hold Walgreens and Rite Aid accountable for alleged deceptive practices in the sale of generic prescription drugs.
- *In re American Medical Collection Agency, Inc. Customer Data Security Breach Litigation* – represented consumers in a putative class action arising from one of the largest breaches of medical data in United States history.

Mr. Dwoskin earned his Bachelor of Arts degree from Columbia University and his Juris Doctor degree from the University of Michigan Law School, where he was awarded a Dean's

Scholarship. Prior to law school, Mr. Dvoskin worked at the Office of the Prosecutor at the International Criminal Tribunal for the Former Yugoslavia in The Hague, Netherlands, after having received a Humanity in Action Fellowship. While in law school, Mr. Dvoskin worked at the South African Human Rights Commission in Cape Town, South Africa.

Nicholas F. Wasdin

Mr. Wasdin is licensed to practice law in Illinois and is admitted to practice law in the U.S. District Court for the Northern District of Illinois, the U.S. District Court for the Southern District of Indiana, and the U.S. Court of Appeals for the Seventh Circuit. Prior to co-founding Dvoskin Wasdin LLP in 2023, Mr. Wasdin was a partner at Kirkland & Ellis—a leading international law firm—where he represented clients in a wide variety of cases, including in the areas of mass torts, class actions, and other types of commercial litigation. Mr. Wasdin has extensive experience trying high-stakes product defect cases, including, most recently, as trial counsel or co-lead trial counsel on five different federal jury trials during a single twelve-month period ending in 2022.

Select Representative Matters:

- *In re 3M Combat Arms Earplugs Products Liability Litigation* – represented a manufacturing company in the largest multi-district products liability litigation in United States history, arising from allegations that a safety device caused injuries. Mr. Wasdin was appointed by the court to a defense leadership committee and served as trial counsel or co-lead trial counsel during numerous individual bellwether trials.
- *Andrews v. USPI Holding Company Inc.* – represented a healthcare company in a putative class action arising from allegations that the company breached certain stock option agreements by undervaluing the company to minimize executive compensation.
- *In re Aearo Technologies LLC et al* – represented a manufacturing company in connection with Chapter 11 bankruptcy proceeding stemming from multi-district products liability litigation. Mr. Wasdin served as trial counsel during the preliminary injunction hearing in the bankruptcy court, which raised cutting edge issues regarding resolution of large mass torts in bankruptcy proceedings.
- *In re HIV Antitrust Litigation* – represented a pharmaceutical manufacturer in a nationwide class action alleging deceptive and anticompetitive conduct in the development and sales of certain pharmaceutical drugs.
- *In re GM Ignition Switch Litigation* – represented one of the world’s largest automakers in multi-district products liability litigation arising from the company’s recalls of millions of vehicles. Mr. Wasdin served as a member of the team that successfully tried numerous federal and state bellwether trials.
- *In re Center City Healthcare, LLC d/b/a Hahnemann University Hospital, et al* – represented a healthcare company in a dispute regarding the scope of post-sale services owed to the purchaser of a hospital. Mr. Wasdin served as trial counsel during resolution of the matter in the bankruptcy court.

Mr. Wasdin received his Bachelor of Arts degree from the University of Florida and his Juris Doctor degree from the University of Michigan, where he served as an editor of the Michigan

Law Review. Mr. Wasdin is a member of the Board of Directors of the Federal Bar Association, Chicago Chapter and currently serves as a member of the Board's Ethics Committee.

Respectfully submitted,

s/ Eric S. Dwoskin

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EXHIBIT B

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Business & Practice

Big Law Rates Topping \$2,000 Leave Value ‘In Eye of Beholder’

By Roy Strom

Column

June 9, 2022, 2:30 AM

Welcome back to the Big Law Business column on the changing legal marketplace written by me, Roy Strom. Today, we look at a new threshold for lawyers' billing rates and why it's so difficult to put a price on high-powered attorneys. Sign up to receive this column in your inbox on Thursday mornings. Programming note: Big Law Business will be off next week.

Some of the nation's top law firms are charging more than \$2,000 an hour, setting a new pinnacle after a two-year burst in demand.

Partners at Hogan Lovells and Latham & Watkins have crossed the threshold, according to court documents in bankruptcy cases filed within the past year.

Other firms came close to the mark, billing more than \$1,900, according to the documents. They include Kirkland & Ellis, Simpson Thacher & Bartlett, Boies Schiller Flexner, and Sidley Austin.

Simpson Thacher & Bartlett litigator Bryce Friedman, who helps big-name clients out of jams, especially when they're accused of fraud, charges \$1,965 every 60 minutes, according to a court document.

In need of a former acting US Solicitor General? Hogan Lovells partner Neal Katyal bills time at \$2,465 an hour. Want to hire famous litigator David Boies? That'll cost \$1,950 an hour (at least). Reuters was first to report their fees.

Eye-watering rates are nothing new for Big Law firms, which typically ask clients to pay higher prices at least once a year, regardless of broader market conditions.

"Value is in the eye of the beholder," said John O'Connor, a San Francisco-based expert on legal fees. "The perceived value of a good lawyer can reach into the multi-billions of dollars."

Kirkland & Ellis declined to comment on its billing rates. None of the other firms responded to requests to comment.

Charge It Up

Big Law firms are crossing the \$2,000-an-hour threshold after two years of surging rates driven by an increase in demand for lawyers.

Firm	Highest Billing Rate
Hogan Lovells	\$2,465
Latham & Watkins	\$2,075
Kirkland & Ellis	\$1,995
Simpson Thacher & Bartlett	\$1,965
Boies Schiller Flexner	\$1,950
Sidley Austin	\$1,900

Source: Court documents

Bloomberg Law

Law firms have been more successful raising rates than most other businesses over the past 15 years.

Law firm rates rose by roughly 40 percent from 2007 to 2020, or just short of 3 percent per year, Thomson Reuters Peer Monitor data show. US inflation rose by about 28% during that time.

The 100 largest law firms in the past two years achieved their largest rate increases in more than a decade, Peer Monitor says. The rates surged more than 6% in 2020 and grew another 5.6% through November of last year. Neither level had been breached since 2008.

The price hikes occurred during a once-in-a-decade surge in demand for law services, which propelled profits at firms to new levels. Fourteen law firms reported average profits per equity partner in 2021 over \$5 million, according to data from The American Lawyer. That was up from six the previous year.

The highest-performing firms, where lawyers charge the highest prices, have outperformed their smaller peers. Firms with leading practices in markets such as mergers and acquisitions, capital markets, and real estate were forced to turn away work at some points during the pandemic-fueled surge.

Firms receive relatively tepid pushback from their giant corporate clients, especially when advising on bet-the-company litigation or billion-dollar deals.

The portion of bills law firms collected—a sign of how willingly clients pay full-freight—rose during the previous two years after drifting lower following the Great Financial Crisis. Collection rates last year breached 90% for the first time since 2009, Peer Monitor data show.

Professional rules prohibit lawyers from charging “unconscionable” or “unreasonable” rates. But that doesn’t preclude clients from paying any price they perceive as valuable, said Jacqueline Vinaccia, a San Diego-based lawyer who testifies on lawyer fee disputes.

Lawyers’ fees are usually only contested when they will be paid by a third party.

That happened recently with Hogan Lovells’ Katyal, whose nearly \$2,500 an hour fee was contested in May by a US trustee overseeing a bankruptcy case involving a Johnson & Johnson unit facing claims its talc-based powders caused cancer.

The trustee, who protects the financial interests of bankruptcy estates, argued Katyal’s fee was more than \$1,000 an hour higher than rates charged by lawyers in the same case at Jones Day and Skadden Arps Slate Meagher & Flom.

A hearing on the trustee’s objection is scheduled for next week. Hogan Lovells did not respond to a request for comment on the objection.

Vinaccia said the firm’s options will be to reduce its fee, withdraw from the case, or argue the levy is reasonable, most likely based on Katyal’s extensive experience arguing appeals.

Still, the hourly rate shows just how valuable the most prestigious lawyers’ time can be—even compared to their highly compensated competitors.

“If the argument is that Jones Day and Skadden Arps are less expensive, then you’re already talking about the cream of the crop, the top-of-the-barrel law firms,” Vinaccia said. “I can’t imagine a case in which I might argue those two firms are more reasonable than the rates I’m dealing with.”

Worth Your Time

On Cravath: Cravath Swaine & Moore is heading to Washington, opening its first new office since 1973 by hiring former heads of the U.S. Securities and Exchange Commission and Federal Deposit Insurance Corporation. Meghan Tribe reports the move comes as Big Law firms are looking to add federal government expertise as clients face more regulatory scrutiny.

On Big Law Promotions: It’s rare that associates get promotions to partner in June, but Camille Vasquez is now a Brown Rudnick partner after she shot to fame representing Johnny Depp in his defamation trial against ex-wife Amber Heard.

On Working From Home: I spoke this week with Quinn Emanuel’s John Quinn about why he thinks law firm life is never going back to the office-first culture that was upset by the pandemic. Listen to the podcast here.

That's it for this week! Thanks for reading and please send me your thoughts, critiques, and tips.

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Documents

[Trustee's Objection](#)

Related Articles

[Overworked Big Law Can't Find Enough Lawyers With Demand Surging](#) Dec. 9, 2021, 3:00 AM

[Never Underestimate Big Law's Ability to Raise Billing Rates](#) Aug. 12, 2021, 3:00 AM

Law Firms

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EXHIBIT C

Business & Practice
June 13, 2024, 2:30 AM PDT

Mother of All Rate Increases Still Couldn't Keep Up With Big Law

By Roy Strom

Column

Welcome back to the Big Law Business column. I'm Roy Strom, and today we look at how smaller law firms struggle to raise rates as fast as their larger peers. Sign up to receive this column in your Inbox on Thursday mornings.

It's no secret Big Law billing rates have been soaring. Hourly rates have climbed at record levels in recent years, with the most recent data showing they rose by about 9% in the first quarter of 2024.

Even in this inflationary environment, my eyes popped when I saw my colleague James Nani report on what must be the mother of all billing rate hikes. A Brown Rudnick partner was juicing his hourly fee from \$1,000 an hour to \$1,500 representing creditors in a bankruptcy case.

People might roll their eyes at nearly 10% rate increases. But 50%? The bankruptcy judge overseeing the case had to intervene.

"That's just beyond," said Chief Judge Laurie Selber Silverstein. "There may be a reason. But a 50% increase in somebody's rates is not something any client I ever had would have accepted."

The judge denied the increase for Brown Rudnick partner Gerard Cicero. A partner at the firm promised to provide the judge a filing explaining why the increase is appropriate, according to a recording of the hearing. Cicero declined to comment.

It's unclear what that filing will say or when it will be made—the Brown Rudnick partner who spoke at the hearing didn't respond to a message for comment and neither did a firm spokesman.

I won't lie, it feels like a hard case to make. In December, an hour of the lawyer's work was worth \$1,000. What could possibly have happened that by April, when he's worth \$1,500?

But, on the other hand, here's something the firm might try to explain to the judge: Cicero's extraordinary rate hike still failed to bring him in line with similarly experienced lawyers at larger law firms.

And that reveals a broad challenge for smaller firms like Brown Rudnick, which last year ranked 139th by revenue, according to AmLaw data.

The country's top law firms are aggressively raising rates that are already significantly higher than those offered by smaller competitors. It's unclear how quickly, or to what extent, smaller firms can make up the ground.

In the first quarter of the year, the country's 100 largest firms by revenue increased their rates by 9.2% from the same period a year ago, Wells Fargo's legal specialty group found. The firms ranked 100 to 200 were able to grow rates by a more modest 6.9%.

The bankruptcy case involving Brown Rudnick was a microcosm of that phenomenon.

Sullivan & Cromwell, a top 25 law firm by revenue, is representing the bankrupt fire protection manufacturer Kidde-Fenwal Inc., which filed Chapter 11 while defending thousands of lawsuits over its production of firefighting foam with per- and polyfluoroalkyl substances, or PFAS.

A good portion of Sullivan & Cromwell's lawyers raised their rates by 9.7% from the beginning of the case through April, court records show. Their first-year associates are charging \$850 an hour, up from \$775.

A partner at the firm who was admitted to the New York bar the same year as Cicero, 2016, is charging \$1,695 an hour—up 15% from last year.

That's nearly \$200 an hour higher than what Brown Rudnick tried to charge for Cicero.

A Tale of Two Law Firms

A Brown Rudnick lawyer faced criticism over an attempt to raise his billing rates by 50%. Other lawyers in the case have raised rates less aggressively.

