

EXHIBIT 1

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION
CIVIL ACTIONS BRANCH**

RORY LAWLESS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

DISTRICT OF COLUMBIA HEALTH
EXCHANGE AUTHORITY, d/b/a DC
Health Link,

Defendant.

CASE NO. 2023 CAB 001569

Hon. Yvonne Williams

**DECLARATION OF GARY E. MASON IN SUPPORT OF PLAINTIFF’S CONSENT
MOTION FOR ATTORNEYS’ FEES, LITIGATION EXPENSES, AND SERVICE
AWARDS**

I, Gary E. Mason, declare under penalty of perjury as follows:

1. I am an attorney duly admitted to the Bar of the District of Columbia, the Bar of the State of Maryland and the Bar of the State of New York. I am a founder and member of the law firm Mason LLP. Mason LLP and The Lyon Firm are Class Counsel for Plaintiffs in the above referenced action. I submit this declaration in support of Plaintiff’s Consent Motion for Award of Attorneys’ Fees, Litigation Expenses, and Service Awards to Plaintiffs.

2. In September 2024, Plaintiffs Rory Lawless, Jenni Suhr, Pretial Caston, Austin Dressman, John Eborall, Keven Hammond, Taylor Heath, Shirley Huang, Kathleen McAteer, Angelo Merenda, Matthew Oginsky, and Catherine Sanders (“Plaintiffs”), on behalf of themselves and all other Members of the putative Class, and Defendant District of Columbia Health Benefit Exchange Authority, d/b/a DC Health Link (“DCHBX” or “Defendant”) (collectively, the

“Parties”) reached an agreement to settle this Action pursuant to the terms of the Settlement Agreement and Release (the “Settlement Agreement”). ECF No. 24-1.¹

I. THE SETTLEMENT REPRESENTS A HIGHLY FAVORABLE RESULT

3. The Settlement was the result of hard-fought negotiations and provides substantial benefits to the Settlement Class, including significant monetary benefits and extensive identity theft protection and credit monitoring.

4. The proposed Settlement was reached following extensive arm’s-length settlement discussions between the Parties, including the exchange of mediation statements, informal discovery, a mediation session with Jill R. Sperber, Esq. of Judicate West, as well as multiple phone calls, emails, and information exchanges, which spanned the course of several months.

5. By the time the Parties reached an agreement of settlement in principle, Plaintiffs and their Counsel were well informed about the strengths and weaknesses of the Action. Indeed, the Settlement was achieved only after: a thorough pre-complaint investigation that culminated in the preparation of a detailed Complaint filed in this Action; the consideration of relevant informal discovery; the preparation of a detailed mediation statement that included a proposed settlement term sheet; numerous discussions with Plaintiffs concerning possible settlement terms; and weeks of intense settlement negotiations that included candid exchanges of information between the Parties about the Data Incident, potential damages, and the input of Plaintiffs.

6. The Settlement provides a very favorable result for the Settlement Class, including substantial monetary benefits and identity theft protection and insurance. The Settlement Agreement provides that Defendant will establish a generous Settlement Fund of \$1,450,000. From

¹ Capitalized terms not otherwise defined shall have the meanings set forth in the Settlement Agreement.

that Settlement Fund, Settlement Class Members will be eligible to submit claims for: (i) documented ordinary losses and expenses fairly traceable to the Data Incident, up to \$2,500 per individual and (ii) documented extraordinary losses resulting from the Data Incident, up to a maximum of \$10,000 in combination with any claimed documented ordinary losses. Alternatively, Group 1 Settlement Class Members may opt for a pro-rata cash payment from the Net Settlement Fund. Group 2 Settlement Class Members—those whose information was not known to be compromised but was potentially accessed during the Data Incident—may submit claims for either (i) documented ordinary losses and expenses fairly traceable to the Data Incident, up to \$2,500 per individual, or (ii) a pro-rata cash payment from the Net Settlement Fund.

7. It is my opinion that the Settlement achieved here represents an excellent result considering the significant benefits to the Settlement Class as well as the risks and delays attendant to further protracted litigation.

II. THE ATTORNEYS' FEES AND EXPENSES ARE FAIR AND REASONABLE

8. Pursuant to the Settlement Agreement, the Notice provided to the Members of the Settlement Class states that Class Counsel would apply for a total award of attorneys' fees and expenses not to exceed 33.33% of the Settlement Fund, or \$483,285.00.²

9. To date, no Class Members have filed an objection to either the Settlement or the requested attorneys' fees. Furthermore, no Class Members have yet opted-out of the Settlement. This is a strong indicator of the favorability of the Settlement. It further supports the appropriateness of Class Counsel's fee request.

10. Class Counsel prosecuted this case on a contingency basis, committed substantial

² Copies of the Notices, along with specific distribution and claims information, will be included as part of Plaintiffs' filing in support of final approval of the Settlement.

resources, and advanced out-of-pocket costs without any compensation or guarantee of success.

11. I believe that the time reflected in Class Counsel's lodestar calculation and the expenses for which payment is sought, as set forth in this declaration, are reasonable in amount and were necessary for the effective and efficient prosecution and resolution of the litigation. In addition, I believe that the fees and expenses are all of a type that would normally be charged to a fee-paying client in the private legal marketplace.

12. Class Counsel led the litigation and prosecution of this Action. Among other responsibilities, Class Counsel: (i) researched and drafted the Complaint; (ii) conducted informal discovery (including the review of relevant documents and information); (iii) prepared a thorough mediation statement and settlement demand; (iv) participated in a mediation session; (v) engaged in weeks of post-mediation settlement negotiations with Defendant, which also involved numerous conversations with, and input obtained from, each of the Plaintiffs; (vi) reached an agreement on the Settlement in principle; (vii) obtained proposals from various potential claims administrators and worked with Defendant's counsel to select a knowledgeable claims administrator for the Settlement; (viii) drafted and negotiated the Settlement Agreement and the exhibits thereto, including the notices and claim form; (ix) prepared and filed the Motion for Preliminary Approval of the Settlement and the supporting documents; (x) reviewed document production that was part of the Confirmatory Discovery; (xi) supervised (and are still currently supervising) the claims process; (xii) assisted (and are still currently assisting) in answering questions from Class Members regarding the Settlement and the submission of claims; and (xiii) will prepare the Motion for Final Approval of the Settlement and its supporting documents.

13. Class Counsel worked in tandem with Additional Counsel, whose work included reviewing and revising filings and participating with Class Counsel on settlement negotiations.

14. Mason LLP maintained the litigation and expense fund for common expenses in connection with the prosecution of this case. Further, I reviewed the billing and expense reports of Class Counsel and Liaison Counsel, and backup documentation where necessary or appropriate, in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, reductions were made to billed time in the exercise of billing judgment. Based on this review and the adjustments made, I believe that the time reflected in the lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the litigation.

15. The total reported number of hours spent on the litigation by Plaintiffs' Counsel, to date, is 502.7, which amounts to a total lodestar of \$349,969. This total only includes time and expenses incurred by Lead Counsel. It does not include the hours worked by Migliaccio Rathod LLP, counsel for Plaintiff Caston, or Barnow & Associates, counsel for Plaintiff McAteer. The total also does not include many additional hours of work that will be required from Plaintiffs' Counsel to secure final approval of the Settlement and to oversee the distribution of benefits to Settlement Class Members.

16. As mentioned, this calculation does not include time that will be spent by Plaintiffs' Counsel on continuing services to the Class, including: continuing to supervise the claims submission, review, and administration process; responding to questions from Class Members; drafting and filing the Motion for Final Approval of the Settlement and supporting documents; preparing for and attending the Final Settlement Hearing; and overseeing the distribution of benefits to Settlement Class Members. Accordingly, the hours and lodestar incurred by Plaintiffs' Counsel

in litigating this Action on behalf of the Class will materially increase during the next few months.

17. The lodestar amount for attorney/paraprofessional time are based on the firms' current rates and are consistent with hourly rates submitted by Plaintiffs' Counsel, and approved by courts, in other complex class action litigation. The rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side. The requested rates are reasonable for this case considering the experience and expertise these particular lawyers have in this area of law.

18. Plaintiffs' Counsel are attorneys with experience litigating complex class actions, including data breach class actions. Indeed, Class Counsel have successfully prosecuted and settled numerous data breach class actions, consumer class actions, and other complex litigation throughout the country. *See* Exhibit A (Mason LLP resume); Exhibit B (The Lyon Firm resume). Additional Counsel are also experienced litigators who focus their practice on complex consumer class actions, including data breach class actions. The diligence and experience of Plaintiffs' Counsel played an integral role in achieving this Settlement.

19. Class Counsel invested substantial time and effort in initiating and litigating this risky case on a purely contingency basis. As a result of the time devoted to prosecuting this case on behalf of the Class, Class Counsel were prevented from pursuing work in other cases. To date, Class Counsel have not received any compensation for their successful prosecution of this case.

20. Class Counsel also seek an award for the reimbursement of litigation expenses actually incurred in connection with the prosecution of this case. Since case inception, Co-Lead Counsel incurred combined expenses in the amount of \$11,554.43 in connection with the prosecution of the action. Those expenses and charges are summarized by category in the following chart:

EXPENSE	COST
Photocopies and Postage	\$646.79
Filing, Process, Legal Notice and Transcripts	\$1,532.64
Mediation Fees	\$9,375
TOTAL	\$11,554.43

This total does not include the costs incurred by Migliaccio Rathod LLP, counsel for Plaintiff Caston, or Barnow & Associates, counsel for Plaintiff McAteer.

21. The expenses pertaining to this case are reflected in the books and records of Class Counsel and Additional Counsel. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses. These expenses were reasonable and necessary in prosecuting the claims and achieving the Settlement for the Class.

22. The Notice sent to potential Settlement Class Members stated Class Counsel would request reimbursement of litigation costs not to exceed \$25,000.00. Class Counsel's requested reimbursement of \$11,554.43 is approximately one-half (1/2) of this amount.

III. THE REQUESTED SERVICE AWARDS ARE WARRANTED

23. Class Counsel also seek service awards in the amount of \$2,500.00 for each of the three Class Representatives (for a combined total of \$30,000.00). The Class Representatives initiated and oversaw this litigation for the benefit of the Class, and it is due to their services that the favorable Settlement was obtained. Among other things, the Class Representatives answered detailed questionnaires and provided essential information to Class Counsel; collected documents and other evidence that supported the claims alleged in the Complaint; agreed to face invasive and time consuming discovery, if necessary; reviewed pleadings and coordinated with Class Counsel as to the status of, and strategy for, the Action; conferred multiple times with Class Counsel about the settlement negotiations and provided meaningful input about what potential benefits were most

important to them; and considered and approved the Settlement terms on behalf of the Class.

