

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The Honorable Sean O'Donnell

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

ALEXANDER BARRY, individually and on
behalf of all others similarly situated;

Plaintiff,

v.

UNIVERSITY OF WASHINGTON,

Defendant.

No. 20-2-13924-6-SEA

**DECLARATION OF STEVE W.
BERMAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
ATTORNEYS' FEES, COSTS, AND
SERVICE AWARD**

I, Steve W. Berman, state under oath, as follows:

1. I am Managing Partner at Hagens Berman Sobol Shapiro LLP and I represent Plaintiff Alexander Barry and the interests of the Class previously certified in this case. I am a member in good standing of the State Bars of Washington and Illinois. I am over 18 years of age and have personal knowledge of the facts stated in this declaration. If called as a witness, I could and would testify competently to them.

2. I make this declaration in support of Plaintiff's Motion for Attorneys' Fees, Costs, and Service Award, filed contemporaneously.

3. On September 16, 2020, Plaintiff initiated this litigation and on December 7, 2020, he filed his First Amended Complaint.

4. Defendant University of Washington ("Defendant" or "UW") (collectively with Plaintiff, the "Parties") filed a motion to dismiss Plaintiff's First Amended Complaint. The Court

DECLARATION OF STEVE W. BERMAN IN SUPPORT
OF MOTION FOR ATTORNEYS' FEES, COSTS, AND SERVICE
AWARD - 1

HAGENS BERMAN

1301 Second Avenue, Suite 2000, Seattle, WA 98101
(206) 623-7292 OFFICE (206) 623-0594 FAX

1 denied Defendant's motion as to Plaintiff's claims for breach of contract, breach of implied
2 contract, and unjust enrichment.

3 5. On November 2, 2021, the Parties attended mediation before the Hon. Diane M.
4 Welsh (Ret.) at JAMS but were unsuccessful in their attempts to resolve this litigation.

5 6. Plaintiff propounded multiple sets of written discovery upon Defendant, including
6 requests for admission, requests for production, and interrogatories. In response to the requests for
7 production, Defendant produced 47,305 documents totaling 180,167 pages, including Class
8 Members' data. Plaintiff took the deposition of ten (10) fact witnesses who were employees of
9 Defendant, including high ranking officials and Defendant's expert witnesses: Dr. Turner and Mr.
10 Hansen (twice). Defendant's experts collectively produced three reports.

11 7. Defendant also propounded two (2) sets of written discovery on Plaintiff, including
12 requests for admission, requests for production, and interrogatories. In response to Defendant's
13 requests for production, Plaintiff produced 95 documents totaling 1,602 pages. Defendant took the
14 depositions of Plaintiff and his expert (twice).

15 8. Throughout the discovery process, Plaintiff engaged Defendant in meet-and-
16 confers to resolve discovery disputes without the Court's intervention.

17 9. On November 23, 2022, Plaintiff moved for certification of the Class. On June 28,
18 2023, the Court granted Plaintiff's motion.

19 10. Defendant then filed an Amended Answer to add an additional affirmative defense.

20 11. On June 20, 2024, the Parties filed cross-motions for summary judgment and
21 Defendant moved to exclude Plaintiff's expert. Plaintiff opposed both motions and Defendant
22 opposed Plaintiff's motion for summary judgment. Ultimately, Plaintiff prevailed against
23 Defendant's efforts to exclude his expert. Plaintiff also prevailed on 4 out of 9 affirmative defenses
24 for which he sought summary judgment and was able to defeat Defendant's motion for summary
25 judgment on his breach of implied contract claim. Defendant prevailed on the remaining
26 affirmative defenses and summary judgment was entered in favor of Defendant on Plaintiff's
27 claims for unjust enrichment and breach of an express contract.

28 DECLARATION OF STEVE W. BERMAN IN SUPPORT
OF MOTION FOR ATTORNEYS' FEES, COSTS, AND SERVICE
AWARD - 2

1 12. Thereafter, Plaintiff conferred with Defendant on a pre-trial schedule, completed
2 the Court's Pre-Trial Conference Order, exchanged witness and exhibit lists with Defendant,
3 submitted time estimates for trial, filed a joint motion in limine, filed his own motions in limine,
4 filed an ER 904 notice, prepared trial subpoenas, began his proposed jury instructions, exchanged
5 juror questionnaire questions with Defendant, and began working with Defendant on stipulated
6 facts.