Firm	Position	Year Admitted	April 2024 Rate	Increase From Last Year
Sullivan & Cromwell	Partner	2009	\$2,375	9.7%
Brown Rudnick	Partner	1994	2,250	18.4%
S&C	Partner	2016	1,695	14.9%
Brown Rudnick	Partner	2016	1,500	50.0%
S&C	Associate	2018	1,530	9.7%
Brown Rudnick	Associate	2019	950	6.7%
S&C	Associate	2024	850	9.7%
Brown Rudnick	Associate	2023	695	9.4%

Source: Fee requests in Kidde-Fenwal Inc. Chapter 11 case.

Note: Sullivan & Cromwell represents debtor Kidde-Fenwal; Brown Rudnick represents the unsecured creditors committee.

Bloomberg Law

John O'Connor, a San Francisco-based legal fee expert, told me he couldn't recall seeing a 50% rate increase for a lawyer working on the same case. While he said the increase was "unusually high," the \$1,500 rate didn't strike him as absurd.

"The issue I see is that, today, a \$1,500-an-hour rate is not that uncommon," O'Connor said in an interview.

In the Kidde-Fenwal case, Brown Rudnick represents the committee of unsecured creditors.

Another firm well known for representing creditor-side parties in Chapter 11 cases is Paul Hastings. The firm represented the unsecured creditors committee in the WeWork Inc. Chapter 11 case this year.

In that case, a Paul Hastings of counsel who was admitted to practice law in 2015 (the year Cicero was admitted to the New Jersey bar) charged \$1,650 an hour in April, court records show. Again, higher than the rate the judge dinged Cicero for.

Brown Rudnick likely won't win the argument by bringing those facts alone to the judge. Silverstein cautioned that if Cicero's previous rate was "behind market," the firm couldn't "catch it all up at one time."

"Clients that are actually paying a bill, I don't think that's how they think," Silverstein said, referencing the fact that Brown Rudnick's fees in the bankruptcy are paid out of the debtor's pocket.

No doubt it would be a difficult conversation to hand a client a bill proposing a 50% rate increase. You might also argue it's tough to charge a \$2,400 hourly fee. Yet, that seems to have gone down ... smoothly enough?

If the problem is how quickly lawyers raise their rates—rather than how high they end up—smaller firms with historically lower rate structures will always be in a bind.

Because there's no sign that firms with the highest rates will slow down. O'Connor, the fee expert, told me that at the top of the legal industry "there is no downward pressure on rates."

"The greatest miracle existing is that of compound interest," O'Connor said. "And what happens is, rate increases over time that are slightly above inflation tend to make for very high rates."

Worth Your Time

On Paul Weiss: Mahira Dayal reports on Paul Weiss' growth surge, and how the dealmakers it's lured have translated into business. "At the end of the day, there's no substitute for talent," firm chairman Brad Karp told her.

On Burns & Levinson: On the other end of the spectrum, Meghan Tribe reports on Burns & Levinson pursuing all avenues of growth after a 13-lawyer group departed for a rival.

On Generative AI: In a wide-ranging test of generative AI tools at UK law firm Ashurst, Isabel Gottlieb reports the firm's lawyers were able to write the first draft of briefs in about half the time it took them on their own.

That's it for this week! Thanks for reading and please send me your thoughts, critiques, and tips.

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EXHIBIT D

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<https://www.wsj.com/business/rock-star-law-firms-are-billing-up-to-2-500-per-hour-clients-are-indignant-61b248c2>

Rock-Star Law Firms Are Billing Up to \$2,500 per Hour. Clients Are Indignant.

Companies complain about rising legal bills. ‘It’s not sustainable,’ says one general counsel.

By [Erin Mulvaney](#) [Follow](#)

Oct. 4, 2024 9:00 pm ET

Big companies around the world are pushing back against rapidly rising legal bills, railing against hourly lawyer rates they say are the product of law-firm excess.

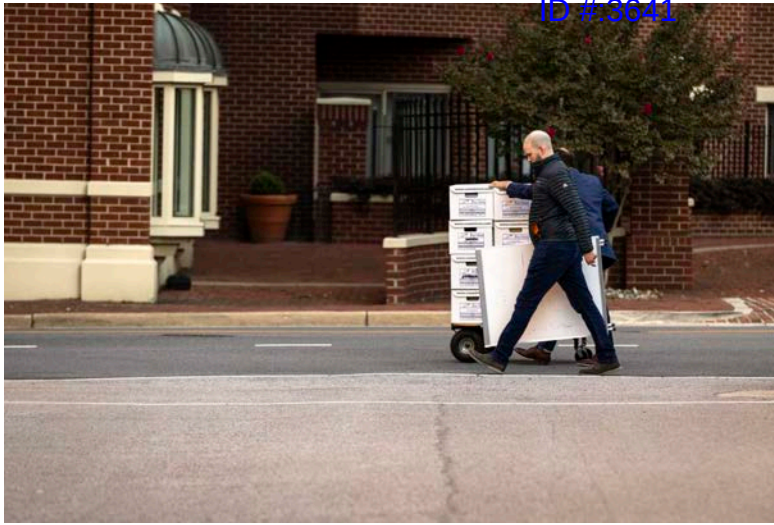
Lawyers’ hourly rates rose almost 9% in the first half of 2024, according to data from [Wells Fargo](#) legal specialty group, which surveys large law firms quarterly. That’s on top of an 8.3% increase in rates last year. Historically, fees would rise about 4% each year, Wells Fargo says.

Lawyers’ pay is skyrocketing. Brutal poaching wars for talent are now common, and top lawyers expect to be paid like investment bankers and private-equity principals.

“You don’t negotiate with those guys. You aren’t going to bet the company,” said Matthew Lepore, general counsel for chemical giant [BASF](#). “Clients aren’t doing as well as the law firms are doing, and it’s not sustainable.”

In certain specialties, such as merger counseling, regulatory compliance, tax and private equity, corporate general counsels say there is only a small pool of firms to choose from. Companies venturing into high-stakes deals turn to the most elite firms, with the hopes that the high price tag promises the best outcomes. Hourly rates can run \$2,500 or more for the most sought-after attorneys, and are expected to keep rising, according to legal recruiters and court filings.

“The market is driven by the top end. The top firms are spending money to compete for the best rock-star talent. That’s what is driving this,” said Alan Tse, chief legal officer at global commercial real-estate firm [JLL](#). “Obviously not enough of us are saying no. Clients are part of the problem.”



A Paul Weiss staffer wheels boxes of documents into a Virginia courthouse for the Google antitrust trial last month. PHOTO: SAMUEL CORUM/AGENCE FRANCE-PRESSE/GETTY IMAGES

Paid more than bankers

The top law firms have grown in size and seen their revenues shoot upward as they've become one-stop shops for corporate clients for deal work, litigation, and tax advice. The legal industry has shifted its [compensation structure](#), and only a few firms still have a classic lockstep pay system that rewards based on seniority. Instead, firms pay up for stars and based on productivity. The flexibility increases the cost of talent.

Law firm revenue growth was up 11.4% in the first six months of 2024, outpacing expenses, according to a Citi Global survey of top law firms.

Superstar attorney hires can command salaries of as much as \$15 million to \$20 million a year, eclipsing even the [Wall Street bankers](#), lawyers, consultants, and legal recruiters say. Beyond that rarefied level, many lawyers have seen their pay double in recent years. At the lower end of attorney pay, junior associates at large law firms can start at \$250,000 a year. That's about a 30% jump in five years from the starting salary of [\\$190,000 in 2018](#).

Law firms traditionally charge companies by billing rates per hour, and the firm will be hired for a project or issue and then charges based on how much time it spends on the project. Inside the firms, associates and partners are often judged based on the billable hours they produce, as well as the outcome for the client.

To bring down legal costs, companies are pitting firms against each other for more competitive bids and moving work in-house to their own legal departments.

At beer maker Heineken, general counsel Ernst van de Weert has moved some legal work away from large firms to smaller boutiques.

“You can get the same kind of quality for half the rate,” he said. “You have more choices than you realize.”

Indeed, rates are increasing fastest at the top firms. Fees at the top 50 law firms rose 10% in the first half of the year, compared with about 7% for the next tiers, ranked 51 to 100, and 100 to 200, according to Wells Fargo.

Lawyers at the nation’s largest firms billed between \$500 to more than \$1,300 per hour for litigation in 2023, according to the National Association of Legal Fee Analysis. It can be higher in other markets.



The New York City office of Simpson Thacher. In New York, mergers and acquisitions are the most expensive area. PHOTO: ANDREW HINDERAKER FOR THE WALL STREET JOURNAL

In New York City, mergers and acquisitions are the most expensive area and many top-ranking firms have partner rates that exceed \$2,000 an hour, and can be as high as \$1,000 for associates, according to Pursuit, a software company that in-house counsel uses to control hourly rates.

It’s increasingly a bifurcated market, with the top firms with large corporate practices such as Wachtell Lipton; Kirkland Ellis; Paul Weiss; Davis Polk, and Simpson Thacher moving away from the pack. Several of the largest firms have poached entire practice groups from each other, luring recruits with significant boosts in pay. But at the same time, the work of some of this rarefied talent can draw tens of millions to hundreds of million in revenue for the firms.

Firms go after stars knowing they bring clients with them, Paul Weiss chairman Brad Karp said.

Fighting billable hours

Companies are increasingly pushing alternative fee arrangements. They'll cap the fees, fix rates to avoid runaway costs, or make a deal to give the firm an incentive to win with a "success bonus" guarantee. They'll put out bids for work and have firms present their best offers that include proposals to keep costs somewhat at bay.

Some clients are trying to keep down their own hourly costs by being thoughtful in how they use outside firms. "It's all too easy to go to speed dial, 'Bob, help!' Then the clock starts before the phone is put down. As a client, you have to be more disciplined," said Ashley John, head of legal operations at British mining conglomerate [Anglo American](#). The company, owner of diamond retailer DeBeers, works with 15 to 20 law firms around the globe.

Frank Ryan, global co-chair at DLA Piper, one of the top law firms, said the world has become more complicated for businesses. He pointed to the explosion of private equity in the last decade, which has been a boon for firms who represent financial firms and advise them on multibillion-dollar mergers. This creates work on both sides of a deal for law firms. He also said the aggressive regulatory environment and complex intellectual property matters create more opportunities for specialized legal work.

"There are some firms that are always in a general counsel's Rolodex, there's no question," Ryan said. "The world has gotten smaller in a way, but that creates more opportunity for law firms."

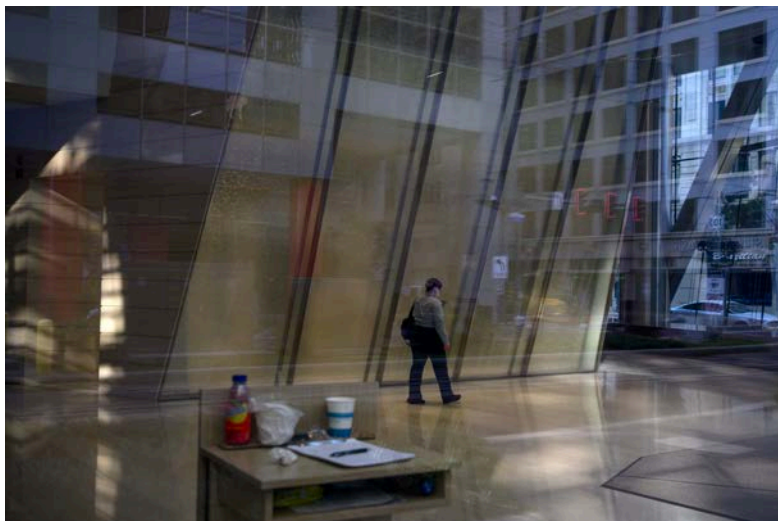
Advancements in generative artificial intelligence could change the economics of law firms, with many firms testing the tools [to handle work](#) such as summarizing legal filings that is the purview of junior associates. AI should lower costs and increase efficiency, legal department heads said.

[Shell](#) sent a letter in June to outside firms the energy giant was considering hiring. Its work wasn't guaranteed, "as we constantly test the market for efficiency and cost effectiveness," according to a copy of the letter from legal director Philippa Bounds reviewed by The Wall Street Journal. It asked the firms to explain how they are using generative AI tools, saying that the firms "that develop into that fertile ground" and are clear about how they are using it will have a competitive advantage.

Shell tries to avoid the hourly rate model in general, arguing it provides little incentive for attorneys to work quickly. Shell's head of legal operations, Gordon McCue, has pushed firms to use alternative fee arrangements so that Shell has a predictable and transparent rate in the final legal bill.