24. In committing to bringing this Action on behalf of the Class, the Class Representatives undertook immense reputational risk.

25. The sacrifices of time and the reputational risk undertaken by the Class Representatives in furtherance of this Action on behalf of absent Class Members warrants the Court's approval of the requested service awards. The requested \$2,500.00 amount is reasonable in consideration of Class Representatives' substantial contributions to the case. The active participation and efforts expended by the Class Representatives in prosecuting this Action materially aided, and indeed were necessary to, the Settlement achieved.

IV. CONCLUSION

26. In my professional opinion, the Settlement represents an excellent result for the Settlement Class. It is also my opinion that the requested award of 33.33% of the Settlement Fund in attorneys' fees, the requested reimbursement of litigation expenses in the amount of \$11,554.43, and the requested service awards of \$2,500 to each of the Class Representatives are reasonable.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 27, 2024



Gary E. Mason

EXHIBIT A



Mason LLP is dedicated to representing plaintiffs in class actions, mass torts and individual cases in courts throughout the United States

Our attorneys have a long history of obtaining major verdicts and settlements. We frequently lead, co-lead, or perform other leadership roles in class actions of national significance. Examples include the Office of Personnel Management (OPM) data breach litigation (in which one of our attorneys was appointed Liaison Counsel) and the Entran II product liability litigation (in which one of our attorneys served as Co-Lead Counsel and successfully resolved the case for \$330 million).

THE FIRM'S PRINCIPAL LAWYERS

Gary E. Mason
Founding Partner



Gary graduated magna cum laude, Phi Beta Kappa, from Brown University and Duke University Law School, where he was an editor of *Law and Contemporary Problems*. He then served as a law clerk for the Honorable Andrew J. Kleinfeld of the U.S. District Court for the District of Alaska. Gary was previously an Associate at Skadden Arps and a Partner at Cohen Milstein where he was the first Co-Chair of its Consumer Protection Practice Group. He is licensed to practice in the District of Columbia, State of Maryland, State of New York, and in numerous federal district courts across the country as well as the Second, Fourth, Fifth, Sixth, Seventh, Ninth and Federal Circuit Courts of Appeals, the U.S. Court of Federal Claims and the United States Supreme Court.

Gary is a nationally recognized leader of the class action bar. Focusing on consumer class actions and mass torts, Gary has recovered more than \$1.5 billion in the 29 years he has represented plaintiffs. With his broad experience, Gary is nationally known for representing consumers in class actions involving a wide range of defective products, including Chinese drywall, fire retardant plywood, polybutylene pipe, high-temperature plastic venting, hardboard siding, pharmaceutical products, consumer electronics and automobiles. He also is recognized for his successful representation of persons injured by negligently discharged pollutants (e.g., *In re The Exxon Valdez*) and victims of wage theft. He has represented more than 2,000 Customs and Border Patrol Agents in a FLSA litigation against the federal government, more than 1,500 women injured by use of a defective tampon product, thousands of owners of animals injured by contaminated dog food, and over 23 million individuals whose personal data was compromised by the U.S. Office of Personnel Management data breach.

Gary was an early advocate for victims of security breaches and privacy violations, starting with the first settlement arising from a Google data breach (*In re Google Buzz*), the Department of Veterans Affairs stolen laptop case, and continuing in data breach cases to-date. Mr. Mason recently served as Liaison Counsel in a data breach case filed against the Office of Personnel Management. *In re U.S. Off. of Pers. Mgmt. Data Sec. Breach Litig.*, 266 F. Supp. 3d 1 (D.D.C. 2017) (final approval of a \$63 million settlement fund granted Oct. 26, 2022). He recently served as one of the Co-Lead Counsel for the *Farley v. Eye Care Leaders* data breach matter related to the breach of over three million individuals' data, which was granted final approval on June 27, 2024, in the Middle District of North Carolina, No. 1:22-cv-00468, and one of the Co-Lead Counsel in *In re Planet Home Lending, LLC Data Breach*, No. 3:24-cv-00127, a data breach matter which was granted final approval in the District of Connecticut on November 18, 2024. He also serves as Co-Lead Counsel for the following pending cases: *Brim v. Prestige Care, Inc.*, No. 3:24-cv-05133 (W.D. Wash. Apr. 1, 2024); *Duran v. JPMorgan Chase & Co.*, No. 1:24-cv-03514 (S.D.N.Y. July 30, 2024); *Fazenbaker v. Cmty. Health Care, Inc.*, No. CUM-L-000036-24 (N.J. Super. Ct. Cumberland Cnty. Apr. 29, 2024); *Hernandez v. Ne. Orthopedics & Sports Med., PLLC*, No. 031353/2024 (N.Y. Sup. Ct. Rockland Cnty. July 23, 2024); *Hodge v. AHS Med. Holdings LLC*, No. 3:23-cv-01308 (M.D. Tenn. Mar. 15, 2024); *In re Tift Reg'l Health Sys., Inc. Data Breach Litig.*, No. 2023CV0313 (Ga. Super. Ct. Dec. 8, 2023); *Stinson v. Yum! Brands, Inc.*, No. 3:23-cv-00183 (W.D. Ky. June 6, 2024); and *Suhr v. D.C. Health Benefit Exchange Auth.*, No. 1:23-cv-00694 (D.D.C. July 13, 2023).

Gary has served in leadership positions in many consumer class actions in state and federal courts nationwide as well as in MDLs. Gary writes and speaks frequently on topics related to class action litigation. He was the 2012–2013 Co-Chair of the Class Action Litigation Group for the American Association for Justice and presently serves as the Chairman of its Rule 23 Task Group. He has repeatedly been named a Washington, DC Super Lawyer for Class Actions.

Gary lives in Bethesda, Maryland.

Danielle L. Perry
Partner



Danielle L. Perry is a partner at Mason LLP, and offers nearly a decade of class action litigation experience to the benefit of her clients. Graduating from the University of California, Berkeley in 2010 and from Loyola Law School, Los Angeles in 2013, Ms. Perry is licensed to practice in the State of California, District of Columbia, and in numerous federal district courts across the country as well as the U.S. Court of Federal Claims, and the Fifth, Seventh, and Federal Circuit Courts of Appeals. While Ms. Perry originally focused her career on employment law class actions, after her first few years of practice she expanded her experience and resume to cover numerous data breach and consumer class actions as well. Ms. Perry, either as an individual or as a member of her firm, has been named Class Counsel or appointed to leadership positions in numerous data breach class actions including: *Alexander v. Salud Fam. Health, Inc.*, No. 2023CV030580 (Colo. 19th Dist. Ct. Weld Cnty. Nov. 13, 2023) (appointed Co-Lead Counsel Aug. 14, 2023); *Andersen v. Oak View Grp., LLC*, No. 2:24-cv-00719 (C.D. Cal.) (appointed Co-Lead Class Counsel May 15, 2024); *Anderson*

v. Fortra, LLC, No. 0:23-cv-533 (D. Minn.) (appointed Executive Committee Counsel Apr. 28, 2023); *Askew v. Gas South, LLC*, No. 22106661 (Ga. Super. Ct. Cobb Cnty. Jan. 19, 2024) (appointed Co-Lead Counsel Oct. 6, 2023); *Barletti v. Connexin Software Inc.*, No. 2:22-cv-04676 (E.D. Pa. July 24, 2024) (appointed to Plaintiffs' Steering Committee Mar. 30, 2023); *Colston v. Envision Credit Union*, No. 2022CA1476 (Fla. 2d Jud. Cir. Ct. Leon Cnty. Apr. 14, 2023) (appointed Class Counsel Jan. 13, 2023); *Culp v. Fitzgibbon Hosp.*, No. 23SA-CV00020 (Mo. Cir. Ct. Saline Cnty. Sept. 20, 2024) (appointed Class Counsel May 29, 2024); *Dekenipp v. Gastroenterology Consultants, P.A.*, No. 202161470 (Tex. 295th Dist. Ct. Harris Cnty. Oct. 21, 2022) (appointed Class Counsel June 3, 2022); *Fernandez v. 90 Degree Benefits, LLC*, No. 2:22-cv-00799 (E.D. Wis. Nov. 17, 2023) (appointed Co-Lead Counsel July 21, 2023); *In re Flagstar Dec. 2021 Data Sec. Incident Litig.*, No. 4:22-cv-11385 (E.D. Mich.) (appointed to Plaintiffs' Executive Committee May 24, 2023); *In re MedStar Health Data Sec. Incident Litig.*, No. 1:24-cv-01335 (D. Md.) (appointed Co-Lead Counsel Nov. 7, 2024); *In re NCB Mgmt. Servs., Inc. Data Breach Litig.*, No. 2:23-cv-1236 (E.D. Pa.) (appointed to Plaintiffs' Steering Committee June 5, 2023); *Payton v. Fam. Vision of Anderson, P.A.*, No. 2023CP0401636 (S.C. Ct. C.P. Anderson Cnty.) (appointed Co-Lead Class Counsel Sept. 11, 2023); *Pessia v. Warren Gen. Hosp.*, No. 501 (Pa. 37th Jud. Dist. Ct. Warren Cnty.) (appointed Co-Lead Class Counsel Jan. 29, 2024); *Rasmussen v. Uintah Basin Healthcare*, No. 2:23-cv-00322 (D. Utah) (appointed Co-Lead Counsel June 16, 2023); *Rodriguez v. Mena Reg'l Health Sys.*, No. 2:23-cv-02002 (W.D. Ark.) (appointed Co-Lead Counsel Apr. 20, 2023); *Rohrer v. Oak Valley Hosp. Dist.*, No. CV-23-005612 (Cal. Super. Ct. Stanislaus Cnty.) (appointed Co-Lead Counsel Nov. 14, 2023) (preliminary approval granted July 16, 2024); and *Woods v. Albany ENT & Allergy Servs., P.C.*, No. 904730-23 (N.Y. Sup. Ct. Albany Cnty. Oct. 11, 2024) (appointed Co-Lead Counsel July 10, 2023).