7 13. Defendant filed a motion for reconsideration of the Court's order on summary
8 judgment while the Parties prepared for trial. Specifically, Defendant sought reconsideration of
9 the Court's order that Plaintiff's claims as to the Spring 2020 quarter were not barred by the
10 Voluntary Payment Doctrine. The Court granted Defendant's motion for reconsideration and
11 dismissed Plaintiff's claims as to the Spring 2020 quarter.

12 14. Based on the Court's order granting reconsideration, only the ten (10) days during
13 the Winter 2020 quarter that were transitioned to remote-only education remained at issue.

14 15. At various points, the Parties discussed settlement without success. The Parties
15 initially had an unsuccessful mediation on November 2, 2021. As the trial date approached along
16 with the Court's mediation/ADR deadline, the Parties negotiated for several weeks at arms' length
17 with the help of mediator Chris Anderson of Kubik Mediation Group. On January 2, 2025, the
18 Parties ultimately reached agreement on the pertinent key terms. The Parties then diligently
19 collaborated to memorialize the Settlement and notice documents.

20 16. The Parties agreed that Defendant would pay \$4,000,000.00 in exchange for a
21 release. At the point of settlement, litigation costs were substantial and were only poised to increase
22 as the Parties were on the eve of trial, especially since Defendant implied that it may seek
23 decertification of the Class.

24 17. As part of the settlement, the Parties agreed that the amount of the Fee & Cost
25 Award shall be determined by the Court based on petition from Class Counsel, with Counsel
26 limiting their request for attorneys' fees to no more than 30% of the Settlement Fund (i.e.,
27 1,200,000) in attorneys' fees.

28 DECLARATION OF STEVE W. BERMAN IN SUPPORT
OF MOTION FOR ATTORNEYS' FEES, COSTS, AND SERVICE
AWARD - 3

1 **I. HAGENS BERMAN SOBOL SHAPIRO LLP’S FEES AND EXPENSES**

2 18. Hagens Berman Sobol Shapiro LLP’s audited lodestar from inception through April
3 2, 2025 is \$2,211,315.00, and a chart breaking down the lodestar is attached as **Exhibit A**.

4 19. Additionally, Hagens Berman incurred \$185,525.67 in costs. The costs are based
5 on the following categories of expenses: court fees and filing fees; online services and legal
6 research; court reporters and deposition transcripts; expert and consultant fees; copying and
7 printing; messenger; shipping; mediation fees; class notice fees; and travel. A chart breaking down
8 the costs is attached as **Exhibit B**.

9 **II. CREDENTIALS OF HAGENS BERMAN SOBOL SHAPIRO LLP**

10 20. With 89 lawyers firm-wide, Hagens Berman has nine offices across the United
11 States, and is headquartered in Seattle, Washington. Since its founding in 1993, Hagens Berman
12 has successfully represented plaintiffs in a broad spectrum of complex, multi-party complex class
13 action cases, including ones on behalf of injured students. Hagens Berman’s victories have earned
14 its legal team many awards and recognitions. For example, The National Law Journal named
15 Hagens Berman to its “Plaintiffs’ Hot List” in 2006–07, 2009–13, and 2015, its list of “Top 10
16 Plaintiffs’ Firms in the Country” in 2012–13 and 2015, and its list of “Elite Trial Lawyers – Mass
17 Tort Category” in 2019. Likewise, Law360 has repeatedly recognized the firm’s successes,
18 granting the firm its “Most Feared Plaintiffs Firm” award in 2015, its “MVP of the Year Award –
19 Class Action” in 2016–19, “Practice Group of the Year – Class Action” for 2019 and, for Mr.
20 Berman, “Titan of the Plaintiffs Bar” in 2018 and 2020.