“There could be a tendency, conscious or unconscious, to not want to be that much more efficient because the hourly rates are massive,” McCue said.

“This doesn’t solve the problem,” McCue said. “It’s up to the companies to push for change.”



The Houston office of Kirkland & Ellis. Several of the largest firms have poached entire practice groups from each of luring recruits with significant boosts in pay. PHOTO: CALLAGHAN O’HARE FOR WSJ

Write to Erin Mulvaney at erin.mulvaney@wsj.com

Appeared in the October 5, 2024, print edition as ‘Superstar Lawyer Fees Make Companies Wail’.

Videos

EXHIBIT E

Home / Daily News / Nearly \$1,000 an hour is rate for second-year...

LAWYER PAY

Nearly \$1,000 an hour is rate for second-year associates at these BigLaw firms

BY DEBRA CASSENS WEISS ([HTTPS://WWW.ABAJOURNAL.COM/AUTHORS/4/](https://www.abajournal.com/authors/4/))

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Billing rates for second-year associates at some BigLaw firms are nearing \$1,000 an hour, according to a review of bankruptcy fee requests by 10 larger law firms examined by Law.com.

Paul, Weiss, Rifkind, Wharton & Garrison bills \$995 an hour for a second-year associate, according to the Law.com article (<https://www.law.com/americanlawyer/2023/03/30/what-1000-an-hour-gets-you-in-the-am-law-200-today/>). The second highest rate billed for a second year was at Sullivan & Cromwell, which billed \$960 an hour.

Law.com took a look at the fee requests after a Twitter user said a second-year associate at Kirkland & Ellis was billing \$1,035 an hour in a bankruptcy. It turned out the lawyer was actually a fourth-year associate who was admitted elsewhere previously, according to the article.

Other BigLaw firms billed \$1,000 an hour for associates, but they had between three and five years of experience. Besides Kirkland, they included Latham & Watkins and Weil, Gotshal & Manges. Past coverage indicated that (<https://www.abajournal.com/news/article/at-least-3-biglaw-firms-charge-more-than-1k-an-hour-for-top-associates>) Skadden, Arps, Slate, Meagher & Flom also charges more than \$1,000 an hour for its senior associates.

Back in 2007 (https://www.abajournal.com/news/article/top_lawyers_bill_1000_an_hour), \$1,000 an hour billing rates were also in the news—but they were for top partners at BigLaw firms.

Give us feedback, share a story tip or update, or report an error.

EXHIBIT F

LAFFEY MATRIX

- [History](#)
- [Case Law](#)
- [See the Matrix](#)
- [Contact us](#)
- [Home](#)

			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/24- 5/31/25	1.080182	\$258	\$473	\$581	\$839	\$948	\$1141
6/01/23- 5/31/24	1.059295	\$239	\$437	\$538	\$777	\$878	\$1057
6/01/22- 5/31/23	1.085091	\$225	\$413	\$508	\$733	\$829	\$997
6/01/21- 5/31/22	1.006053	\$208	\$381	\$468	\$676	\$764	\$919
6/01/20- 5/31/21	1.015894	\$206	\$378	\$465	\$672	\$759	\$914
6/01/19- 5/31/20	1.0049	\$203	\$372	\$458	\$661	\$747	\$899
6/01/18- 5/31/19	1.0350	\$202	\$371	\$455	\$658	\$742	\$894
6/01/17- 5/31/18	1.0463	\$196	\$359	\$440	\$636	\$717	\$864
6/01/16- 5/31/17	1.0369	\$187	\$343	\$421	\$608	\$685	\$826
6/01/15- 5/31/16	1.0089	\$180	\$331	\$406	\$586	\$661	\$796
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389

ID #: 3651

6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., DL v. District of Columbia, 267 F.Supp.3d 55, 69 (D.D.C. 2017)

* $\frac{1}{2}$ Years Out of Law School $\frac{1}{2}$ is calculated from June 1 of each year, when most law students graduate. $\frac{1}{2}$ 1-3" includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). $\frac{1}{2}$ 4-7" applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier $\frac{1}{2}$ 1-3" from June 1, 1996 until May 31, 1999, would move into tier $\frac{1}{2}$ 4-7" on June 1, 1999, and tier $\frac{1}{2}$ 8-10" on June 1, 2003.

** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.

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5 Attorneys for Plaintiffs
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7
8

9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **SOUTHERN DIVISION**

13 In re: Shimano Crankset Litigation

Case No. 8:23-cv-02038-JVS(JDEx)

14 **DECLARATION OF ALEXANDER E.**
15 **WOLF**
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1 I, Alexander E. Wolf, declare as follows:

2 1. I am currently a senior associate of the law firm of Milberg Coleman Bryson
3 Phillips Grossman, PLLC (“Milberg”). I am one of the attorneys for Plaintiffs Jarett
4 Hawkins and Christopher Jennings in this action. Except as otherwise noted, I have
5 personal knowledge of the facts set forth in this declaration and could testify competently
6 to them if called upon to do so.

7 2. I am a 2014 graduate of the University of Southern California School of Law.
8 I have been licensed to practice law in the State of California since 2014 and Texas since
9 2023. For the past 10+ years, my practice has focused on consumer class action litigation.

10 3. I joined the plaintiffs’ class action bar in early 2023 after practicing for over
11 eight years at two prominent defense firms, DLA Piper LLP and Akin Gump Straus Hauer
12 and Feld LLP, where I represented public and private companies in consumer class actions.
13 I also served as a contributing author for the California Unfair Competition Law and False
14 Advertising Law chapters of Westlaw’s Practical Law treatise while at DLA Piper.

15 4. My recent experience at Milberg includes prosecuting over a dozen consumer
16 class actions in California and nationwide. *E.g.*, *Young v. Military Advantage, Inc. d/b/a*
17 *Military.com*, Case No. 2023LA000535 (18th Cir. DuPage Cty., Ill.) (\$7.35 million
18 common fund settlement approved in data privacy class action); *In Re: Arthur J.*
19 *Gallagher Data Breach Litigation*, No. 1:22-cv-00137 (N.D. Ill.) (\$21 million class
20 settlement approved in data breach action); *Hampton v. Mattress Firm, Inc.*, No.
21 25CU003462C (San Diego Sup. Ct.) (appointed settlement class counsel and \$5.47
22 million settlement approved in false advertising class action); *Bustos v. Riverside Medical*
23 *Clinic*, No CVRI2203466 (Cal. Sup. Ct. for Riverside Cty.) (appointed settlement class
24 counsel and \$1.75 million settlement approved in April 2024); *Colombo v. YouTube LLC*
25 *et al.*, No. 3:22-cv-06987 (N.D. Cal.) (pending \$6 million class settlement in data privacy
26 class action); *Karling v. Samsara Inc.*, 2025-LA-0000175 (Winnebago Cty. Cir. Ct.)
27 (\$3.95 million settlement approved in BIPA privacy action); *Kaether v. Metropolitan Area*
28 *EMS Authority*, No. 342-339562-23 (Tarrant Cty., Texas) (appointed settlement class co-

1 counsel in data breach class action); *Hull v. RC Ecommerce LLC*, No. 37-2024-00023597-
2 CU-MC-CTL (San Diego. Sup. Ct.) (appointed settlement class counsel in false
3 advertising class action).

4 5. As a former defense attorney, my experience includes counseling Apple,
5 Danone, Chipotle, Bayer, Lufthansa and other companies across the consumer electronics,
6 food and beverage, and hospitality sectors in false advertising, unfair competition, and
7 data privacy matters. *E.g.*, *Price v. Apple Inc.*, No. 4:21-cv-02846-HSG (N.D. Cal.);
8 *Williams v. Apple Inc.*, No. 20STCV43431 (Los Angeles Sup. Ct.); *Andino v. Apple Inc.*,
9 No. 2:20-CV-01628-JAM-AC (E.D. Cal.); *Julian v. TTE Technology, Inc. d/b/a TCL*
10 *North America*, No. 3:20-cv-02857-EMC (N.D. Cal.); *Andrade-Heymsfield v. Danone US,*
11 *Inc.*, No. 3:19-cv-00589-CAB-WVG (S.D. Cal.); *Maree v. Deutsche Lufthansa AG*, No.
12 8:20-cv-00885-MWF-MRW (C.D. Cal.).

13 6. My firm's resume is attached as **Exhibit 1**.

14 7. My firm prosecuted this case on a purely contingent basis. The retainer
15 agreement counsel had with Plaintiffs did not provide for fees apart from those earned on
16 a contingent basis, and, in the case of class settlement, approved by the court. As such, the
17 firm assumed a significant risk of nonpayment or underpayment.

18 8. This matter has required me, and others at my firm, to spend time on this
19 litigation that could have been spent on other potentially fee-generating matters.

20 9. Among other things, we worked with Class Counsel to provide information
21 to substantiate their claims and in response to Defendants' discovery requests, and
22 communicated with Class Counsel regularly throughout all stages of the investigation,
23 litigation, and settlement of the case. We also participated in initial fact investigation,
24 drafting the complaint, and opposing Defendants' motion to dismiss.

25 10. I have reviewed my firm's time entries related to the prosecution of this
26 matter. The time and descriptions displayed in these records were recorded by the listed
27 timekeepers and maintained in the ordinary course of business. I reviewed these records
28

1 and believe that they fairly reflect the amount of time spent by each of the timekeepers
2 that worked on this case.

3 11. The following chart lists each of my firm’s timekeepers who billed to this
4 matter based on my firm’s current rates. Excluded from the chart are timekeepers who
5 spent less than two hours on this matter.

7 NAME	POSITION	RATE	HOURS	LODESTAR
8 Gary Klinger	Partner	\$948	27.0	\$25,596.00
9 Alexander Wolf	Senior Associate	\$948	35.8	\$33,938.40
10 Alex Rudenco	Associate	\$413	19.7	\$8,136.10
11				
12 Ashley Tyrrell	Paralegal	\$258	14.3	\$3,689.40
13				
14 Sandra Passanisi	Paralegal	\$258	3.6	\$928.80
15				
16 TOTAL:			100.4	\$72,288.70

17
18 12. The hours spent working on this case, broken down by category, are as
19 follows:

20 WORK DESCRIPTION	HOURS
21 Client and class member 22 communications	5.6
23 Investigation and factual research	13.2
24 Pleadings, briefs and legal research	46.4
25 Discovery and document review	16
26 Experts and consultants	--
27 Case management and litigation 28 strategy	2.1

Settlement	1.3
General case administration	16.2
TOTAL	100.4

13. Based on my experience and that of my firm, the hourly rates charged by my firm in this matter are in line with comparable hourly rates charged by other law firms that handle class action litigation in Southern California. Through my practice—both as a defense lawyer at two AmLaw 100 international firms for over eight years and a plaintiffs’ class action lawyer—I have become familiar with the contingent and non-contingent market rates charged by attorneys in California. This familiarity has been obtained in several ways: (1) by litigating attorneys’ fee applications; (2) by discussing fees with other attorneys; (3) by obtaining declarations regarding prevailing market rates filed by other attorneys seeking fees; and (4) by reviewing attorneys’ fee applications and awards in other cases and related case law, as well as surveys and articles on attorneys’ fees in legal newspapers and treatises. The information I have gathered shows that my firm’s rates are in line with the contingent and non-contingent market rates charged by attorneys of reasonably comparable experience, skill, and reputation for reasonably comparable class action work. For example:

- a. In *OWLink Tech., Inc. v. Cypress Tech. Co.*, No. 821CV00717SPGKESX, 2023 WL 9061081, at *2 (C.D. Cal. Dec. 12, 2023), hourly rates of \$900 for an associate with 7 years of experience, and \$1,200 for experienced partners, were held reasonable.
- b. In *Netlist Inc. v. Samsung Elecs. Co.*, 341 F.R.D. 650, 676 (C.D. Cal. 2022), partner rates of between \$1,160 to \$1,370 and associate rates of between \$845 to \$1,060 per hour were held reasonable.
- c. In *In re MacBook Keyboard Litig.*, 2023 WL 3688452, at *15 (N.D. Cal. May 25, 2023), the court approved partner rates up to \$1,195, associate rates up to \$850, and paralegal rates of \$325.

1 d. In *Lopez v. Mgmt. & Training Corp.*, No. 17CV1624 JM(RBM), 2020 WL
2 1911571, at *8 (S.D. Cal. Apr. 20, 2020), partner rates of \$875 and \$900
3 were approved several years ago.