Ms. Perry also has extensive experience providing support to appointed committees in MDL cases across the country. *See, e.g., In re Deva Concepts Prods. Liab. Litig.*, No. 1:20-cv-01234 (S.D.N.Y. Jan. 3, 2022) (Mason LLP served as court-appointed Co-Lead Counsel and Ms. Perry undertook significant work for clients and class members with extensive hair loss, leading client interviews, drafting pleadings, and preparing settlement and settlement approval papers); *In re Hill's Pet Nutrition, Inc. Dog Food Prods. Liab. Litig.*, No. 2:19-md-02887, MDL No. 2887 (D. Kan. Oct. 7, 2021) (Mason LLP served as court-appointed Co-Lead Counsel and Ms. Perry played a significant role for clients and class members who purchased dog food with sometimes lethal amounts of vitamin D, participating in client intake, discovery, and preparing settlement and settlement approval papers); *In re Marriott Int'l Inc., Customer Data Sec. Breach Litig.*, No. 8:19-md-02879 (D. Md.) (Ms. Perry contributed to the plaintiff interview process and drafting of the consolidated amended complaint in data breach case); *In re U.S. Off. of Pers. Mgmt. Data Sec. Breach Litig.*, 266 F. Supp. 3d 1 (D.D.C. 2017) (Mason LLP served as Liaison Counsel, and Ms. Perry has completed research assignments in support of and at the request of Lead Counsel in data breach case). Additionally, Ms. Perry has also been appointed to the Leadership Development Committee in *In re SoClean, Inc., Mktg., Sales Pracs. & Prods. Liab. Litig.*, where she works closely with Lead Counsel in all areas of litigation and fights for consumers' rights pertaining to the purchase of defective and/or unsafe products. No. 2:22-mc-00152, MDL No. 3021 (W.D. Pa. Apr. 27, 2022).

Outside of work, Ms. Perry enjoys being in the sun and on the water, is trying not to kill her garden, and is constantly planning future home renovations. Ms. Perry lives outside of Annapolis, Maryland.

Lisa A. White
Senior Attorney



Lisa A. White is a writer and researcher at heart, known for her attention to detail, optimism, and creative approach to legal problem-solving. Most of Lisa's work is in the federal court system, both in the District Courts and Circuit Courts of Appeals. She is licensed to practice in the State of Tennessee, and in numerous federal district courts across the country as well as the Seventh and Ninth Circuit Courts of Appeals.

Lisa's primary areas of practice are data breach litigation, product defect, product misrepresentation, and wage and hour class actions. Her role at Mason LLP frequently involves investigating and researching potential cases and claims prior to a complaint being filed, as well as drafting responsive pleadings, and leading the detailed research tasks that are required for and during litigation. In addition, she is actively involved in Mason LLP's mediations, from drafting premediation requests and mediation statements to participating in mediated resolutions to cases.

Prior to joining Mason LLP, Lisa practiced at another plaintiffs' class action firm, where she advocated for employees who were improperly paid, especially in the airline industry. She also worked on lawsuits related to defective products and deceptive advertising. She was frequently called on to research and draft appellate briefs.

Lisa returned to law school after completing her Bachelor's and Master's in Sociology from The University of Tennessee. She then worked for the University's Center for Literacy Studies and taught for a number of years at universities. She completed the coursework for her Ph.D. in American Studies at The College of William and Mary, then opted to go to law school—a lifelong goal. Lisa is a graduate of The University of Tennessee College of Law. While at The University of Tennessee College of Law, Lisa was a Co-Coordinator of the Tennessee Innocence Project, and was the Research Editor for the Tennessee Journal of Law and Policy. While a law student, she practiced in both the Domestic Violence Clinic and the Advocacy Clinic. Lisa has published peer-reviewed papers in three academic fields: law, sociology, and history.

Lisa and her family are avid travelers, and she has visited all seven continents. In addition, for three years, she worked remotely practicing class action law while living in Greymouth, New Zealand.

Theo B. Bell
Attorney



Theodore B. Bell (“Theo”) is Of Counsel at Mason LLP. Theo is an experienced attorney with over 25 years of litigation experience. Theo is admitted to practice law in both Illinois and Michigan and various federal courts around the country. Before recently joining Mason LLP, Mr. Bell’s prior work experience included over 12 years at a mid-sized nationwide class action firm where Mr. Bell focused his practice mainly on antitrust, as well as consumer and securities class actions. Theo’s previous work experience also includes working at a firm that focused on representing class action opt-outs in antitrust cases, another firm that represented workers’ compensation insurance carriers where he focused his practice on litigating premium fraud cases in federal court, as well as a general practice firm where Theo gained extensive experience litigating state court cases in a wide array of civil practice areas.

Notable cases that Mr. Bell has worked on include:

- *Shane Grp., Inc. v. Blue Cross Blue Shield of Mich.*, No. 2:10-cv-14360 (E.D. Mich. Sept. 30, 2019) (antitrust price-fixing case involving most-favored-nation agreements—\$29.9 million class settlement);
- *In re Dairy Farmers of Am. Cheese Antitrust Litig.*, No. 1:09-cv-03960 (N.D. Ill. Sept. 30, 2015) (antitrust price-fixing case involving manipulation of cheese and milk futures to raise prices of dairy products—\$46 million class settlement);
- *McDonough v. Toys “R” Us*, No. 2:06-cv-00242 (E.D. Pa. July 7, 2021) (antitrust case involving retail price maintenance—\$35.5 million class settlement);
- *In re Sulfuric Acid Antitrust Litig.*, No. 1:03-cv-04576 (N.D. Ill. Dec. 22, 2011) (antitrust price-fixing case involving output restrictions—class settlements totaling over \$6 million);
- *In re Groupon Derivative Litig.*, No. 1:12-cv-05300 (N.D. Ill. Apr. 7, 2017) (shareholder derivative suit involving materially false and misleading statements concerning Groupon’s business operations and financial condition prior to Groupon’s IPO—settlement obtained substantial beneficial corporate-governance reforms); and
- *Messner v. Northshore Univ. Health Sys.*, 669 F.3d 802 (7th Cir. 2012) (illegal monopolization and attempted monopolization through hospital mergers—Theo was part of the appellate team that successfully obtained reversal of the U.S. District Court’s denial of class certification).

Theo is a graduate of The University of Michigan, where he earned his Bachelor’s degree in Sociology, and the University of Detroit Mercy School of Law where Mr. Bell earned his law degree.

Ra O. Amen
Associate Attorney



Ra, a native of the California Bay Area, graduated from Stanford University with a degree in economics and from Emory University School of Law, with honors, where he was a Notes and Comments Editor for the Bankruptcy Developments Journal. Ra was previously an Associate at Hunton Andrews Kurth LLP and Morgan & Morgan's Complex Litigation Group. He is licensed to practice in the State of Georgia and the United States District Court for the Northern District of Georgia.

Ra has over seven years of complex litigation experience, specializing in consumer class actions, data breach and other privacy litigation. Ra was recently appointed as one of the Co-Lead Class Counsel in *In re Nations Direct Mortg., LLC Data Breach Litig.*, No. 2:24-cv-00595 (D. Nev. Oct. 2, 2024) (data breach affecting over 83,000 individuals) and to the Leadership Development Committee in *Geleng v. Ind. Living Sys., LLC*, No. 1:23-cv-21060 (S.D. Fla. Sept. 28, 2023) (data breach affecting over four million individuals). Ra was also an integral part of the team that recovered a \$190 million settlement for the class in *In re Cap. One Inc. Customer Data Sec. Breach Litig.*, No. 1:19-md-02915 (E.D. Va. Sept. 13, 2022) (data breach affecting 98 million individuals), where his discovery and briefing efforts helped facilitate said settlement.

Ra is also a former Peace Corps. Morocco volunteer and an avid guitarist having performed with, recorded with, and opened for a number of Grammy-nominated artists.

Salena J. Chowdhury
Associate Attorney



Salena Chowdhury is an associate attorney at Mason LLP. She is a graduate of the University of Tennessee College of Law. She also attended the University of Tennessee at Knoxville for her bachelor's where she majored in political science with a concentration in public administration and a minor in psychology. Salena has been admitted to the Illinois bar and to the District of Columbia bar.

Salena has had a passion for law since she was a kid. While Salena was still in high school, she began working at her first law firm. She continued to work at various law firms gaining a diverse area of legal experience throughout her undergraduate studies and law school.

Since joining Mason LLP Salena has gained experience in mediations, data breach, product defect, product misrepresentation, and wage & hour class actions. She is known for her quick learning curve and adaptability to challenges. Her role at Mason LLP is expanding as she takes on new responsibilities in major cases.

Salena comes from a large diverse family background. She values the time spent with her family. She enjoys outdoor activities like 4-wheeling, soccer, and playing with her dogs. Additionally, she loves to travel and to learn about other cultures.

NOTABLE CLASS ACTION CASES

Antitrust

In re TFT-LCD (Flat Panel) Antitrust Litig., No. 3:07-md-01827, MDL No. 1827 (N.D. Cal. Dec. 18, 2012) (combined settlement totaling nearly \$1.1 billion in suit alleging the illegal formation of an international cartel to restrict competition in the LCD panel market).

Products

Ersler v. Toshiba Am., Inc., No. 1:07-cv-02304 (E.D.N.Y. Feb. 24, 2009) (settlement of claims arising from allegedly defective television lamps).

Hurkes Harris Design Assocs., Inc. v. Fujitsu Comput. Prods. of Am., Inc., No. 812127 (Cal. Super. Ct. Santa Clara Cnty. Mar. 2004) (settlement provides \$42.5 million to pay claims of all consumers and other end users who bought certain Fujitsu Desktop 3.5” IDE hard disk drives).

In re SoClean, Inc., Mktg., Sales Pracs. & Prods. Liab. Litig., No. 2:22-mc-00152, MDL No. 3021 (W.D. Pa. Apr. 27, 2022) (Gary Mason appointed Co-Lead Counsel Mar. 25, 2022, and Danielle Perry appointed to the Leadership Development Committee Apr. 27, 2022).

In re Deva Concepts Prods. Liab. Litig., No. 1:20-cv-01234 (S.D.N.Y. Jan. 3, 2022) (Gary Mason appointed Co-Lead Counsel July 30, 2020; \$5.2 million settlement).

In re Hill's Pet Nutrition, Inc., Dog Food Prods. Liab. Litig., No. 2:19-md-02887, MDL No. 2887 (D. Kan. Oct. 7, 2021) (Gary Mason appointed Co-Lead Counsel July 13, 2019; \$12.5 million settlement).

Mink v. Maytag Corp., No. 03L47 (Ill. Cir. Ct. St. Clair Cnty. 2005) (class action settlement for owners of Maytag Neptune washing machines).

Smid v. Nutranext, LLC, No. 20L0190 (Ill. Cir. Ct. St. Clair Cnty. July 29, 2020) (Gary Mason appointed Class Counsel Apr. 16, 2020; \$6.7 million settlement).

Stalcup v. Thomson, Consumer Elecs., Inc. (Ill. Cir. Ct. Madison Cnty. May 24, 2004) (\$100 million class settlement of claims that certain GE, PROSCAN and RCA televisions may have been susceptible to temporary loss of audio when receiving broadcast data packages that were longer than reasonably anticipated or specified).