4 14. Courts have approved my firm’s historical billing rates and fee requests in
5 class action litigation. *E.g.*, *Nelkin v. Kroto Inc.*, No. 2:23-cv-08241-KK-MAA, ECF No.
6 72 (C.D. Cal. Mar. 31, 2025) (approving Class Counsel’s 2024 rates); *Bailey v. Rite Aid*
7 *Corp.*, No. 4:18-cv-6926, ECF No. 178, at 9 (N.D. Cal. Dec. 16, 2022) (approving
8 requested fees and holding that Milberg’s rates were “commensurate with their experience
9 and with the legal market”); *Spencer v. Knix Wear, Inc.*, No. 23-cv-07823, ECF No. 52
10 (S.D.N.Y. Apr. 24, 2024); *Comin v. Int’l Bus. Machines Corp. (IBM)*, No. 19-cv-07261,
11 ECF No. 146 (N.D. Cal. Oct. 20, 2023); *Dickens v. Thinx, Inc.*, No. 22-cv-04286, ECF No.
12 56 (S.D.N.Y. June 8, 2023); *Julian v. TTE Technology, Inc.*, No. 20-cv-02857, ECF No.
13 152 (N.D. Cal. Jan. 23, 2023).

14 * * *

15 I declare under penalty of perjury of the laws of the United States that the foregoing
16 is to my knowledge true and correct. Executed November 13, 2025.

17 

18 _____
19 Alexander E. Wolf

EXHIBIT 1



FIRM RESUME



Milberg Coleman Bryson Phillips Grossman PLLC (“Milberg”) is an AV-rated international law firm with more than 100 attorneys and offices across the United States, the European Union, and South America. Combining decades of experience, Milberg was established through the merger of Milberg Phillips Grossman LLP, Sanders Phillips Grossman LLC, Greg Coleman Law PC, and Whitfield Bryson LLP.

Milberg prides itself on providing thoughtful and knowledgeable legal services to clients worldwide across multiple practice areas. The firm represents plaintiffs in the areas of antitrust, securities, financial fraud, consumer protection, automobile emissions claims, defective drugs and devices, environmental litigation, financial and insurance litigation, and cyber law and security.

For over 50 years, Milberg and its affiliates have been protecting victims’ rights. We have recovered over \$50 billion for our clients. Our attorneys possess a renowned depth of legal expertise, employ the highest ethical and legal standards, and pride ourselves on providing stellar service to our clients. We have repeatedly been recognized as leaders in the plaintiffs’ bar and appointed to numerous leadership roles in prominent national mass torts and class actions.

Milberg challenges corporate wrongdoing through class action, mass tort, consumer and shareholder right services, both domestically and globally.

In the United States, Milberg currently holds more than 100 court-appointed full- and co-leadership positions in state and federal courts across the country. Our firm has offices in California, Chicago, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, New Jersey, New York, North Carolina, South Carolina, Tennessee, Washington, Washington D.C., and Puerto Rico. Milberg’s commitment to its clients reaches beyond the United States, litigating antitrust, securities, and consumer fraud actions in Europe and South America, with offices located in the United Kingdom, and the Netherlands. Milberg prides itself on providing excellent service worldwide.

The firm’s lawyers have been regularly recognized as leaders in the plaintiffs’ bar by the National Law Journal, Legal 500, Chambers USA, Time Magazine, and Super Lawyers, among others.

“A powerhouse that compelled miscreant and recalcitrant businesses to pay billions of dollars to aggrieved shareholders and customers.”

- THE NEW YORK TIMES

PRACTICE AREAS

Milberg maintains a robust practice, representing plaintiffs across numerous areas of law. Milberg attorneys have amassed a wealth of experience in the areas of antitrust and competition law, securities litigation, defective consumer product and automobile litigation, consumer services litigation, dangerous drugs and devices litigation, data breach and biometric data litigation, environmental and toxic tort litigation, finance and insurance litigation, state and local government litigation, and whistleblower and qui tam lawsuits. Milberg attorneys focus their practice among these groups to provide their clients with the best representation possible. Over decades, Milberg attorneys have developed expertise in handling class action lawsuits, leading and overseeing multidistrict litigation, and representing municipalities and other public and governmental clients. Based on their reputation and experience, Milberg attorneys have been assigned to leadership roles in class actions, mass torts litigation, and multidistrict litigation nationwide, across all of these practice areas.

SECURITIES FRAUD

Milberg pioneered the use of class action lawsuits to litigate claims involving investment products, securities, and the banking industry. Fifty years ago, the firm set the standard for case theories, organization, discovery, methods of settlement, and amounts recovered for clients. Milberg remains among the most influential securities litigators in the United States and internationally.

Milberg and its attorneys were appointed Lead Counsel and Co-Lead Counsel in hundreds of federal, state, and multidistrict litigation cases throughout its history.

EXEMPLAR CASES

[In re: Nortel Networks Corp. Securities Litigation](#)

U.S. District Court for the Southern District of New York

Milberg attorneys served as Lead Counsel for the class and the court-appointed lead plaintiff, the Trustees of the Ontario Public Service Employees' Union Pension Plan Trust Fund, in this federal securities class action. The court approved a settlement valued at more than \$1.14 billion.

[In re: Initial Public Offering Securities Litigation](#)

U.S. District Court for the Southern District of New York

Milberg represented investors in 310 securities class actions alleging a market manipulation scheme involving hundreds of initial public offerings and approximately 55 defendant investment banks. Plaintiffs alleged this scheme significantly contributed to the high-tech "bubble" of the late 1990s and early 2000s. In approving a \$586 million settlement, the court described the law firms on the Plaintiffs' Executive Committee as the "cream of the crop."

In re: Zynga Inc. Sec. Litigation

U.S. District Court for the Northern District of California

A class action in which Zynga misled investors by portraying the online gaming company as financially strong and withholding non-public information, which in turn allowed a select few within the company to reap the benefits from the company's IPO, before the stock's value eventually collapsed.

In re: Merck & Co., Inc. Sec. Litigation

U.S. District Court for the District of New Jersey

Milberg served as Co-Lead Counsel in this federal securities fraud class action, and after more than 12 years of hard-fought litigation, ultimately obtained a combined settlement totaling \$1.062 billion, the largest securities class action settlement ever against a pharmaceutical company. The court described the settlement as "a settlement which is fair and just and which, in fact, is the best settlement which possibly could have been achieved in this case."

In re: Deutsche Telekom AG Sec. Litigation

U.S. District Court for the Southern District of New York

Milberg attorneys served as Co-Lead Counsel in this class action on behalf of purchasers of American Depository Receipts. The plaintiffs alleged that Deutsche Telekom improperly failed to disclose plans to make a major corporate acquisition and overstated the value of real estate assets. Milberg attorneys played a pivotal role in achieving a \$120 million settlement.

In re: Tyco Int'l Ltd., Sec. Litigation

U.S. District Court for the District of New Hampshire

Milberg attorneys served as Co-Lead Counsel in this litigation, which involved federal securities claims against Tyco and its former CEO, CFO, general counsel, and certain former directors for insider trading and the overstatement of billions of dollars in income. Milberg attorneys played a crucial role in achieving a \$3.2 billion settlement.

In re: Vivendi Universal, S.A. Securities Litigation

U.S. District Court for the Southern District of New York

Milberg was one of two Lead Trial Counsel in this securities fraud case tried to a jury over four months. The jury found Vivendi liable for dozens of false or misleading statements and awarded damages valued at well over a billion dollars. Six months later, in an unrelated case, the Supreme Court ruled that purchasers on foreign securities exchanges could not recover under U.S. law. Milberg's case against Vivendi continued with post-verdict proceedings under the new standard, and damages have been distributed to U.S. class members totaling over \$100 million.

In re: Washington Public Power Supply System Securities Litigation

U.S. District Court for the District of Arizona

In this massive securities fraud litigation, Milberg served as Co-Lead Counsel for a class that obtained, after several months of trial, settlements totaling \$775 million, the largest securities fraud settlement at that time.

In re: Lucent Technologies, Inc. Securities Litigation

U.S. District Court for the District of New Jersey

Milberg served as Co-Lead Counsel in this securities action, which alleged that Lucent and its senior officers misrepresented the demand for Lucent products and improperly recognized hundreds of millions of dollars in revenues. The case settled for \$600 million.

In re: Biovail Corp. Securities Litigation

U.S. District Court for the Southern District of New York

Milberg, representing Local 282 Welfare Trust Fund and serving as Co-Lead Counsel, litigated this securities action alleging that defendants made misleading statements concerning Biovail's financial results and its drug, Cardizem LA. Following substantial discovery, including depositions across the U.S. and Canada, Milberg obtained a \$138 million settlement for the class, and Biovail agreed to institute significant corporate governance changes.

In re: CVS Corp. Securities Litigation

U.S. District Court for the District of Massachusetts

Milberg served as Co-Lead Counsel in this securities action on behalf of a class of purchasers of American Depository Receipts. The plaintiffs alleged that Deutsche Telekom improperly failed to disclose plans to make a major corporate acquisition and overstated the value of real estate assets. In 2005, following extensive discovery, including depositions in Germany, the court approved a \$120 million cash settlement.

In re: CVS Corp. Securities Litigation

U.S. District Court for the District of Massachusetts

Milberg served as Co-Lead Counsel in this securities class action alleging that defendants issued false and misleading statements, which artificially inflated the price of CVS stock. The court approved a \$110 million settlement.

In re: American Express Financial Advisors Securities Litigation

U.S. District Court for the Southern District of New York

This case involved allegations that American Express Financial Advisors violated securities laws by representing to class members that the company would provide tailored financial advice when the company actually provided "canned" financial plans and advice designed to steer clients into American Express and certain non-proprietary mutual funds. The case settled for \$100 million and required the company to adopt various remedial measures.

Irvine v. ImClone Systems, Inc.

U.S. District Court for the Southern District of New York

Milberg served as Co-Lead Counsel in this case, in which the court approved a \$75 million cash settlement. The plaintiffs alleged that ImClone misrepresented the likelihood that its drug, Erbitux, would be approved, thereby artificially inflating the price of ImClone stock.

ANTITRUST

For over fifty years, Milberg's Antitrust Practice Group has prosecuted complex antitrust class actions against defendants in the healthcare, technology, agriculture, and manufacturing industries engaged in price-fixing, monopolization and other violations of antitrust law and trade restraints.

EXEMPLAR CASES

[In re: Dealer Management Systems Antitrust Litigation](#)

U.S. District Court for the Northern District of Illinois

Milberg is appointed Lead Counsel in this nationwide class action representing car dealerships. Plaintiffs allege that leading software providers entered into an unlawful agreement, monopolizing access to auto sales and service data in dealer management software used by dealers, thereby reducing competition and increasing prices. Milberg attorneys achieved a \$29.5 million settlement against one defendant and the case is proceeding against the remaining defendant.

[In re: ACTOS Antitrust Litigation](#)

U.S. District Court for the Southern District of New York

Milberg attorneys played a significant role in this litigation, including appointment to the MDL Discovery Committee, which accused Takeda Pharmaceuticals of failing to warn patients of the risks of bladder cancer, heart failure and other side effects associated with the Type 2 diabetes drug. In 2015, roughly 9,000 claims were settled for \$2.4 billion and significant injunctive relief.

[In re: Cathode Ray Tube \(CRT\) Antitrust Litigation](#)

U.S. District Court for the Northern District of California

Milberg represented indirect purchaser plaintiffs in this class action alleging an international conspiracy among defendants to keep prices for cathode ray tube (CRT) displays artificially high. Milberg had a significant discovery role in the prosecution of this class action with settlements exceeding \$580 million.

[Blessing v. Sirius XM Radio Inc.](#)

U.S. District Court for the Southern District of New York

Milberg served as Co-Lead Counsel in this case alleging that the merger of two U.S. satellite radio providers led to the monopolization of the satellite radio market and the elimination of competition.

[In re: Disposable Contact Lens Antitrust Litigation](#)

U.S. District Court for the Middle District of Florida

Milberg represented indirect purchasers in a class action alleging that defendants conspired to maintain artificially high prices for disposable contact lenses through policies that prevented resale of the subject contact lenses below a minimum price. Settlements exceeded \$118 million.

[In re: Liquid Aluminum Sulfate Antitrust Litigation](#)

U.S. District Court for the District of New Jersey

Milberg was appointed to the Plaintiffs Steering Committee in this class action alleging that manufacturers of a chemical essential to municipal water treatment engaged in price-fixing, bid-rigging and market allocation in violation of federal antitrust laws. Settlements were valued at \$92.5 million.

[Sandhaus v. Bayer AG](#)

Kansas State Court

Milberg served as Co-Lead Counsel in this case alleging that Bayer and several generic drug manufacturers entered into pay-for-delay agreements concerning an antibiotic marketed by Bayer, which caused the plaintiffs to continue paying supracompetitive prices for the drug throughout the class period. The case settled for \$9 million.

[In re: Fresh Process Potatoes Antitrust Litigation](#)

United States District Court, District of Idaho

Milberg served as Co-Lead Counsel for indirect purchaser plaintiffs in this class action alleging that potato growers, their cooperatives, processors, and packers violated federal antitrust laws by conspiring to manipulate the price and supply of potatoes. Milberg achieved a settlement for \$5.5 million and meaningful injunctive relief.

[In re: Google Play Consumer Antitrust Litigation](#)

U.S. District Court for the Northern District of California

Milberg is appointed part of a three-member Steering Committee in this consolidated class action alleging Google engaged in anticompetitive behavior through the Google Play Store, seeking injunctive relief and monetary damages on behalf of consumers forced to pay inflated prices for Play Store purchases.

[Series 17-03-615, a series of MSP Recovery Claims, Series LLC. v. Express Scripts, Inc.](#)

U.S. District Court for the Northern District of Illinois

Milberg represents third-party payers in this class action alleging that defendants participated in a vertical price-fixing scheme and their monopolistic, anticompetitive behavior caused plaintiffs and the class to pay inflated prices for the drug, H.P. Acthar Gel.

[In re: Hard Disk Drive Assemblies Antitrust Litigation](#)

U.S. District Court for the Northern District of California

Milberg represents a class of indirect purchaser end user plaintiffs in a class action alleging that the two largest manufacturers of hard disk drive (HDD) suspension assemblies illegally conspired to fix prices of these component parts, thereby raising prices of products purchased by plaintiffs and the class.

[In re: Deere & Co. Repair Services Antitrust Litigation](#)

U.S. District Court for the Northern District of Illinois

Milberg is appointed to the Plaintiffs Steering Committee in this class action alleging that John Deere illegally monopolized the repair and diagnostic services market for Deere brand agricultural equipment with onboard central computers known as engine control units, thereby inflating the prices of these services.

[Harley-Davidson Aftermarket Parts Marketing, Sales Practices and Antitrust Litigation](#)

U.S. District Court for the Eastern District of Wisconsin

Milberg represents a class of Harley-Davidson motorcycle owners in a case alleging that Harley-Davidson uses its monopoly power to force motorcycle owners to use its compatible branded parts for repairs or risk losing warranty coverage.

In re: California Gasoline Spot Market Antitrust Litigation

U.S. District Court for the Northern District of California

Milberg represents California consumers who were forced to pay supracompetitive prices for gasoline due to the manipulation of the California gasoline spot market.

FINANCIAL LITIGATION

For over five decades, Milberg has spearheaded litigation challenging unethical practices by some of the biggest financial and insurance institutions in the world and has been at the cutting edge of cases that directly impacted large banks, lenders, and insurers.

EXEMPLAR CASES

In re: Prudential Insurance Co. Sales Practice Litigation

U.S. District Court for the Northern District of California

Milberg attorneys were appointed Lead Counsel and recovered more than \$4 billion for certain policyholders in this landmark case challenging Prudential's insurance sales practices.

In re: Raytheon Co. Securities Litigation

U.S. District Court for the District of Massachusetts

Milberg served as Lead Counsel in this case, which alleged that a major defense contractor failed to properly write down assets on construction contracts. Raytheon and its auditor, PricewaterhouseCoopers LLP, settled for a total of \$460 million.

In re: Chase Bank USA, N.A. "Check Loan" Contract Litigation

U.S. District for the Northern District of California

Milberg served on the Executive Committee representing the class in this action against JP Morgan Chase & Co. The complaint alleged that Chase improperly increased the minimum monthly payment by 150% required for customers who entered into balance transfer loans with "fixed" interest rates that were guaranteed to remain so for the "life of the loan." Milberg and its Co-Counsel achieved a \$100 million settlement for the class.

In re: General Electric Co. ERISA Litigation

U.S. District Court for the Northern District of New York

Milberg, serving as Co-Lead Counsel, achieved a \$40 million settlement on behalf of current and former G.E. employees who claimed that G.E.'s 401(k) Plan fiduciaries imprudently invested more than two-thirds of the Plan's assets in company stock. The settlement included important structural changes to G.E.'s 401(k) plan valued at more than \$100 million.

In re: Royal Dutch/Shell Transport ERISA Litigation

U.S. District Court for the District of New Jersey

Milberg attorneys led this ERISA breach of fiduciary duty class action against the Royal Dutch/Shell Oil Group of Companies on behalf of certain of the companies' U.S. employee investment plan participants. The \$90 million settlement included important provisions regarding the monitoring and training of individuals appointed to be ERISA fiduciaries.

[Mason v. Medline](#)

U.S. District Court for the Northern District of Illinois

Milberg successfully represented a healthcare worker in a False Claims Act case against his former employer, Medline Industries, Inc., one of the nation's largest suppliers of medical and surgical products, along with its charitable arm, The Medline Foundation. The suit alleged that Medline engaged in a widespread illegal kickback scheme targeting hospitals and other healthcare providers that purchase medical products paid for by federal healthcare programs. Milberg pursued the case on a non-intervened basis and recovered \$85 million on behalf of the federal government — one of the largest settlements of a False Claims Act case in which the government declined to intervene.

[In re: Converse Technology, Inc. Derivative Litigation](#)

U.S. Supreme Court for the State of New York, New York County

As Co-Lead Counsel, Milberg negotiated a \$62 settlement which was approved by the court. The settlement also resulted in significant corporate governance reforms, including the replacement of various directors and officers; the amendment of the company's bylaws to permit certain shareholders to propose in the company's proxy materials nominees for election as directors; and the requirement that all equity grants be approved by both the compensation committee and a majority of the non-employee directors.

CONSUMER PROTECTION

Milberg's Consumer Protection Practice Group focuses on improving product safety and protecting those who have fallen victim to deceptive marketing and advertising of goods and services and/or purchased defective products. Milberg attorneys have served as Lead Counsel and Co-Lead Counsel in hundreds of federal, state, and multidistrict litigation cases alleging the sale of defective products, improper marketing of products, and violations of consumer protection statutes.

EXEMPLAR CASES

[Cleveland v. Whirlpool Corp.](#)

U.S. District Court for the District of Minnesota

Milberg attorneys led this class action involving leaking and defective washing machines. Milberg attorneys were pivotal in achieving a settlement valued at approximately \$21 million, which included meaningful service plan benefits and reimbursement for out-of-pocket repair expenses.

[Berman et al. v. General Motors LLC](#)

U.S. District Court for the Southern District of Florida

Milberg attorneys held leadership roles in this class action involving excessive oil consumption in Chevrolet and GMC vehicles. Milberg attorneys played a pivotal role in achieving a nationwide settlement valued at over \$40 million, securing vehicle repairs and reimbursement for out-of-pocket repair costs.

[Chess v. Volkswagen Group of America, Inc.](#)

U.S. District Court for the Central District of California

Milberg attorneys were named Co-Lead Counsel in this class action involving Volkswagen vehicles with defective transmissions. Milberg attorneys secured a settlement that included up to full reimbursement for out-of-pocket repair expenses and significant injunctive relief.

Hamm v. Sharp Electronics Corporation

U.S. District Court for the Southern District of Florida

Milberg attorneys served as Co-Class Counsel in this class action involving defectively designed microwave drawers. Milberg attorneys were instrumental in achieving a settlement valued at more than \$100 million, which included meaningful extended service plan benefits and reimbursement for out-of-pocket repair expenses.

In re: Allura Fiber Cement Siding Products Liability Litigation

U.S. District Court for the District of South Carolina

Milberg attorneys were appointed Co-Lead Counsel and Steering Committee members by the court in this class action alleging defective fiber cement board siding. Milberg attorneys helped to secure a nationwide settlement for repair and replacement of homeowners' siding.

In re: MI Windows and Doors, Inc., Products Liability Litigation

U.S. District Court for the District of South Carolina

Milberg attorneys served as Co-Lead Counsel in this multidistrict class action litigation and helped to secure a nationwide class settlement for homeowners who purchased defectively designed windows.

In re: Zurn Pex Plumbing Products Liability Litigation

U.S. District Court for the District of Minnesota

Milberg attorneys served on the Executive Committee in this multidistrict class action involving leaking and defective plumbing systems. Milberg attorneys secured monetary benefits valued at \$100,000 per class settlement member, and plumbing repairs in value up to \$7,000 per class settlement member.

Hobbie, et al. v. RCR Holdings II, LLC, et al.

U.S. District Court for the District of Louisiana

Milberg attorneys served as Co-Lead Counsel in a multidistrict class action alleging improper usage of toxic and defective Chinese drywall. Milberg attorneys played an important role in securing a \$30 million settlement for remediation of 364-unit residential high-rise buildings constructed with the toxic drywall.

In re: Chinese Manufactured Drywall Products Liability Litigation

U.S. District Court for the Eastern District of Louisiana

Milberg attorneys served on the Executive Committee in a multidistrict class action involving defective and toxic drywall.

In re: Synthetic Stucco Litigation

U.S. District Court for the Eastern District of North Carolina

Milberg attorneys were appointed to the Steering Committee and played a pivotal role in securing settlements with four exterior insulation finishing system manufacturers for homeowners valued at over \$50 million.

Bridget Smith v. Floor and Decor Outlets of America, Inc.

U.S. District Court for the Northern District of Georgia

Milberg attorneys were appointed Co-Lead Counsel in this class action alleging undisclosed formaldehyde exposure from wood and laminate flooring. Milberg attorneys achieved a national class action settlement for homeowners who purchased unsafe laminate wood flooring.

In re: Lumber Liquidators Chinese-Manufactured Flooring Products Marketing, Sales Practices and Products Liability Litigation

U.S. District Court for the Eastern District of Virginia

Milberg attorneys were appointed Co-Lead Counsel in this class action alleging formaldehyde exposure and secured a \$36 million national class action settlement for members who purchased a certain type of laminate flooring.

In re: Windsor Wood Clad Window Products Liability Litigation

U.S. District Court for the Eastern District of Wisconsin

Milberg attorneys were appointed Lead Counsel in this class action alleging window defects. Milberg attorneys helped to secure a nationwide settlement for customers providing repairs, replacements, and compensation for out-of-pocket expenses.

Norman et al. v. Nissan North America

U.S. District Court for the Middle District of Tennessee

Milberg attorneys were appointed Co-Lead Counsel in this class action alleging CVT transmission defects in Nissan vehicles. Milberg attorneys played a pivotal role in securing a nationwide settlement valued at approximately \$17 million for repairs, replacements, extended warranty, and cash benefits.

In re: Horizon Organic Milk Plus DHA Omega-3 Marketing and Sales Practice Litigation

U.S. District Court for the Southern District of Florida

Milberg attorneys were appointed Co-Lead Counsel in this class action alleging falsely advertised brain health benefits. Milberg attorneys were essential in securing a settlement valued at \$1.3 million for consumers.

In re: All-Clad Metalcrafters, LLC, Cookware Marketing and Sales Practices Litigation

U.S. District Court for the Western District of Pennsylvania

Milberg attorneys were appointed to leadership positions in this multidistrict class action involving All-Clad's false advertising that its stainless-steel cookware was dishwasher safe. Milberg attorneys secured a nationwide settlement valued at \$4 million, including replacement products, monetary benefits, partial reimbursements for purchases of the defective products, and discounts on future product purchases.

Julian, et al., v. TTE Technology, Inc.

U.S. District Court for the Northern District of California

Milberg attorneys were appointed Co-Lead Counsel in this litigation involving the false advertising of TCL televisions' refresh rates. Milberg attorneys played an important role in securing a class settlement valued at \$2.5 million in cash benefits to class members.

Roberts et al. v. Electrolux Home Products Inc.

U.S. District Court for the Central District of California

Milberg attorneys were named Co-Lead Counsel in this class action involving defective dryers manufactured by Electrolux. Milberg attorneys helped to obtain a settlement on behalf of more than one million class members, valued at over \$35 million.

Tabak v. Apple Inc.

U.S. District Court for the Northern District of California

Milberg attorneys brought this class action against Apple for a defect in the iPhone 7 and iPhone 7 Plus, which negatively impacted the audio quality of the phones. Milberg attorneys played a pivotal role in bringing the case, briefing, and discovery. The parties have agreed to a class settlement in principle, valued at \$35 million.