Turner v. Gen. Elec. Co., No. 2:05-cv-00186 (M.D. Fla. Sept. 13, 2006) (national settlement of claims arising from allegedly defective refrigerators) (Gary Mason appointed Class Counsel Dec. 22, 2005).

Automobiles

Berman v. Gen. Motors LLC, No. 2:18-cv-14371 (S.D. Fla. Oct. 5, 2018) (Co-Lead Counsel; national settlement for repairs and reimbursement of repair costs incurred in connection with Chevrolet Equinox excessive oil consumption).

Baugh v. Goodyear Tire & Rubber Co. (Ill. Cir. Ct. Madison Cnty. 2002) (class settlement of claims that Goodyear sold defective tires that are prone to tread separation when operated at highway speeds; Goodyear agreed to provide a combination of both monetary and non-monetary consideration to the Settlement Class in the form of an Enhanced Warranty Program and Rebate Program).

Falk v. Nissan N. Am., Inc., No. 4:17-cv-04871 (N.D. Cal. May 18, 2020) (Co-Lead Counsel in litigation alleging damages from defective transmissions; national settlement extending warranty for 1.5 million vehicles).

In re Gen. Motors Corp. Speedometer Prods. Liab. Litig., No. 2:07-cv-00291, MDL No. 1896 (W.D. Wash. Jan. 23, 2009) (national settlement for repairs and reimbursement of repair costs incurred in connection with defective speedometers).

Lubitz v. Daimler Chrysler Corp., No. L-4883-04 (N.J. Super. Ct. Bergen Cnty. 2006) (national settlement for repairs and reimbursement of repair costs incurred in connection with defective brake system; creation of \$12 million fund; 7th largest judgment or settlement in New Jersey).

Civil Rights

Bruce v. Cnty. of Rensselaer, No. 1:02-cv-00847 (N.D.N.Y. Sept. 24, 2004) (class settlement of claims that corrections officers and others employed at the Rensselaer County Jail (NY) engaged in the practice of illegally strip searching all individuals charged with only misdemeanors or minor offenses).

In re Black Farmers Discrimination Litig., No. 1:08-mc-00511 (D.D.C. Oct. 27, 2011) (\$1.25 billion settlement fund for black farmers who alleged U.S. Department of Agriculture discriminated against them by denying farm loans).

Commercial

In re Outer Banks Power Outage Litig., No. 4:17-cv-00141 (E.D.N.C. Sept. 21, 2018) (Co-Lead Counsel; \$10.35 million settlement for residents, businesses, and vacationers on Hatteras and Ocracoke Islands who were impacted by a 9-day power outage).

Construction Materials

Cordes v. IPEX, Inc., No. 1:08-cv-02220 (D. Colo. Oct. 7, 2009) (class action arising out of defective brass fittings; court-appointed member of Plaintiffs' Steering Committee).

Elliott v. KB Home N.C. Inc., No. 08 CVS 21190 (N.C. Super. Ct. Wake Cnty. Apr. 17, 2017) (Lead Counsel; class action settlement for those whose homes were constructed without a weather-resistant barrier).

Galanti v. Goodyear Tire & Rubber Co., No. 03-cv-00209 (D.N.J. Nov. 23, 2004) (national settlement and creation of \$330 million fund for payment to owners of homes with defective radiant heating systems).

Helmer v. Goodyear Tire & Rubber Co., No. 1:12-cv-00685-RBJ, 2014 WL 3353264 (D. Colo. July 9, 2014) (class action arising from allegedly defective radiant heating systems; Colorado class certified).

Hobbie v. RCR Holdings II, LLC, No. 2:10-cv-01113, MDL No. 2047 (E.D. La. 2012) (\$30 million settlement for remediation of 364-unit residential high-rise constructed with Chinese drywall).

In re Allura Fiber Cement Siding Prods. Liab. Litig., No. 2:19-md-02886 (D.S.C.) (class action arising from allegedly defective cement board siding; Court-appointed Lead Counsel).

In re Atlas Roofing Corp. Chalet Shingle Prods. Liab. Litig., No. 1:13-md-02495, MDL No. 2495 (N.D. Ga. July 24, 2019) (Co-Lead Counsel; class action arising from allegedly defective shingles).

In re Chinese Manufactured Drywall Prods. Liab. Litig., No. 2:09-md-02047, MDL No. 2047 (E.D. La. 2012) (appointed Co-Chair, Insurance Committee) (litigation arising out of defective drywall).

In re Elk Cross Timbers Decking Mktg., Sales Pracs. & Prod. Liab. Litig., No. 15-cv-0018, MDL No. 2577 (D.N.J. 2017) (Lead Counsel; national settlement to homeowners who purchased defective GAF decking and railings).

In re Exterior Insulation Finish Sys. (EIFS) Prods. Liab. Litig., MDL No. 1132 (E.D.N.C.) (represented over 100 individual homeowners in lawsuits against homebuilders and EIFS manufacturers).

In re Lumber Liquidators Chinese-Manufactured Laminate Flooring Durability Mktg., Sales Pracs. Litig., No. 1:16-md-2743 (E.D. Va.) (Co-Lead Counsel; Durability case; \$36 million national class action settlement for member who purchased a certain type of laminate flooring).

In re MI Windows & Doors, Inc., Prods. Liab. Litig., No. 2:12-mn-00001, MDL No. 2333 (D.S.C. July 22, 2015) (Co-Lead Counsel; national class action settlement for homeowners who purchased defective windows).

In re Pella Corp. Architect & Designer Series Windows Mktg., Sales Pracs. & Prods. Liab. Litig., MDL No. 2514 (D.S.C.) (class action arising from allegedly defective windows; Court-appointed Co-Lead Counsel).

In re Synthetic Stucco Litig., No. 5:96-CV-287-BR(2) (E.D.N.C. Oct. 19, 1998) (member of Plaintiffs' Steering Committee; settlements with four EIFS Manufacturers for North Carolina homeowners valued at more than \$50 million).

In re Windsor Wood Clad Window Prods. Liab. Litig., No. 2:16-md-02688 (E.D. Wis. July 11, 2018) (National class action settlement for homeowners who purchased defective windows; Court-appointed Lead Counsel).

In re Zurn Pex Plumbing Prods. Liab. Litig., No. 0:08-md-01958, MDL No. 1958 (D. Minn. Feb. 27, 2013) (class action arising from allegedly plumbing systems; member of Executive Committee; settlement).

Posey v. Dryvit Sys., Inc., No. 17,715-IV (Tenn. Cir. Ct. 2002) (Co-Lead Counsel; national class action settlement provided cash and repairs to more than 7,000 claimants).

Smith v. Floor & Decor Outlets of Am., Inc., No. 1:15-cv-4316 (N.D. Ga.) (Co-Lead Counsel; National class action settlement for homeowners who purchased unsafe laminate wood flooring).

Staton v. IMI South (Ky. Cir. Ct.) (Co-Lead Counsel; class settlement for approximately \$30 million for repair and purchase of houses built with defective concrete).

Sutton v. Fed. Materials Co., No. 07-CI-00007 (Ky. Cir. Ct.) (Co-Lead Counsel; \$10.1 million class settlement for owners of residential and commercial properties constructed with defective concrete).

Environmental

Bell v. WestRock, CP, LLC, No. 3:17-cv-829-JAG (E.D. Va. 2020) (Co-Lead Counsel in litigation alleging nuisance from wood dust from paper mill; class certification motion pending; class certified; \$700,000 settlement).

In re Swanson Creek Oil Spill Litig., No. 8:00-cv-01429-PJM (D. Md. 2002) (Lead Counsel; \$2.25 million settlement of litigation arising from largest oil spill in history of State of Maryland).

Nnadili v. Chevron U.S.A., Inc., No. 02-cv-1620 (D.D.C. 2008) (\$6.2 million settlement for owners and residents of 200 properties located above underground plume of petroleum from former Chevron gas station).

Fair Labor Standards Act (FLSA) / Wage and Hour

Craig v. Rite Aid Corp., No. 08-2317 (M.D. Pa. 2013) (FLSA collective action and class action settled for \$20.9 million).

Lew v. Pizza Hut of Md., Inc., No. CBB-09-CV-3162 (D. Md. 2011) (FLSA collective action, statewide settlement for managers-in-training and assistant managers, providing recompense of 100% of lost wages).

Stillman v. Staples, Inc., No. 2:07-cv-00849 (D.N.J. 2009) (FLSA collective action, plaintiffs' trial verdict for \$2.5 million; national settlement approved for \$42 million).

Financial

Penobscot Indian Nation v U.S. Dep't of Housing & Urban Dev., No. 07-1282 (PLF) (D.D.C. 2008) (represented charitable organization which successfully challenged regulation barring certain kinds of down-payment assistance; Court held that HUD's promulgation of rule violated the Administrative Procedure Act).

Roberts v. Fleet Bank (R.I.), N.A., No. 00-6142 (E. D. Pa. 2003) (\$4 million dollar settlement on claims that Fleet changed the interest rate on consumers' credit cards which had been advertised as "fixed.").

Insurance

Nichols v. Progressive Direct Ins. Co., No. 2:06-cv-146 (E.D. Ky. 2012) (Class Counsel; class action arising from unlawful taxation of insurance premiums; statewide settlement with Safe Auto Insurance Company and creation of \$2 million Settlement Fund; statewide settlement with Hartford Insurance Company and tax refunds of \$1.75 million).

Young v. Nationwide Mut. Ins. Co., No. 11-5015 (E.D. Ky. 2014), *class certified and affirmed on appeal*, 693 F.3d 532 (6th Cir. 2012) (series of class actions against multiple insurance companies arising from unlawful collection of local taxes on premium payments; settlements with all defendants for 100% refund of taxes collected).

Privacy / Data Breach

Alexander v. Salud Fam. Health, Inc., No. 2023CV030580 (Colo. 19th Dist. Ct. Weld Cnty. Nov. 13, 2023) (Danielle Perry appointed Co-Lead Counsel Aug. 14, 2023).

Alvarado v. JDC Healthcare Mgmt., LLC, No. DC-22-03137 (Tex. 95th Jud. Dist. Ct. Dallas Cnty. Aug. 22, 2023) (Gary Mason appointed Co-Lead Counsel Aug. 25, 2022).

Andersen v. Oak View Grp., LLC, No. 2:24-cv-00719 (C.D. Cal.) (Danielle Perry appointed Co-Lead Class Counsel May 15, 2024).

Anderson v. Fortra, LLC, No. 0:23-cv-533 (D. Minn.) (Danielle Perry appointed Executive Committee Counsel Apr. 28, 2023).

Askew v. Gas South, LLC, No. 22106661 (Ga. Super. Ct. Cobb Cnty. Jan. 19, 2024) (Danielle Perry appointed Co-Lead Counsel Oct. 6, 2023).