Koenig v. VIZIO, Inc.

Superior Court of Los Angeles County, California

Milberg attorneys litigated this class action involving the false advertising of Vizio televisions' refresh rates. Milberg attorneys played a pivotal role, including briefing, discovery, and handling all trial responsibilities. The parties have agreed to a class settlement in principle, valued at over \$40 million.

In re: Outer Banks Power Outage Litigation

U.S. District Court for the Eastern District of North Carolina

Milberg attorneys served as Co-Lead Counsel and secured a \$10.35 million settlement in a class action in which residents, businesses, and vacationers on Hatteras and Ocracoke Islands in North Carolina were impacted by a 9-day power outage.

Elliott et al v. KB Home North Carolina Inc.

North Carolina Superior Court

In this class action involving homeowners who purchased homes that were improperly built without weather-resistant barriers, Milberg attorneys played an essential role in securing a settlement valued at approximately \$6,500 to \$17,000 for each class member.

In re: Allergan Biocell Textured Breast Implant Product Liability Litigation

U.S. District Court for the District of New Jersey

Milberg attorneys were appointed to the Plaintiffs Steering Committee in this multidistrict class action against Allergan for breast implants that caused cancer. Milberg attorneys continue to play a pivotal role in this ongoing case.

In re: Evenflo Co., Inc. Marketing, Sales Practices and Products Liability Litigation

U.S. District Court for the District of Massachusetts

Milberg attorneys were appointed Co-Lead Counsel in this multidistrict litigation against Evenflo for deceptively marketing its child booster seats.

Carder v. Graco Children's Safety products, Inc.

U.S. District Court for the Northern District of Georgia

Milberg attorneys were appointed to multiple leadership positions in this class action involving the deceptive marketing of child car seats.

Coleman, et al, v. Britax Child Safety, Inc.

U.S. District Court for the District of South Carolina

Milberg attorneys were appointed Co-Lead Counsel in this class action involving the deceptive marketing of child car seats.

In re: Seresto Flea and Tick Collar Marketing, Sales Practices And Products Liability Litigation

U.S. District Court for the Northern District of Illinois

Milberg attorneys were appointed Co-Lead Counsel in this multidistrict class action against the manufacturers of Seresto flea and tick collars, which were linked to numerous pet deaths. The litigation is ongoing.

DANGEROUS DRUGS & DEVICES

Milberg is a nationally renowned firm in mass torts, fighting some of the largest, wealthiest, and most influential pharmaceutical and device companies and corporate entities in the world. Our experienced team of attorneys has led or co-led numerous multidistrict litigations of defective drugs and medical devices.

EXEMPLAR CASES

In re: Avandia Marketing, Sales Practices, and Products Liability Litigation

U.S. District Court for the Eastern District of Pennsylvania

Milberg attorneys were appointed to the Plaintiffs Steering Committee and served on the Discovery and Media Sub-Committees on behalf of thousands of patients who took the Type 2 diabetes drug Avandia, alleging the manufacturer failed to disclose the known and increased risk of heart attack and cardiac death. GlaxoSmithKline set aside \$3.4 billion in 2011 to settle lawsuits.

In re: Benicar (Olmesartan) Products Liability Litigation

U.S. District Court for the District of New Jersey

Milberg attorneys were appointed to the Plaintiffs Steering Committee and Common Benefit Fee Committee in this multidistrict litigation which alleged that Benicar manufacturer Daiichi Sankyo and co-promoter Forest Laboratories were responsible for serious gastrointestinal injuries. In 2017, the defendants agreed to a \$300 million settlement.

In re: Chantix (Varenicline) Products Liability Litigation

U.S. District Court for the Northern District of Alabama, Southern Division

Milberg attorneys served as Co-Lead Counsel in the Chantix Coordination in New York State Court and court-appointed member of the Plaintiffs Steering Committee in the MDL in Alabama.

In re: Fluoroquinolone Products Liability Litigation

U.S. District Court for the District of Minnesota

Milberg attorneys were appointed to the Plaintiffs Steering Committee in the MDL in Minnesota litigating the broad-spectrum antibiotic that resulted in severe tendon damage, particularly debilitating Achilles tendon ruptures.

Fosamax Litigation (I & II)

U.S. District Court for the District of New Jersey

Fosamax I: Milberg was appointed Lead Counsel in this New York MDL for ONJ cases and served on the Discovery Team in the Superior Court of New Jersey. Fosamax II: Milberg was appointed to Fosamax Femur MDL Plaintiffs Steering Committee for MDL in the District of New Jersey.

In re: Fresenius Granuflo/Naturalyte Dialysate Products Liability Litigation

U.S. District Court for the District of Massachusetts

Milberg attorneys served on the Plaintiffs Steering Committee in the MDL. Granuflo and Naturalyte were manufactured and marketed by Fresenius Medical for use in dialysis treatment to address kidney failure both chronic and acute, but also caused increased heart complications.

In re: Incretin Mimetics Products Liability Litigation

U.S. District Court for the Southern District of California (San Diego)

Milberg attorneys were appointed to the MDL Plaintiffs Steering Committee in California. Incretins are a class of Type 2 Diabetes drugs which result in a significant increase in gastric side effects.

In re: Infusion Pump Cases (JCCP 4615)

U.S. Ninth Circuit Court, Eastern District of California

Milberg attorneys were appointed Plaintiffs Liaison Counsel. Studies showed that pain pumps were associated with high failure rates when used appropriately and often mis-used leading to increased failure rates and resultant complications.

Risperdal and Invega Product Liability Litigation (JCCP 4775)

California Second District Court of Appeal, Division Three

Milberg attorneys were appointed Co-Lead Counsel in Risperdal/Invega Product Liability Litigation against Johnson & Johnson/Janssen regarding these anti-psychotic dopamine receptor blockers that cause hormonal changes in male users that can result in breast tissue growth.

In re: Mirena IUD Levonorgestrel-Related Products Liability Litigation

U.S. District Court for the Southern District of New York

Milberg attorneys were appointed to the Plaintiffs Steering Committee. Mirena, a hormone releasing IUD for contraception was intended for longer term placement, are prone to failure and breakage and resultant injuries.

Propecia Finasteride Product Liability Litigation

U.S. District Court for the Eastern District of New York

Milberg attorneys were appointed to the Plaintiffs Steering Committee. Another Milberg attorney was appointed Lead Counsel in the New Jersey Multi County Litigation in Middlesex County, New Jersey. These litigations centered on sexual dysfunction resulting from use of Merck's male pattern hair loss product, Propecia.

In re: Reglan Litigation

U.S. Superior Court of New Jersey, Law Division Atlantic County

Milberg attorneys were appointed Co-Lead Counsel in the Multi County Litigation in New Jersey State Court, Atlantic County. Reglan is often used for longer terms to address symptoms of GERD resulting in neurological injuries including Tardive Dyskinesia.

Johnson & Johnson Talcum Powder Products Marketing, Sales Practices and Products Liability Litigation (MDL 2738)

U.S. District Court for the District of New Jersey

Milberg attorneys were appointed to the Plaintiffs Steering Committee in the Johnson & Johnson Talcum Powder Litigation and served on the Science Committee and Bellwether Committee in the MDL in District Court New Jersey, as well as on the Science and Experts Committee of the PSC.

In re: American Medical Systems, Inc., Pelvic Repair System Products Liability Litigation

U.S. District Court for the Southern District of West Virginia

Milberg attorneys were appointed to the Plaintiffs Steering Committee in the AMS, Bard, Boston Scientific and Ethicon MDLs.

In re: Vioxx Products Liability Litigation

U.S. District Court for the Eastern District of Louisiana

Milberg attorneys served as Liaison to the media for Vioxx Plaintiffs Steering Committee and Public Relations Committee in Louisiana and on the New Jersey Multi County Litigation Vioxx discovery team.

In re: Zicam Cold Remedy Marketing, Sales Practices and Products Liability Litigation

U.S. District Court for the District of Arizona

Milberg attorneys were appointed to the MDL Plaintiffs Steering Committee in Arizona in this case involving a homeopathic, over the counter common cold and allergy symptom product that left many with impaired ability to smell.

In re: Zimmer Nexgen Knee, Implant Products Liability Litigation

U.S. District Court for the Northern District of Illinois, Eastern Division

Milberg attorneys were appointed to the MDL Plaintiff's Steering Committee in Illinois as well as the Electronic Storage Information Committee. Zimmer manufactures multiple devices including knee devices which resulted in premature failure necessitating additional, painful, and costly surgeries.

In re: Crestor Products Liability Cases (JCCP 4713)

California Superior Court

Milberg attorneys served as Co-Lead Counsel in the JCCP in State Court California on this highly potent AstraZeneca "me too" cholesterol managing statin litigation where serious side effects included newly onset diabetes and liver damage as well as reactions with Coumadin.

EMPLOYMENT & CIVIL RIGHTS

Milberg's Employment & Civil Rights attorneys focus on class actions and individual cases nationwide arising from discriminatory banking and housing practices, unpaid wages and sales commissions, improperly managed retirement benefits, workplace discrimination, and wrongful termination.

EXEMPLAR CASES

[In re: Black Farmers Discrimination Litigation](#)

U.S. District Court for the District of Columbia

Milberg attorneys were appointed Lead Counsel and secured a \$1.25 billion settlement fund for black farmers who alleged the U.S. Department of Agriculture discriminated against them by denying farm loans.

[Kingston v. IBM](#)

U.S. District Court for the Western District of Washington

Milberg attorneys spearheaded a series of landmark cases against IBM alleging wrongful termination of software sales managers through a pattern of fraudulent conduct.

[Parry et al. v. Farmers Insurance Exchange, et al.](#)

Superior Court of Los Angeles County, California

Milberg attorneys were named Class Counsel and secured a \$75 million class-action settlement with Farmers Insurance on behalf of its agents alleging that Farmers Insurance misclassified its agents as independent contractors.

[Meek v. SkyWest, Inc.](#)

U.S. District Court for the Northern District of California

Milberg attorneys were Lead Counsel and secured a \$4.2 million class action settlement against SkyWest Airlines for allegedly failing to provide proper rest and meal breaks to its employees.

[Craig v. Rite Aid Corporation](#)

U.S. District Court for the Middle District of Pennsylvania

This FLSA collective action and class action settled for \$20.9 million.

[Stillman v. Staples, Inc.](#)

U.S. District Court for the District of New Jersey

This FLSA collective action had a Plaintiffs' trial verdict for \$2.5 million and a national settlement approved for \$42 million.

[Lew v. Pizza Hut of Maryland, Inc.](#)

U.S. District Court for the District of New Jersey

This FLSA collective action had a statewide settlement for managers-in-training and assistant managers, providing recompense of 100% of lost wages.

ENVIRONMENTAL LITIGATION & TOXIC TORTS

Milberg's Environmental Litigation & Toxic Torts Practice Group focuses on representing clients in mass torts, class actions, multi-district litigation, regulatory enforcement, citizen suits, and other complex environmental and toxic tort matters. Milberg and its attorneys have held leadership roles in all facets of litigation in coordinated proceedings, with a particular focus on developing the building blocks to establish general causation, which is often the most difficult obstacle in an environmental or toxic tort case.

EXEMPLAR CASES

[Nnadili, et al. v. Chevron U.S.A., Inc.](#)

U.S. District Court for the District of Columbia

Milberg attorneys were Lead Counsel in a \$6.2 million settlement for owners and residents of 200 properties located above underground plume of petroleum from former Chevron gas station.

[In re: Swanson Creek Oil Spill Litigation](#)

U.S. District Court for the District of Maryland

Milberg attorneys served as Lead Counsel and achieved a \$2.25 million settlement arising from the largest oil spill in history of State of Maryland.

[In re: Exxon Valdez](#)

U.S. District Court for the District of Alaska

Milberg was a member of the Plaintiffs' Coordinating Committee and co-chair of the Plaintiffs' Law Committee in this massive litigation resulting from the Exxon Valdez oil spill in Alaska. The plaintiffs obtained a jury verdict of \$5 billion, which, after years of appeals by Exxon, was reduced to approximately \$500 million by the United States Supreme Court. The United States Court of Appeals for the Ninth Circuit has since held that plaintiffs are entitled to post-judgment interest on the award in the amount of approximately \$470 million.

[Municipality of Bayamon, et al., v. Exxon Mobil Corp., et al.](#)

United States District Court for the District of Puerto Rico

More than a dozen municipalities of Puerto Rico have filed a class action lawsuit against fossil fuel companies for their alleged role in the deadly 2017 hurricane season that devastated the Commonwealth, causing billions in damages and leaving thousands of people dead. The first-of-its-kind lawsuit seeks financial compensation from oil and coal companies for marketing and selling carbon-based products that they intentionally misrepresented to the public and worked together to publicly conceal the climate risk changes of their products while internally acting on climate science to safeguard their own assets.

[Sharon Weatherly v. Eastman Chemical Co.](#)

Circuit Court of Sullivan County, Tennessee Second Judicial District

Milberg attorneys led the effort to bring justice for hundreds of injured workers and their families resulting from a steam explosion at the Eastman Chemical Company which released asbestos and other toxic materials. Milberg filed a class-action lawsuit, pursuing claims for public and private nuisance, trespass, negligence, and strict liability for ultra-hazardous activity.

STATE & LOCAL GOVERNMENTS

Milberg attorneys are dedicated to defending the Constitutional and statutory rights of individuals and businesses that are subjected to unlawful government exactions and fees by state and local governments or bodies.

EXEMPLAR CASES

[Daedalus, LLC, et al. v. City of Charlotte](#)

North Carolina Superior Court, Mecklenburg County

Milberg attorneys recovered a \$106 million class action settlement for property owners for unlawful water and sewer capacity fees and system development fees charged by the City of Charlotte, North Carolina as a condition of providing water and sewer service to property owners.

[Upright Builders, Inc., et al. v. Town of Apex](#)

North Carolina Superior Court, Wake County

Milberg attorneys recovered a \$15.3 million class action settlement for property owners for unlawful water and sewer capacity replacement fees and transportation impact fees charged by the Town of Apex, North Carolina as a condition of providing water and sewer service to property owners.

[Plantation Builders of Wilmington, Inc., et al. v. County of Brunswick](#)

North Carolina Superior Court, Brunswick County

Milberg attorneys recovered a \$15.25 million class action settlement for property owners for unlawful water and sewer capacity fees charged by Brunswick County, North Carolina as a condition of providing water and sewer service to property owners.

[Gerald Currin Builders, Inc. v. Town of Holly Springs](#)

North Carolina Superior Court, Wake County

Milberg attorneys recovered a \$7.9 million class action settlement for property owners for unlawful water and sewer capacity replacement fees charged by the Town of Holly Springs, North Carolina as a condition of providing water and sewer service to property owners.

[Meritage Homes of the Carolinas, Inc. v. Town of Holly Springs](#)

North Carolina Superior Court, Wake County

Milberg attorneys recovered a \$7.5 million class action settlement for property owners for unlawful parks and recreation fees in-lieu of land dedication charged by the Town of Holly Springs, North Carolina as a condition of granting development approval to residential subdivision developers.

[Plantation Building of Wilmington, Inc. v. Town of Leland](#)

North Carolina Superior Court, Brunswick County

Milberg attorneys recovered a \$6.2 million class action settlement for property owners for unlawful water and sewer impact fees charged by the Town of Leland, North Carolina as a condition of providing water and sewer service to property owners.

Shenandoah Homes, LLC v. Town of Clayton

North Carolina Superior Court, Johnston County

Milberg attorneys recovered a \$2.7 million class action settlement for property owners for unlawful water and sewer impact fees charged by the Town of Clayton, North Carolina as a condition of providing water and sewer service to property owners.

Granite Land and Timber, LLC v. Town of Clayton

North Carolina Superior Court, Johnston County

Milberg attorneys recovered a \$2.45 million class action settlement for property owners for unlawful parks and recreation fees in-lieu of land dedication charged by the Town of Clayton, North Carolina as a condition of granting development approval to residential subdivision developers.

Mayfair Partners, LLC et al. v. City of Asheville

North Carolina Superior Court, Buncombe County

Milberg attorneys recovered a \$1.85 million class action settlement for property owners for unlawful water and sewer impact fees charged by the City of Asheville, North Carolina as a condition of providing water and sewer service to property owners.

Eastwood Construction, LLC, et. al v. City of Monroe

North Carolina Superior Court, Union County

Milberg attorneys recovered a \$1.75 million class action settlement for property owners for unlawful water and sewer impact fees charged by the City of Monroe, North Carolina as a condition of providing water and sewer service to property owners.

Larry Shaheen v. City of Belmont

North Carolina Superior Court, Gaston County

Milberg attorneys recovered a \$1.65 million class action settlement for property owners for unlawful water and sewer impact fees charged by the City of Belmont, North Carolina as a condition of providing water and sewer service to property owners.

Brookline Homes, LLC v. City of Mount Holly

North Carolina Superior Court, Gaston County

Milberg attorneys recovered a \$483,468 class action settlement for property owners for unlawful water and sewer impact fees charged by the City of Mount Holly, North Carolina as a condition of providing water and sewer service to property owners.

INFORMATION TECHNOLOGY

Milberg is a leader in the fields of cyber security, data breach litigation, and biometric data collection, litigating on behalf of clients – both large and small – to change data security practices so that large corporations respect and safeguard consumers’ personal data.

EXEMPLAR CASES

[In re: Google Buzz Privacy Litigation](#)

U.S. District Court for the Northern District of California

Milberg attorneys were appointed Lead Class Counsel and secured a \$8.5 million cy pres settlement.

[In re: Dept. of Veterans Affairs \(VA\) Data Theft Litigation](#)

U.S. District Court for the District of Columbia

Milberg attorneys were appointed Co-Lead Counsel representing veterans whose privacy rights were compromised by the theft of an external hard drive containing personal information of approximately 26.6 million veterans and their spouses; creation of a \$20 million fund for affected veterans and a cy pres award for two non-profit organizations.

[In re: Target Corporation Customer Data Security Breach Litigation](#)

U.S. District Court for the District of Minnesota

Milberg represented as many as 110 million Target customers whose personal information was compromised in this landmark data breach case. Milberg, together with Co-Counsel, achieved compensation of \$10 million, entitling individual consumers to recover losses of up to \$10,000. An appeal of the settlement has been remanded to the District Court of Minnesota and remains pending.

APPELLATE

Consisting of former appellate judges, experienced appellate advocates, and former law clerks who understand how best to present compelling arguments to judges on appeal and secure justice for our clients beyond the trial courts, Milberg's Appellate Practice Group boasts an impressive record of success on appeal in both state and federal courts.

EXEMPLAR CASES

[Home Depot, U.S.A., Inc. v. Jackson](#)

United States Supreme Court

Milberg attorneys represented a consumer who was originally sued in a state court debt collection action. In response, Milberg attorneys filed third-party class action claims against Home Depot for deceptive trade practices regarding its store credit cards marketed to customers. Home Depot sought to remove the class action counterclaims, which were filed in the existing state court action, to federal court. Lengthy appeals followed, in which Milberg attorneys worked cooperatively with attorneys at Public Justice to represent the original consumer and class of consumers. Ultimately, the Supreme Court agreed with the consumers' position and held that a third-party counterclaim defendant may not remove state court claims either under the removal statute or under the Class Action Fairness Act. This decision represents a significant victory for consumer plaintiffs.

[Webb v. Injured Workers Pharmacy, LLC](#)

First Circuit Court of Appeals

Milberg attorneys scored a significant victory for plaintiffs in data breach and other federal tort cases. The decision animated the Supreme Court's decision in *TransUnion v. Ramirez*, by applying its standing analysis in a common sense and logically consistent manner to the real-world fact patterns posed by data breach cases. The decision demonstrates that federal court is still a viable forum for data breach cases based upon the material risk of future misuse, as well as actual misuse of data.

[Kingston v. Int'l Bus. Machines Corp.](#)

Ninth Circuit Court of Appeals

Milberg attorneys represented an IBM software sales manager who was fired for reporting racial discrimination and the unlawful capping of sales commissions. A jury awarded the plaintiff almost \$15 million. The Ninth Circuit affirmed the jury's finding of liability and most of the damages award, over a dissent.

[Fessler v. Int'l Bus. Machines Corp.](#)

Fourth Circuit Court of Appeals

Milberg attorneys represented an IBM software salesman whose sales commissions IBM had wrongly capped. The district court dismissed the salesman's claims. The Fourth Circuit reversed the dismissal, distinguishing a long line of older cases in which IBM had prevailed on the grounds that the new case was factually distinct and presented novel legal theories. The case was later resolved.

[Lytle v. Nutramax Labs., Inc.](#)

Ninth Circuit Court of Appeals

Milberg attorneys represented a class of consumers who purchased pet joint health supplements, which they claimed were deceptively marketed and labeled. The trial court granted class certification, and the defendant sought to appeal to the Ninth Circuit, which agreed to hear the appeal. Milberg attorneys argued that class certification was proper, and that the plaintiffs' proposed damages model—a conjoint analysis that surveyed consumers to determine the value of the product's deceptive statements—was valid for calculating classwide damages. The Ninth Circuit heard the parties' arguments in 2023, but has not yet ruled.

[Adkisson v. Jacobs Engineering Grp., Inc.](#)

Sixth Circuit Court of Appeals

Milberg attorneys represented a group of hundreds of workers and their families who were injured when cleaning up a large coal ash spill in Kingston, Tennessee. The workers alleged, among other things, that the defendant had denied them essential personal protection equipment. Following years of litigation and a trial on certain issues, the defendant raised a new defense based on a recent Supreme Court case, *Thacker v. Tennessee Valley Authority*. The defendant argued that it should be immune because it was acting as an agent of the federal government. The Sixth Circuit rejected this defense, finding that based upon the facts, the Tennessee Valley Authority—and, by extension, the defendant—were not immune, paving the way for future litigants to bring claims against the TVA and its agents. Following this ruling, the parties reached a settlement.

[Chisum v. Campagna](#)

North Carolina Supreme Court

Milberg attorneys represented a contractor who was wrongfully kicked out of several valuable real estate companies by his partners. The jury awarded the plaintiff millions of dollars, but the trial court granted judgment to the defendants on some of the claims. The North Carolina Supreme Court affirmed the jury's verdict while reversing the trial court's grant of judgment to the defendants. Following the reversal, the parties reached settlement, which was more lucrative for plaintiff than the original jury verdict.

[Plantation Bldg. of Wilmington, Inc. v. Town of Leland](#)

North Carolina Supreme Court

Milberg attorneys represented a class of contractors who sued a local government for charging illegal fees. The trial court certified the class, but the government appealed, raising a dangerous new legal theory that would have prevented class certification. The North Carolina Supreme Court rejected that new theory, after which the case settled for even more than the class had demanded before the appeal.

[Adkisson v. Jacobs Engineering Grp., Inc.](#)

Tennessee Supreme Court

Milberg attorneys represented a group of hundreds of workers and their families who were injured when cleaning up a large coal ash spill in Kingston, Tennessee. The workers alleged, among other things, that the defendant had denied them essential personal protection equipment. Following years of litigation and a trial on certain issues, the defendant argued that the plaintiffs' claims must be dismissed under the Tennessee Silica Claims Protection Act, and the trial court certified the question to the Tennessee Supreme Court. Milberg attorneys briefed the issues and argued on the workers' behalf that the TSCPA did not cover or require dismissal of their claims. Before the Tennessee Supreme Court could rule, the parties settled their claims.

LOCATIONS

PUERTO RICO

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227 W. Monroe Street, Suite 2100
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WASHINGTON, D.C.

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NETHERLANDS

UNITED KINGDOM



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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

In re: Shimano Crankset Litigation

Case No.: 8:23-cv-02038-JVS(JDEx)

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES,
REIMBURSEMENT OF COSTS,
AND SERVICE AWARDS**

Judge: Hon. James V. Selna
Date: February 2, 2026
Time: 1:30 p.m.
Courtroom: 10C

1 WHEREAS, Plaintiffs and Defendants executed the Settlement Agreement,
2 dated March 28, 2025 (ECF No. 124-3), to settle this matter, subject to Court
3 approval;

4 WHEREAS, on July 29, 2025, the Court issued its order granting Plaintiffs’
5 Unopposed Motion for Preliminary Approval of Class Action Settlement and
6 ordered dissemination of notice to the Class pursuant to the Settlement’s notice plan
7 (ECF No. 134);

8 WHEREAS, the Settlement Agreement provides, in relevant part, that
9 “Class Counsel shall file a motion for Court-approved attorneys’ fees and expenses.
10 Any fees and expenses approved by the Court shall be paid by Defendants and
11 wired within 15 calendar days of the Court’s Order approving such fees and
12 expenses to an account specified by Class Counsel. Defendants reserve the right to
13 oppose Class Counsel’s motion.” ECF No. 124-3 ¶ 11.2.