Bailey v. Grays Harbor Cnty. Pub. Hosp. Dist., No. 20-2-00217-14 (Wash. Super. Ct. Grays Harbor Cnty. Sept. 21, 2020) (Gary Mason appointed Class Counsel May 27, 2020).

Baksh v. Ivy Rehab Network, Inc., No. 7:20-cv-01845-CS (S.D.N.Y. Jan. 27, 2021) (appointed Class Counsel Sept. 23, 2020).

Bandy v. TOC Enters., Inc., No. 3:23-cv-00598 (M.D. Tenn. Mar. 14, 2024) (Lisa White and Danielle Perry appointed Class Counsel Nov. 7, 2023).

Barletti v. Connexin Software Inc., No. 2:22-cv-04676 (E.D. Pa. July 24, 2024) (Danielle Perry appointed to Plaintiffs' Steering Committee Mar. 30, 2023).

Brim v. Prestige Care, Inc., No. 3:24-cv-05133 (W.D. Wash.) (Gary Mason appointed Co-Lead Counsel Apr. 1, 2024) (preliminary approval granted Dec. 2, 2024).

Carr v. Beaumont Health, No. 2020-181002-NZ (Mich. Cir. Ct. Oakland Cnty. Oct. 29, 2021) (data breach class action involving 112,000 people) (appointed Class Counsel June 23, 2021).

Cece v. St. Mary's Health Care Sys., Inc., No. SU20CV0500 (Ga. Super. Ct. Athens-Clarke Cnty. Apr. 4, 2022) (data breach class action involving 55,652 people) (Danielle Perry appointed Class Counsel Dec. 15, 2021).

Chacon v. Nebraska Med., No. 8:21-cv-00070-RFR-CRZ (D. Neb. Sept. 15, 2021) (data breach settlement) (appointed Class Counsel June 4, 2021).

Chatelain v. C, L & W PLLC d/b/a Affordacare Urgent Care Clinics, No. 50742-A (Tex. 42d Jud. Dist. Ct. Taylor Cnty. Feb. 24, 2021) (data breach class action settlement valued at over \$7 million) (appointed Class Counsel Nov. 5, 2020).

Colston v. Envision Credit Union, No. 2022CA1476 (Fla. 2d. Jud. Cir. Ct. Leon Cnty. Apr. 14, 2023) (Danielle Perry appointed Class Counsel Jan. 13, 2023).

Culp v. Fitzgibbon Hosp., No. 23SA-CV00020 (Mo. Cir. Ct. Saline Cnty. Sept. 20, 2024) (Danielle Perry appointed Class Counsel May 29, 2024).

Darrin v. Huntington Ingalls Indus., No. 4:23-cv-00053 (E.D. Va. Sept. 12, 2024) (Gary Mason appointed Co-Lead Counsel July 6, 2023).

Dekenipp v. Gastroenterology Consultants, P.A., No. 202161470 (Tex. 295th Jud. Dist. Ct. Harris Cnty. Oct. 21, 2022) (claims made settlement and 18 months credit monitoring for class of 162,000 patients) (Danielle Perry appointed Class Counsel June 3, 2022).

Farley v. Eye Care Leaders, No. 1:22-cv-468 (M.D.N.C. June 27, 2024) (Gary Mason appointed Co-Lead Counsel Oct. 3, 2022).

Fazenbaker v. Cmty. Health Care, Inc., No. CUM-L-000036-24 (N.J. Super. Ct. Cumberland Cnty.) (Gary Mason appointed Co-Lead Class Counsel Apr. 29, 2024).

Fernandez v. 90 Degree Benefits, LLC, No. 2:22-cv-00799 (E.D. Wis. Nov. 17, 2023) (Mason LLP appointed Class Counsel July 21, 2023).

Gates v. W. Wash. Med. Grp., No. 23-2-08498-31 (Wash. Super. Ct. Snohomish Cnty.) (Gary Mason appointed to Plaintiffs' Executive Committee Mar. 7, 2024).

Green v. EmergeOrtho, P.A., No. 22-CVS-3533 (N.C. Super. Ct. Durham Cnty. July 19, 2024) (Mason LLP appointed Class Counsel Feb. 23, 2024).

Guy v. Convergent Outsourcing, Inc., No. 2:22-cv-01558 (W.D. Wash. July 19, 2024) (Gary Mason appointed Co-Lead Counsel Dec. 21, 2022).

Hall v. AspenPointe, Inc., No. 2020CV32175 (Colo. 4th Dist. Ct. El Paso Cnty. Oct. 31, 2022) (Mason LLP appointed Co-Lead Class Counsel Mar. 15, 2021).

Haney v. Charter Foods N., LLC, No. 2:23-cv-00046 (E.D. Tenn.) (Lisa White and Mason LLP appointed Liaison Counsel June 7, 2024).

Heath v. Ins. Techs. Corp., No. 3:21-cv-01444 (N.D. Tex. Jan. 4, 2023) (Gary Mason appointed Class Counsel Mar. 21, 2022).

Heath v. Steel River Sys., LLC, No. 2023-LA-000006 (Ill. 15th Jud. Cir. Ct. Whiteside Cnty. Jan. 8, 2024) (Mason LLP appointed Class Counsel Aug. 25, 2023).

Hernandez v. Ne. Orthopedics & Sports Med., PLLC, No. 031353/2024 (N.Y. Sup. Ct. Rockland Cnty.) (Gary Mason appointed Co-Lead Counsel July 23, 2024).

Hodge v. AHS Mgmt. Co., Inc., No. 23-cv-01308 (M.D. Tenn.) (Gary Mason appointed Co-Lead and Lisa White appointed Liaison Counsel Mar. 15, 2024) (preliminary approval granted Oct. 9, 2024).

In re Adobe Sys. Inc. Priv. Litig., No. 5:13-cv-05226 (N.D. Cal. Aug. 14, 2015) (settlement requiring enhanced cybersecurity measures and audits) (Gary Mason appointed to Plaintiffs' Steering Committee Mar. 13, 2014).

In re Ambry Genetics Data Breach Litig., No. 8:20-cv-00791 (C.D. Cal. Mar. 6, 2023) (Gary Mason appointed to Plaintiffs' Steering Committee Aug. 24, 2020; \$12 million settlement).

In re Central Ind. Orthopedics Data Incident Litig., No. 18C03-2203-PL-000026 (Ind. Cir. Ct. Delaware Cnty. Aug. 18, 2023) (Mason LLP appointed Class Counsel Apr. 24, 2023).

In re Dept. of Veterans Affs. (VA) Data Theft Litig., No. 1:06-cv-00506, MDL No. 1796 (D.D.C. 2009) (Co-Lead Counsel representing veterans whose privacy rights had been 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 Flagstar Dec. 2021 Data Sec. Incident Litig., No. 4:22-cv-11385 (E.D. Mich.) (Danielle Perry appointed to Plaintiffs' Executive Committee May 24, 2023).

In re Google Buzz Priv. Litig., No. 5:10-cv-00672 (N.D. Cal. 2010) (court-appointed Lead Class Counsel; \$8.5 million cy pres settlement).

In re Nations Direct Mortg., LLC Data Breach Litig., No. 2:24-cv-00595 (D. Nev.) (Ra Amen appointed Co-Lead Class Counsel Oct. 2, 2024).

In re NCB Mgmt. Servs., Inc. Data Breach Litig., No. 2:23-cv-1236 (E.D. Pa.) (Danielle Perry appointed to Plaintiffs' Steering Committee June 5, 2023).

In re Planet Home Lending, LLC Data Breach, No. 3:24-cv-00127 (D. Conn. Nov. 18, 2024) (Gary Mason appointed Co-Lead Counsel Mar. 1, 2024) (preliminary approval granted May 13, 2024).

In re U.S. Off. of Pers. Mgmt. Data Sec. Breach Litig., No. 15-1393 (ABJ), MDL No. 2664, 266 F. Supp. 3d 1 (D.D.C. 2017) (Gary Mason appointed Interim Liaison Counsel Jan. 28, 2016; \$63 million settlement fund granted Oct. 26, 2022).

In re Tift Reg'l Health Sys., Inc. Data Breach Litig., No. 2023CV0313 (Ga. Super. Ct. Tift Cnty.) (Gary Mason appointed Co-Lead Counsel Dec. 8, 2023).

Jackson-Battle v. Navicent Health, Inc., No. 2020-CV-072287 (Ga. Super. Ct. Bibb Cnty. Aug. 4, 2021) (data breach case involving 360,000 patients) (appointed Class Counsel Apr. 21, 2021).

K.B. ex rel. Blank v. East Tenn. Children's Hosp. Assoc., Inc., No. C2LA0081 (Tenn. Cir. Ct. Anderson Cnty. Dec. 19, 2023) (Mason LLP appointed Class Counsel July 7, 2023).

Kemp v. NorthStar Emerg. Med. Servs., Inc., No. 63-CV-2023-900249.00 (Ala. Cir. Ct. Tuscaloosa Cnty. June 5, 2024) (Mason LLP appointed Class Counsel Feb. 16, 2024).

Kenney v. Centerstone of America, Inc., No. 3:20-cv-01007 (M.D. Tenn. Aug. 2021) (settlement involving over 63,000 class members) (appointed Class Counsel May 7, 2021).

Klemm v. Md. Health Enters. Inc., No. C-03-CV-20-022899 (Md. Cir. Ct. Balto. Cnty. Dec. 2, 2021) (appointed Class Counsel Aug. 12, 2021).

Krenk v. Murfreesboro Med. Clinic & SurgiCenter, No. 75CCI-2023-CV-81005 (Tenn. 16th Jud. Dist. Cir. Ct. Rutherford Cnty.) (Danielle Perry appointed to Plaintiffs' Executive Counsel Committee Sept. 19, 2023).

Lee v. Tex. Ear, Nose & Throat Specialists, PLLC, No. 202184322 (Tex. 113th Jud. Dist. Ct. Harris Cnty. Dec. 7, 2023) (Gary Mason and Danielle Perry appointed Class Counsel June 7, 2023).

Martinez v. NCH Healthcare Sys., Inc., No. 2020-CA-000996 (Fla. 20th Jud. Cir. Ct. Collier Cnty. Oct. 5, 2021) (appointed Class Counsel June 21, 2021).

Morales v. Cano Health LLC, No. 2020-013998-CA-01 (Fla. 11th Jud. Cir. Ct. Miami-Dade Cnty. Nov. 16, 2021) (appointed Class Counsel Aug. 19, 2021).

Mowery v. Saint Francis Healthcare Sys., No. 1:20-cv-00013-SRC (E.D. Mo. Dec. 2020) (Gary Mason appointed Class Counsel Aug. 17, 2020).