14 WHEREAS, Class Counsel requests the following amounts to be paid by
15 Defendants: \$3,250,000 in attorney fees, (2) actual costs of \$164,241.13 for
16 reimbursement of reasonably incurred litigation expenses, and (3) \$500 to each
17 Class Representative as service awards, totaling \$6,000;

18 WHEREAS, a Final Approval Hearing was held on February 2, 2026, at
19 which time each person filing a timely objection to the Settlement and a notice of
20 their intent to appear were given a full opportunity to state any objections to the
21 Settlement;

22 WHEREAS, after considering Plaintiffs’ motion, memorandum of law and
23 supporting materials as well as any material(s) that may be filed in opposition
24 thereto, the Court having concluded that Plaintiffs’ request for fees, costs and
25 service awards is reasonable and permissible under the applicable law;
26
27
28

1 **IT IS ORDERED, ADJUDGED, AND DECREED:**

2 1. Federal Rule of Civil Procedure 23(h) provides that, “[i]n a certified
3 class action, the court may award reasonable attorneys’ fees and nontaxable costs
4 that are authorized by law or by the parties’ agreement.” Fed. R. Civ. P. 23(h). In
5 deciding whether a requested fee is appropriate, the Court’s task is to determine
6 whether such amount is “fundamentally fair, adequate, and reasonable.” *Staton v.*
7 *Boeing Co.*, 327 F.3d 938, 963 (9th Cir. 2003) (quoting Fed. R. Civ. P. 23(e)).

8 2. The Ninth Circuit has approved two methods for determining
9 reasonable attorneys’ fees in class actions: the lodestar method and the percentage-
10 of-recovery method. *See In re Hyundai & Kia Fuel Econ. Litig.*, 926 F.3d 539, 570
11 (9th Cir. 2019). Because the Settlement provides primarily injunctive relief, the
12 lodestar method is the appropriate measure of reasonableness. *See, e.g., Stiner v.*
13 *Brookdale Senior Living, Inc.*, No. 4:17-CV-03962, 2025 WL 3043532 (N.D. Cal.
14 Oct. 31, 2025) (“Because injunctive relief is inherently difficult to monetize,...
15 courts tend to use the lodestar method in injunctive relief class actions.”); *Shvager*
16 *v. ViaSat, Inc.*, No. CV 12-10180, 2014 WL 12585790, at *16 (C.D. Cal. Mar. 10,
17 2014) (“Where attorneys’ fees will not be paid from a common fund, the percentage
18 method is inappropriate.”); *In re HP Laser Printer Litig.*, No. SACV 07-0667, 2011
19 WL 3861703, at *5 (C.D. Cal. Aug. 31, 2011) (“...because the primary benefit to
20 the class is injunctive relief, the Court finds it appropriate to base the attorney fees
21 on a lodestar calculation rather than any sort of common fund calculation.”).

22 3. Under the lodestar method, the district court calculates a
23 “presumptively reasonable” fee by multiplying the hours reasonably expended by a
24 reasonable hourly rate, *In re Hyundai*, 926 F.3d at 570, then may adjust that number
25 upward or downward to account for the “quality of representation, the benefit
26 obtained for the class, the complexity and novelty of the issues presented, and the
27 risk of nonpayment.” *In re Bluetooth Headset Prods. Liability Litig.*, 654 F.3d 935,
28 941 (9th Cir. 2011) (internal quotations and citations omitted).

1 4. Counsel reports 2,940.91 hours spent on this litigation, and a lodestar
2 of \$2,679,378. Counsel requests an award of \$3,250,000, which would result in a
3 modest multiplier of 1.21. The Court finds this to be an appropriate multiplier in
4 this case after application of the relevant factors.

5 5. The “foremost” factor in determining whether to adjust the lodestar
6 upward “is the benefit obtained for the class.” *In re Bluetooth*, 654 F.3d at 942.
7 Here, the benefit obtained for the Settlement Class weighs heavily in favor of the
8 requested fee. The “foremost” factor in determining whether to adjust the lodestar
9 upward “is the benefit obtained for the class.” *In re Bluetooth*, 654 F.3d at 942.
10 Here, the benefit obtained for the Settlement Class weighs heavily in favor of the
11 requested fee. The Settlement provides over \$60 million in injunctive relief that
12 significantly strengthens Shimano’s Recall and ensures that Settlement Class
13 Members will not incur out-of-pocket costs for inspection or replacement of a
14 Designated Crankset. *See* ECF 124-3. The Settlement also extends warranty
15 coverage for bonding separation and delamination through July 2027, a benefit that
16 Plaintiffs’ expert values at \$14.1 million.

17 6. The second factor – quality of the representation – also weighs in favor
18 of an upward adjustment. *See In re Bluetooth*, 654 F.3d at 941. This case required
19 extensive experience and skill with consumer product class actions. Class
20 Counsel’s expertise is reflected in the substantial relief provided by the Settlement.

21 7. The third factor – complexity of the issues – similarly supports an
22 upward adjustment of the lodestar. *See id.* This case was complex. It involved a
23 product sold nationwide, an alleged defect that required extensive factual
24 investigation and expert consultation, and claims under the laws of California,
25 Florida Illinois, and New York law against six Defendants on behalf of hundreds of
26 thousands of Settlement Class Members. ECF 123.

27 8. Finally, the risk of nonpayment also weighs in favor of an upward
28 adjustment. The risk of nonpayment was real given the two dismissal orders. *See*

1 ECF Nos. 67, 95; *see also Stetson v. Grissom*, 821 F.3d 1157, 1166 (9th Cir. 2016)
2 (noting the fact that the “district court initially dismissed the case” was evidence of
3 risk). The second dismissal led the parties to private mediation, which was followed
4 by confirmatory discovery and expert review that shaped the Settlement’s final
5 terms.

6 9. The requested multiplier of 1.21 falls at the far low end of the Ninth
7 Circuit’s “presumptively acceptable range of 1.0–4.0.” *See In re Hyundai*, 926 F.3d
8 at 572 (finding multipliers of 1.22 and 1.55 to be “modest or in-line with others we
9 have affirmed”); *Gutierrez v. Amplify Energy Corp.*, No. 8:21-CV-01628, 2023 WL
10 3071198, at *6 (C.D. Cal. Apr. 24, 2023) (holding multiplier of 1.3 “on the low end
11 of the presumptively acceptable range of 1.0-4.0 in this Circuit”); *Dyer v. Wells*
12 *Fargo Bank, N.A.*, 303 F.R.D. 326, 334 (N.D. Cal. 2014) (citing *Vizcaino v.*
13 *Microsoft Corp.*, 290 F.3d 1043, 1051 (9th Cir. 2002) (approving a 3.65
14 multiplier)); *see also Latham v. Lee Hecht Harrison, LLC*, No. 8:20-CV-01769,
15 2022 WL 22908407, at *2 (C.D. Cal. July 8, 2022) (approving a multiplier of 2.4);
16 *Spann v. J.C. Penney Corp.*, 211 F. Supp. 3d 1244, 1265 (C.D. Cal. 2016)
17 (approving a multiplier of 3.07). *See also In re Washington Pub. Power Supply Sys.*
18 *Sec. Litig.*, 19 F.3d 1291, 1299 (9th Cir. 1994) (“It is an established practice in the
19 private legal market to reward attorneys for taking the risk of non-payment by
20 paying them a premium over their normal hourly rates for wining contingency
21 cases.”).

22 10. The Court finds, based on the declarations provided by Class Counsel
23 and the other firms who contributed substantial time to this litigation, that the
24 number of hours committed to this case was reasonable and necessary to secure the
25 Settlement. The Court further finds that the rates on which the lodestar is based are
26 reasonable and in line with those approved in similarly complex cases in this
27 Circuit.

28 11. The Court also finds the attorney fees requested by Counsel are fair

1 and reasonable under the percentage-of-the-fund approach. Courts in the Ninth
2 Circuit are “encouraged... to guard against an unreasonable result by cross-
3 checking their calculations against a second method.” *In re Bluetooth*, 654 F.3d at
4 944. Although the Settlement does not create a common fund, courts regularly
5 consider the total monetary value of settlement when applying the percentage
6 method, including the value of injunctive relief. *See, e.g., Ohuche v. Autovest,*
7 *L.L.C.*, No. LA CV 21-06376, 2023 WL 12167704, at *9 (C.D. Cal. Nov. 21, 2023)
8 (“accounting for the non-monetary value of the settlement” when assessing
9 attorney’s fees under percentage method); *In re ZF-TRW Airbag Control Units*
10 *Prods. Liab. Litig.*, No. 19-02905, 2023 WL 6194109, at *21 (C.D. Cal. July 31,
11 2023) (considering upward adjustment to 25% benchmark fee award in light of
12 “non-monetary benefits conferred by the litigation”); *Ryan-Blaufuss v. Toyota*
13 *Motor Corp.*, No. 8:18-CV-00201-JLS-KES, 2023 WL 11932256, at *5 (C.D. Cal.
14 Feb. 3, 2023) (considering value of two recalls in assessing fee request); *Pfeiffer v.*
15 *RadNet, Inc.*, No. 2:20-CV-09553-RGK-SK, 2022 WL 2189533, at *3 (C.D. Cal.
16 Feb. 15, 2022) (assessing non-monetary value of settlement); *In re: Checking Acct.*
17 *Overdraft Litig.*, No. 1:09-MD-02036-JLK, 2013 WL 11319391, at *13 (S.D. Fla.
18 Aug. 5, 2013) (“[C]ourts often include the value of [non-monetary] relief in the
19 common fund and award class counsel a percentage of the total fund.”) (citing
20 *Staton*, 327 F.3d at 974).

21 12. Based on analysis provided by Plaintiffs’ expert, the estimated value of
22 the extended warranty offered by the Settlement is up to \$14.1 million and the
23 estimated value of the enhanced inspection offered by the Settlement is up to \$51
24 million. Accordingly, Counsel’s fees represent between 5% and 23% of the
25 estimated value of the Settlement, which affirms the reasonableness of the fees
26 sought. *See In re ZF-TRW Airbag*, 2023 WL 6194109, at *21 (noting that “non-
27 monetary benefits conferred by the litigation” may be considered in applying
28 percentage method).

1 13. The Court also finds reasonable Counsel’s request for reimbursement
2 of actual litigation costs of \$164,241.13 incurred in prosecution of this litigation..

3 14. Finally, the Court approves service awards of \$500 each to the twelve
4 named plaintiffs. “Incentive awards are fairly typical in class action cases.”
5 *Rodriguez v. West Publishing Corp.*, 563 F.3d 948, 958 (9th Cir. 2009). “Such
6 awards are discretionary and are intended to compensate class representatives for
7 work done on behalf of the class [and] to make up for financial or reputational risk
8 undertaken in bringing the action.” *Hernandez v. Burrtec Waste & Recycling Servs.,*
9 *LLC*, No. 5:21-CV-01490, 2023 WL 5725581, at *7 (C.D. Cal. Aug. 21, 2023). A
10 modest service award is reasonable given (a) the time and effort each Plaintiff
11 expended during the litigation, (b) the importance of their participation in helping
12 prosecute this litigation and achieve the Settlement as reported by Counsel.
13 Additionally, the amount of the service award is relatively low compared to other
14 awards granted in this Circuit. *See, e.g., In re Kia Hyundai Vehicle Theft Litig.*,
15 8:22-ml-3052, 2023 WL 8126851, at *18 (C.D. Cal. Aug. 16, 2023) (approving
16 \$1,000 service awards).

17 15. Plaintiffs’ Motion for Attorneys’ Fees, Costs, and Service Awards is
18 **GRANTED:**

19 1. Defendants will pay Class Counsel \$3,250,000.00 in attorneys’ fees
20 and \$164,241.13 for their expenses. Class Counsel are directed to allocate the fees
21 and costs among eligible Plaintiffs’ counsel in a manner that Class Counsel believe,
22 in good faith and at their discretion, reflects the contributions of counsel to the
23 prosecution and settlement of this Action.

24 2. Class Counsel shall also receive from Defendants an additional
25 payment totaling \$6,000.00 for the service awards of the twelve (12) Class
26 Representatives, which amounts shall then be remitted by Class Counsel to the
27 Plaintiffs.
28

1 3. All other payments and costs shall be borne as set forth in the
2 Settlement Agreement or as agreed to by the parties.

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4 **IT IS SO ORDERED.**

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6 DATED: _____, 2026

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Hon. James V. Selna

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