Nelson v. Idaho Cent. Credit Union, No. CV03-20-00831 (Idaho 6th Jud. Dist. Ct. Bannock Cnty. June 1, 2021) (appointed Class Counsel Jan. 19, 2021).

Nierman v. Schneck Med. Ctr., No. 36D01-2206-CT-000013 (Ind. Super. Ct. Jackson Cnty. Aug. 23, 2023) (Gary Mason appointed Co-Lead Counsel Aug. 18, 2022).

North v. Hunt Mem'l Hosp. Dist., No. 89642 (Tex. 196th Jud. Dist. Ct. Hunt Cnty. Dec. 17, 2021) (appointed Class Counsel Apr. 26, 2021).

Pascute v. Amotec, Inc., No. CV23975539 (Ohio C.P. Ct. Cuyahoga Cnty. Feb. 22, 2024) (Danielle Perry appointed Class Counsel Nov. 3, 2023).

Payton v. Fam. Vision of Anderson, P.A., No. 2023CP0401636 (S.C. Ct. C.P. Anderson Cnty.) (Danielle Perry appointed Co-Lead Counsel Sept. 11, 2023).

Pessia v. Warren Gen. Hosp., No. 501 (Pa. 37th Jud. Dist. Ct. Warren Cnty.) (Danielle Perry appointed Co-Lead Class Counsel Jan. 29, 2024).

Phillips v. Bay Bridge Admins., LLC, No. 1:23-cv-00022 (W.D. Tex. July 30, 2024) (Gary Mason appointed to Plaintiffs' Interim Executive Committee Apr. 24, 2023).

Rasmussen v. Uintah Basin Healthcare, No. 2:23-cv-00322 (D. Utah) (Danielle Perry appointed Co-Lead Counsel June 16, 2023).

Richardson v. Overlake Hosp. Med. Ctr., No. 20-2-07460-8 SEA (Wash. Super. Ct. King Cnty. Sept. 10, 2021) (data breach class action involving approximately 109,000 individuals) (Danielle Perry appointed Class Counsel June 11, 2021).

Rodriguez v. Mena Reg'l Health Sys., No. 2:23-cv-02002 (W.D. Ark.) (Danielle Perry appointed Co-Lead Counsel Apr. 20, 2023) (preliminary approval pending).

Rohrer v. Oak Valley Hosp. Dist., No. CV-23-005612 (Cal. Super. Ct. Stanislaus Cnty.) (Danielle Perry appointed Co-Lead Counsel Nov. 14, 2023) (preliminary approval granted July 16, 2024).

Sharber v. FMC Servs., LLC, No. 111219-D-CV (Tex. 320th Jud. Dist. Ct. Potter Cnty.) (Gary Mason appointed Co-Lead Counsel Nov. 16, 2022).

Stinson v. Yum! Brands, Inc., No. 3:23-cv-00183 (W.D. Ky.) (Gary Mason appointed Co-Lead Counsel June 6, 2024).

Suhr v. D.C. Health Benefit Exchange Auth., No. 1:23-cv-00694 (D.D.C.) (Gary Mason appointed Co-Lead Counsel July 13, 2023).

Toussaint v. HanesBrands, Inc., No. 1:22-cv-00879 (M.D.N.C.) (Gary Mason appointed Class Counsel Nov. 5, 2024) (preliminary approval granted Nov. 5, 2024).

Tucker v. Marietta Area Health Care, No. 2:22-cv-00184 (S.D. Ohio Dec. 7, 2023) (Gary Mason appointed Co-Lead Counsel Dec. 9, 2022).

Vasquez v. Our Lady of the Lake Univ. of San Antonio, No. 2023CI07981 (Tex. 73d Jud. Dist. Ct. Brexar Cnty. Nov. 1, 2024) (Gary Mason appointed Class Counsel July 11, 2024).

Watkins-Fields v. SSS Educ., Inc., No. 2:23-cv-23154 (D.N.J. Sept. 12, 2024) (Gary Mason appointed Co-Lead Counsel June 27, 2024).

Woods v. Albany ENT & Allergy Servs., P.C., No. 904730-23 (N.Y. Sup. Ct. Albany Cnty. Oct. 11, 2024) (Danielle Perry appointed Co-Lead Counsel July 10, 2023).

EXHIBIT B



FIRM PROFILE

The Lyon Firm is a Cincinnati, Ohio based law firm, representing individuals nationwide in class action, product liability, and toxic exposure litigation. The Firm also has offices in St. Louis, Missouri and Irvine, California and includes four attorneys and four staff members. The attorneys are licensed in Ohio, California, Kentucky, Illinois, Missouri, and Arizona, as well as numerous federal courts.

Joseph M. Lyon is the founder and sole member of the Firm. Over the past 20 years, Mr. Lyon has represented thousands of individual clients and participated in over forty (40) multi district mass tort litigations involving medical devices, pharmaceutical products, and toxic exposure matters -e.g., MDL 2327 *In Re: Ethicon, Inc. Pelvic Repair Systems Product Liability Litigation* (discovery committee member); and MDL 1748 *In Re: Testosterone Replacement Therapy Products Liability Litigation* (discovery committee member); and MDL 2741; *In Re: Actos (Pioglitazone) Products Liability Litigation. Wisniewski v. Takeda Pharmaceuticals et al.*, Case No. 120702272: trial team member in favorable bellwether trial in Philadelphia County; and *In Re: Roundup Products Liability Litigation*.

Mr. Lyon has also been actively involved in over two hundred (200) consumer class actions. Federal and State Courts routinely appoint Mr. Lyon as Lead Class Counsel and to Executive and Steering Committees in complex cases, where he has worked alongside many of the leading national Plaintiff Firms. Recently, the Firm has been a leader in the data privacy space focusing much of their time on data security, unlawful tracking, and data misuse litigation involving novel legal theories and issues related to the interrelationship and requisite balance between consumer privacy and technological advancements. Many of the privacy litigation matters involve industry-wide failures in the health care and financial services industries that have created an unprecedented loss of personal privacy and consumer value. Collectively, the Firm has assisted in reaching class wide settlements of more than \$170,000,000 in privacy matters over the past three years. Some of the more recent prominent cases include: *Owens v. US Radiology Specialist, Inc.*, Case No. 22 CVS 17797, Mecklenburg County, N.C. (\$5.05 million common fund for data breach impacting 1.3 million consumers; final approval); *In Re Advocate Aurora Pixel Litigation*, 22-cv-1253, E.D. WI (\$12 million common fund settlement related to the hospitals use of tracking technology installed on the hospital's web properties that was transmitting patient health information to Facebook and Google; final approval); *See also Allen et al. v. Novant Health, Inc.*, 1:22-cv-00697, M.D. of N.C. (\$6.66 million common fund settlement arising from tracking technologies on hospital web properties; final approval).

In addition, Firm members have dedicated much of their careers to representing individual plaintiffs in catastrophic single event litigation against the largest companies and healthcare systems in the world. The single event litigation has required the Firm to consistently learn new subject matters, develop impactful case themes, design unique discovery plans, and work alongside industry experts. The single events cases have involved a variety of legal, medical, and engineering issues arising from automotive product defects, firearm defects, medical malpractice, workplace injuries, consumer product toxic exposure (talc & roundup), environmental contamination, and industrial exposure (asbestos, lead, radiation benzene, and TCE). This rewarding work has included matters of first impression and some of the largest known recoveries in venue histories, which have provided families with answers to difficult questions of liability and assisted with long-term medical needs and compensation for significant financial and personal loss.

Through all of the success, the Firm work has contributed to positive corporate change and accountability, resulting in safer products, more secure data privacy, and hundreds of millions of dollars of compensation to Plaintiffs and Consumers nationwide.



FIRM PROFILE

JOSEPH M. LYON

Professional Experience

- The Lyon Firm, A Law Corporation; Founder & Sole Member (9/2006-Present)
- Lopez, Hodes, Restaino, Milman & Skikos, A Law Corp.; Associate

Admissions to Practice Law

- California
- Ohio
- Kentucky
- United States Court of Appeals, 6th Circuit
- United States Court of Appeal 8th Circuit
- United States District Court, Southern District of Ohio
- United States District Court, Northern District of Ohio
- United States District Court, Northern District of California
- United States District Court, Central District of California
- United States District Court, Southern District of California
- United States District Court, Eastern District of California
- United States District Court, Colorado
- United States District Court, Northern District of Illinois
- United States District Court, Northern District of Indiana
- United States District Court, Eastern District of Kentucky
- United States District Court, Western District of Kentucky
- United States District Court, Eastern District of Michigan
- United States District Court, Eastern District of Wisconsin
- United States District Court, Western District of Wisconsin
- United States District Court, Nebraska
- United States District Court, North Dakota

Education

- Chicago Kent College of Law, Illinois Institute of Technology, Chicago, IL, J.D. (2002)
 - Federal Judicial Externship: United States District Court for the Northern District of Illinois, Judge William Hibbler; (January 2001-September 2001)
 - Law Review: Member of Chicago-Kent Journal of International and Comparative Law.



FIRM PROFILE

- Loyola University, Baltimore MD, B.A. in Political Science (1999)
 - International Study:
 - Katholieke Universiteit, Leuven, Belgium (9/1997-6/1998)
 - St. Louis University, Madrid, Spain (9/1998-12/1998)

Representative Lead Class Counsel Experience:

- ***Owens v. US Radiology Specialist, Inc.***, Case No. 22 CVS 17797 (Mecklenberg County, N.C): Settlement Class Counsel; Final Approval granted for \$5.05 million non-reversionary common fund for 1.3 million consumers.
- ***Migliaccio v. Parker Hannifin Corp.***, Case No. 1:22-cv-00835 (N.D. Ohio): Appointed co-lead class counsel by Judge Polster in data breach class action against multi-national manufacturer impacting 115,843 current and former employees; Final Approval granted for a \$1.75 million non-reversionary common fund.
- ***Tucker v. Marietta Area Health Care, Inc.***, No. 2:22-cv-00184 (S.D. Ohio): Appointed co-lead in consolidated data breach class action involving ransomware attack on Ohio hospital that compromised the PII and PHI of 216,478 patients; Final Approval granted for a \$1.75 million non-reversionary common fund.
- ***Hawkins v. Navy Federal Credit Union***, Case No: 1:19-cv-01186 (E.D. Va.): Appointed co-lead class counsel in TCPA class action; Final Approval granted for nationwide class and non-reversionary common fund settlement of \$9.25 million providing monetary compensation for class of over 66,000.
- ***In Re Southern Ohio Health System Data Breach***, Case No: A-2101886 (Hamilton County, Ohio): Appointed co-lead counsel in consolidated data breach class action impacting two Ohio hospital systems and 420,433 patients' healthcare information; Final Approval granted for nationwide non-reversionary common fund settlement of \$1.95 million.
- ***Devine v. Health Aide of Ohio***, Case No: cv-21-948117 (Cuyahoga County, Ohio): Appointed co-lead class counsel in consolidated data breach class action involving 141,149 medical patients; Final Approval granted for a claims made nationwide settlement providing monetary benefits and additional identity theft protection valued at over \$12.5 million.
- ***Engle v. Talbert House***, No. A 2103650 (Hamilton County, Ohio): Appointed co-lead class counsel in a data breach class action impacting over 300,000 medical patients; Final Approval granted for nationwide claims made settlement providing monetary benefits and additional identity theft protection with claimed value at \$1.7 million and offered class value of \$49.8 million.
- ***Miranda v. Xavier University***, No. 1:20-cv-00539 (S.D. Ohio): Appointed as interim co-lead class counsel for nursing students in a class action arising from the breach of contract to provide clinical education and experience through the coursework; Final Approval granted for a \$700 thousand non-reversionary common fund for tuition reimbursement.



FIRM PROFILE

- ***Wade v. U.S. Bank National Association***, Case No: A-1501522 (Hamilton County, Ohio): Appointed co-lead class counsel in state mortgage satisfaction class action; Final Approval granted for non-reversionary common fund of \$1.75 million providing monetary compensation to a class of over 45,000.00 mortgage holders.
- ***McKitrick v. Allwell Behavioral***, Case No CH2022-0174 (Muskingum County, Ohio): Appointed co-lead class counsel in data breach class action impacting 29, 972 patients; Final Approval granted for \$650,000 non-reversionary common fund.
- ***Hasell v. Spear Wilderman P.C.***, NO. 230401942. (C.P., Philadelphia, P.A.): Appointed co-lead class counsel in data breach action against law firm alleging negligent data security practices impacting 86,287 individuals; Final Approval granted for \$800,000 non-reversionary fund.
- ***Pederson v. AAA Collections, Inc.***, Case No. 4:22-cv-04166 (Dist. of N.D): Appointed co-Lead Counsel; Final Approval granted for non-reversionary common fund of \$865 thousand for nationwide class of 66,732 individuals.
- ***Forslund v RR Donnelly***, Case No: 1:22-cv-04260 (N.D. Ill.): Appointed co lead class counsel in healthcare data breach impacting over 80,000 consumers; Final Approval granted for \$970,000 non-reversionary common fund.
- ***Bae v. Pacific City Bank***, No. 21STCV45922 (Los Angeles County Superior Court, Cal.): Appointed interim co-lead class counsel in a data breach class action involving 15,037 customers; Final Approval granted for a non-reversionary common fund of \$700,000.
- ***Rodriguez v. Professional Finance Company, Inc.***, Case No: 22-cv-01679 (D. Colo.): Appointed interim co-lead class counsel in consolidated action involving a data breach impacting over 2 million consumers; Preliminary Approval pending.
- ***In Re Great Expressions Data Security Incident Litigation***, Case No: 2:23-cv-11185 (E.D. MI): Appointed co-lead class counsel in data breach impacting over 1 millions patients; Final Approval granted for non-reversionary common fund of \$2,700,000.
- ***In Re Navvis & CO, LLC Data Breach Litigation***, Case No. 4:24-cv-00029 (E.D. MO); Appointed interim co-lead counsel in data breach impacting over a million patients; Motion Practice and Mediation.
- ***In Re Houser LLP Data Breach Litigation***, Case No. 8:24-cv-00468 (C.D. Cal.); Appointed interim co-lead counsel in data breach impacting over 300,000 consumers; Preparing Consolidated Class Action Complaint.
- ***Suhr v. DC Health Link***, Case No. 1:23-cv-00694 (D.D.C.): Appointed co-lead class counsel in highly publicized consolidated action involving a data breach impacting the health insurance marketplace for the District of Columbia. Preparing Motion for Preliminary Approval.



FIRM PROFILE

- ***In re: NCB Management Services, Inc. Data Breach Litigation***, Case No. 2:23-cv-01236 (E.D. Pa): Appointed interim co-lead class counsel in consolidated action involving a data breach impacting over 1 million consumers. Motion practice is ongoing.
- ***Henderson v. Reventics, LLC***, Case No. 1:23-cv-00586 (D. Colo.): Appointed co-lead class counsel in consolidated data breach action impacting over 4.2 million healthcare consumers. Motion practice is ongoing.
- ***Pulliam v. West Technology Group, LLC***, Case No: 8:23-cv-00159 (Dist. or Neb.): Appointed interim Co-Lead Counsel in consolidated ransomware action impacting 138,000 employees and consumers; Appellate practice ongoing).

Representative Steering Committee & Class Counsel Experience:

- ***Sherwood v Horizon Actuarial, Case No., 1-22-cv-01495 (N.D. Ga.)***; Member of Plaintiffs Counsel in data breach class action impacting over 4 million individuals and participated in all aspects of the pleading drafting and motion practice; Final Approval granted for \$8,733,446.36 non-reversionary common fund.
- ***Culbertson, et al. v. Deloitte Consulting LLP***, Case No. 1:20-cv-3962 (S.D. NY): Member of Plaintiffs' Counsel and represented lead plaintiff (Third Party Discovery Committee) in data breach impacting over 200,000 individuals during applications for the Pandemic Unemployment Assistance Program; Final Approval for \$4.95 non-reversionary common fund.
- ***Desue, et al. v. 20/20 Eye Care***, Case No: 21-CV-61275 (S.D. Fla.): Appointed to Plaintiffs' Executive Committee in data breach class action impacting 3.2 million patients' personal and healthcare information. Motion to Dismiss denied in part and granted in part; Final Approval granted for a \$3,000,000 non-reversionary common fund.
- ***K.B.(Minor) v. East Tennessee Children's Hospital Association, Inc.***, Case No. C2LA0081 (Anderson County, Tenn.): Appointed Settlement Co-Class Counsel; Final Approval for \$1.55 million non-reversionary settlement fund for patients whose personal and medical information was compromised in a data breach; minor class members will receive 10 year of identity theft defense.
- ***Miller v NextGen Healthcare, Inc.***, Case No: 1:23-cv-02043 (N.D. Ga.): Appointed to Plaintiff's Steering Committee in consolidated action involving a data breach impacting over a million consumers. Preliminary pleadings and case management issues are ongoing.
- ***Baker, et al. v. Parkmobile, LLC***, Case No: 1:21-CV-2182 (N.D. Ga): Appointed to Plaintiffs' Steering Committee in data breach class action impacting the personal information of over 21 million customers. Representing lead plaintiff. Discovery is ongoing.
- ***MDL 1748 In Re: Testosterone Replacement Therapy Products Liability Litigation***. Assisted in centralization and consolidation of over 4,000 cases before Judge Kennelly in the Northern District of Illinois. Performed document review and coding on regulatory and custodial files related to deceptive and off label marketing claims and adverse events; Developed consulting relationship with leading experts and created medical literature summaries; Organized deposition summaries for bellwether trials.



FIRM PROFILE

- **MDL 2327 In Re: Ethicon, Inc. Pelvic Repair Systems Product Liability Litigation.** Performed document review and coding on custodial files on product design, labelling, opinion leaders, adverse events, and regulatory approval; Assisted in preparation for corporate 30(b)(6) depositions, opinion leader depositions, and bellwether trials.
- **In Re: Actos (Pioglitazone) Products Liability Litigation. Wisniewski v. Takeda Pharmaceuticals et al.,** Case No. 120702272: Co-Counsel for bellwether trial in Philadelphia County. Jury awarded \$2,340,000.00 in compensatory damages.
- **MDL 1598 In Re: Ephedra Products Liability Litigation:** Coordinated GNC document review, assisted in deposition preparation for 30(b)(6) depositions, and participated in bellwether trial support.

Representative Current Multi District Litigation (Case Specific Work):

- MDL 3044 In Re: Exactech Products Liability Litigation
- MDL 2738 In Re: Johnson & Johnson Talcum Powder
- MDL 2885 In Re: 3M Product Liability Litigation
- MDL 3004 In Re: Paraquat Product Liability Litigation
- MDL 2974 In Re: Paragard IUD Product Liability Litigation
- In Re Pam Cooking Spray Consolidated Actions (Cook County, IL)

Representative Past Multi District Litigation (Case Specific Work):

- MDL 2741 In Re: Roundup Products Liability Litigation
- MDL 2441 In Re: Stryker Rejuvenate and ABG II Hip Implant Litigation
- MDL 2768 In Re: Stryker LFIT V-40 Femoral Head Product Liability Litigation
- MDL 2391 In Re: Biomet M2A Magnum Hip Implant Products Liability Litigation
- MDL 2734 In Re: Abilify (Aripiprazole) Products Liability Litigation
- MDL 2244 In Re: Depuy Orthopaedics, Inc. Pinnacle Hip Implant Litigation
- MDL 1748 In Re: Testosterone Replacement Therapy Products Liability Litigation.
- JCCP 4887 In Re: Essure Product Cases
- MDL 2591 In Re: Syngenta AG MIR 162 Corn Litigation
- MDL 2000 In Re: Yaz/ Yasmin/ Ocella Litigation (Philadelphia Consolidated Actions)
- MDL 2197 In Re: Depuy Orthopaedics, Inc., ASR Hip Implant Products Liability Litigation
- MDL 1871 In Re: Avandia Marketing, Sales Practices and Products Liability Litigation
- MDL 1598 In Re: Ephedra Products Liability Litigation
- MDL 1905 In Re: Medtronic, Inc. Sprint Fidelis Leads Products Liability Litigation
- MDL 1769 In Re: Seroquel Products Liability Litigation
- MDL 1928 In Re: Trasylol Products Liability Litigation
- MDL 1785 In Re: Bausch & Lomb Inc. Contact Lens Solution Products Liability Litigation
- MDL 1657 In Re: Vioxx Marketing, Sales Practices and Products Liability Litigation
- MDL 2327 In Re: Ethicon, Inc. Pelvic Repair Systems Products Liability Litigation
- MDL 2325 In Re: AMS, Inc., Pelvic Repair System Products Liability Litigation
- MDL 2187 In Re: C.R. Bard, Inc., Pelvic Repair System Products Liability Litigation
- MDL 2387 In Re: Coloplast Corp. Pelvic Support Systems Products Liability Litigation
- MDL 2326 In Re: Boston Scientific Corp. Pelvic Repair Systems Products Liability Litigation



FIRM PROFILE

- MDL 2299 In Re: Actos (Pioglitazone) products Liability Litigation
- MDL 1842 In Re: Kugel Mesh Hernia Patch Products Liability Litigation
- MDL 1708 In Re: Guidant Implantable Defibrillators Product Liability Litigation
- MDL 1905 In Re: Medtronic Sprint Fidelis Leads Product Liability Litigation
- MDL 2767 In Re: Mirena IUS- Products Liability Litigation
- MDL 2418 In Re: Plavix Products Liability Litigation
- MDL 2775 In Re: Smith and Nephew BHR Implant Products Liability Litigation
- MDL 1763 In Re: Human Tissue Products Liability Litigation
- In Re Depo Provera: New Jersey Consolidated State Litigation

Representative Single Event Settlements

- ***Estate of Michael Bauer, et al. v. The General Electric Company***, (2022) S.D. of Ohio, 1:17-CV-860. Lead counsel in complex and first impression toxic tort action involving the deaths of three employees of The General Electric Company who were working together at a aviation testing facility. All three men worked side by side in the same room for many years and all suffered diagnosis and death as a result of glioblastomas. Plaintiffs alleged a connection between the tumors and radiation exposure in radioactive dust at the worksite. After several years of highly contested litigation involving significant environmental testing and development of expert testimony, the case was settled confidentially and provided recourse and closure to the surviving family members. GE maintains there is no connection. This is the only known tort recovery for workplace radiation exposure in Ohio.
- ***Estate of Gabrielle Walker v. The Toledo Hospital*** (2021) Lucas County, Ohio, Case No: G-4801. Lead counsel in medical malpractice/ wrongful death case involving allegations of negligent discharge of a suspected child abuse patient. The discharge resulted in returning the child to the suspected home environment where she sustained terminal injuries that evening. The four years of litigation entailed lead counsel taking over twenty depositions, preparing and disclosing four liability experts, filing several motions to compel discovery (ESI and 30B5 Witnesses) that the Court granted, and obtaining the Court's denial of two motions for summary judgment. The parties entered a confidential settlement two months before trial after mediation and months of negotiation. This is the only known wrongful death/tort recovery for a child abuse / homicide victim against a medical provided in the State.
- ***Landge v. Kindercare***, et al (2019) Hamilton County, Ohio, Case No: Lead counsel in daycare negligence case involving allegations of mismanagement in the preparation and storage of hot soup. The child was severely burned due to interaction with unattended and unprotected soup canister. A confidential settlement was reached following initial discovery. Largest known settlement against a daycare center in county history.



FIRM PROFILE

- ***Murphy v. University Hospital*** (2019) Hamilton County, Ohio Case No: A-18-03027. Lead Counsel in medical malpractice case involving the alleged misdiagnosis of cancer and unnecessary operation to remove 17 lymph nodes. The patient was cancer free and the unnecessary surgery left her with permanent lymphedema. Confidential Settlement following disclosure of expert reports on liability, causation and life care plan.
- ***Gray v. Graham KTM Sport Motorbikes*** (2018) N. Dist. of Mississippi Case No: 3:17-cv-092. Lead counsel in automotive product liability matter involving a recalled accelerator of a motor-cross bike. The recall was noticed due to the accelerator sticking and resulting in unintended acceleration. Plaintiff experienced this event losing control, whereby the bike fell onto him as he attempted to jump from the out-of-control bike. His arm was trapped in the rear wheel resulting in catastrophic amputation. Confidential settlement following limited discovery and disclosure of life care plan.
- ***Harrell et al. v. WWS Associates*** (2018) Hamilton County, Ohio, Case No: A1600701. Lead counsel in secondary lead exposure case involving the secondary exposure to industrial lead dust leading to lead poisoning in town minor children. Their father returned home from a recycling job that did not provide adequate protective clothing or require showers before returning home. It was alleged that the children suffered neurological injuries related to elevated lead levels. This was a case of first impression in Ohio involving secondary lead exposure. Confidential settlement following factual discovery and disclosure of expert reports on causation and damages. This was also the largest known settlement for lead exposure in county history.
- ***Lemon v. FMK Firearms, Inc. et al.*** (2016) E. Dist. of KY Case No: 2:15-cv-00128. Lead Counsel in complex product liability case involving a defective handgun that was subject to a recall due to drop-fire risks. Plaintiff suffered severe injuries including compartment syndrome when gun was accidentally dropped and fired. Confidential settlement following initial factual discovery. Largest known settlement involving defective firearm in Kentucky history.
- ***Waters v. F&P America MFG, Inc.*** (2016) Miami County, Ohio Case No: 15-103. Lead Counsel. Workplace intentional tort claim involving a corporate policy to circumvent a perimeter cage designed to protect workers from hydraulic equipment malfunction. Plaintiff suffered catastrophic amputation of multiple fingers when a machine misfired. Confidential settlement following corporate depositions and while motion for summary judgment on employer intentional tort and workers compensation immunity issues was pending.
- ***Estate of Ralph Jamison v. Continental Appliances, Inc.*** (2013) Adams County, Ohio Case No. CVB 20120499. Lead Counsel in complex Product Liability case involving a defective propane wall heater that resulted in severe burn injuries and wrongful death. Confidential Settlement following motion to compel documents was granted and 30(b)(5) deposition.



FIRM PROFILE

- ***Estate of Joseph Ponsi v. RCD Sales, Inc.*** (2012) Ashland County, Ohio Case No. 12-CVI-017). Lead Counsel in dealership negligence involving the sale of a recreational towing vehicle that exceeded towing capacity of tow vehicle resulting in rollover and wrongful death. Confidential settlement following multiple depositions on liability and disclosure of expert reports.
- ***Armesia Thomas v. General Motors et al.*** (2011) E. Dist. of KY Case No. 08-228-ART. Lead Counsel in complex Product Liability action involving claims of defective seat belt design resulting in catastrophic spinal cord injury to a 19-year-old female. Confidential settlement with General Motors and Takata Defendants following full factual discovery and disclosure of expert reports and life care plan.
- ***Michael Urchak v. Donnell Ford Lincoln Mercury of Salem, Inc.*** (2010) Mahoning County, Ohio Case No 08-CV-3700). Lead Counsel in dealership negligence causing mechanical failure and loss of control of vehicle resulting in spinal cord injury. Confidential Settlement following full factual discovery and disclosure of expert reports and life care plan.
- ***Charles & Jennifer Briner, Individually and on Behalf of Christopher Briner, A Minor v Daimler Chrysler Corporation.*** (2007) Richland County, Ohio Case No. 05-CV-371. Co-lead counsel in complex product liability action involving claims of defective seat belt buckle resulting in inadvertent buckle release and catastrophic brain injury to a minor. Confidential settlement two weeks before trial following full factual discovery and expert disclosures on liability and life care plan. At the time, it was the second largest known personal injury settlement in county history.
- ***Marlene Lewis et al v. Alex Saba, M.D.*** (2006) Hamilton County, Ohio, Case No. A0501599. Co-lead counsel in medical malpractice claims arising from the failure to diagnose breast cancer resulting in cancer progression, loss of survival, and additional invasive medical care. Confidential Settlement a few months before trial following full discovery and expert disclosures on liability and damages.
- ***Berry Smith v. Argo Construction, (2004) Clermont County, Ohio, Case No. 1:17-cv-860, Co.*** Lead Counsel in employee intentional tort action involving the catastrophic amputation of the Plaintiffs leg when he was trapped under a moving excavator while performing flagging duties. Confidential settlement following full discovery and expert reports on life care plans. At the time, it was the largest known employer intentional tort settlement in county history.

Memberships & Board Positions

Harvard Business Review Advisory Council (2024)
Attorneys Information Exchange Group (2006- Present)
National Trial Lawyers (2009-Present)
Orange County Trial Lawyers (2024)
American Association for Justice (2003-Present)
American Association for Justice, Trial Magazine, Peer Review Panel (2018)
American Association for Justice, TRT Litigation Group Co-Chair (2014-2019)



FIRM PROFILE

American Association for Justice Litigation Group Leaders Council (2014- 2019)

American Association for Justice, Member (2003- Present)

American Association for Justice, “New Lawyers Board of Governors” (2004-2013)

Ohio Association for Justice (2003-2007; 2013-Present)

Ohio Association for Justice, Product Liability Section Chair (2014-2015)

Publications & Presentations

- *Inn of Court – Practitioners & Bench Panel*, University of Cincinnati Law School (2024)
- *Mass Torts in State Court*. OAJ Summer Convention, Columbus, OH (2017)
- *Managing Client Expectations*. OAJ Summer Convention. Columbus, OH (2015)
- *The Wheels of Justice: Mass Torts in State Courts*. OAJ Quarterly. Product Liability Section. (2015)
- *“Low T”- The Creation of a Disease*. OAJ Quarterly. Product Liability Section. (2014)
- *Ethical Aspects of Mass Tort Marketing*. AAJ Summer Convention. Baltimore, MD (2014)
- *Testosterone Replacement Therapy MDL Update and Case Criteria*. AAJ Summer Convention. Baltimore, MD (2014)
- *Testosterone Replacement Therapy --Specific Causation*. AAJ Mass Tort Update Seminar. San Diego, CA (2014)
- *Testosterone Replacement Therapy –MDL Case Management Orders*. AAJ Mass Tort Update Seminar. Santa Barbara, CA (2014)
- *Testosterone Replacement Therapy --Causes of Action*. AAJ Emerging Mass Tort Seminar. Louisville, KY (2014)
- *Parallel Claims & Reporting Requirements: New Motivation for Drug Manufacturers to Give Adequate Warning*. OAJ Quarterly. Product Liability Section (2013)
- *Where to Begin Your Search for the Smoking Gun: Organizing Your Strategy and Informal Discovery*. National Business Institute Seminar. Cincinnati, OH (2010)
- *Written Discovery Strategies*. National Business Institute Seminar. Cincinnati, OH (2010)
- *A Separate Piece in Seeking Justice: Civil Themes and Skills in Public Defense*. AAJ, Criminal Law Section, Vol. 16, No.2 Winter (2009)
- *The Weight of Expert Testimony*. National Business Institute Seminar. Cincinnati, OH (2009)



FIRM PROFILE

- *Punitive Damages: Current Trends and Strategies*. National Business Institute Seminar. Cincinnati, Ohio (2009)
- *Jury Selection: Your First Trial*. Northern Kentucky College of Law (2009)
- *Utilizing ATLA Resources for Law Students*. University of Cincinnati College of Law (2003)

Honors & Awards

- Super Lawyers (Class Action and Mass Torts) (2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025)
- Super Lawyers, Rising Stars (Class Action and Mass Torts) (2012, 2013, 2014, 2015, 2016)
- National Trial Lawyers: Top 100 Trial Lawyers for Ohio (2009-Present)
- National Trial Lawyers: Top 20 Mass Tort Lawyers (2018- Present)