21 21. Hagens Berman is qualified as Class Counsel. I, along with my colleagues Daniel
22 J. Kurowski, Elaine Byzewski, Christopher O’Hara and Whitney K. Siehl, have significant
23 experience litigating consumer class actions generally and in COVID-19 refund litigation
24 specifically. We investigated and filed the complaint in this litigation against The University of
25 Washington (“UW”) as well as numerous similar actions against colleges and universities across
26 the country. In these ongoing cases, the firm has defeated numerous motions to dismiss, had
27 success on appeals, class certification, and on summary judgment.

28 DECLARATION OF STEVE W. BERMAN IN SUPPORT
OF MOTION FOR ATTORNEYS’ FEES, COSTS, AND SERVICE
AWARD - 4

1 22. During the past five years of this case, Class Counsel has fully briefed motions to
2 dismiss, class certification, and motions for summary judgment, conducted discovery resulting in
3 voluminous document production, defended Plaintiff’s deposition, took Rule 30(b)(6) depositions,
4 retained and advanced costs for an expert witness, issued notice to the class following class
5 certification, conducted substantial research regarding the legal issues, and prepared for trial. As
6 shown by the record here, Class Counsel is qualified. A copy of our resumes is attached as

7 **Exhibit C.**

8 **III. COMMITMENT TO REPRESENTING COLLEGE STUDENTS**

9 23. Hagens Berman was appointed Class Counsel in this action along with Lynch
10 Carpenter.

11 24. Hagens Berman has a longstanding commitment to bringing cases on behalf of
12 college students.

13 25. For example, Hagens Berman served as co-lead counsel for the Plaintiffs in
14 landmark litigation in *In re: USC Student Health Center Litigation*, No. 2:18-cv-04258-SWB-GJS
15 (C.D. Cal.). There, the court granted final approval to a \$215 million settlement reached with USC
16 and its former full-time gynecologist, Dr. George Tyndall, covering about 18,000 USC alumnae.
17 The settlement also required USC to implement important institutional changes as well. The USC
18 settlement is the largest-ever class resolution of sexual assault claims and first to incorporate
19 equitable relief reforms ensuring institutional change and implemented a thoughtful, streamlined
20 claims structure.

21 26. Hagens Berman secured preliminary approval of a historic \$2.78 billion settlement
22 with the NCAA on behalf of hundreds of thousands of current and former student-athletes at
23 Division I schools in *In re: College Athlete NIL Litigation*, No. 4:20-cv-03919-CW (N.D. Cal.).
24 As co-lead class counsel Hagens Berman, negotiated that NCAA and its conferences will pay
25 damages to college athletes over a 10-year period, eliminate rules prohibiting schools from making
26 direct payments to athletes, and dramatically expand the availability of compensation and benefits

1 available to athletes. It is estimated the total value of new payments and benefits to college athletes
2 will exceed \$20 billion over the next 10 years.

3 27. Hagens Berman also secured a \$208 million settlement on behalf of tens of
4 thousands of current and former college-athletes in *In re: NCAA Grant-In-Aid Cap Antitrust*
5 *Litigation*, No. 4:14-md-02541-CW (N.D. Cal.). There, Hagens Berman served as co-lead class
6 counsel for the Consolidated Plaintiffs. Hagens Berman represented a class of student-athletes who
7 received a scholarship package (called a grant-in-aid, or GIA) and sought damages based on the
8 difference in athletically related financial aid they could have received under new NCAA rules
9 allowing for athletically related aid up to the full “cost of attendance,” typically a few thousand
10 dollars more per academic year. In addition to securing the extensive settlement, the case included
11 class-wide claims for injunctive relief, which Hagens Berman attorneys took to a successful bench
12 trial.

13 28. Hagens Berman also served as co-lead counsel in *In re: NCAA Student-Athlete*
14 *Concussion Litigation*, No. 13-cv-9116 (N.D. Ill.), brought on behalf of then-current and former
15 NCAA student-athletes which claimed that the NCAA had been negligent and had breached its
16 duty to (1) protect current and former student-athletes by failing to adopt appropriate rules
17 regarding concussions and/or (2) manage the risks from concussions. Hagens Berman sought and
18 obtained medical monitoring relief for all qualifying current and former student-athletes, among
19 other benefits. Hagens Berman secured a \$75 million settlement that implements a 50-year medical
20 monitoring program for student-athletes to assess certain mid- to late-life onset brain diseases and
21 disorders, and included injunctive relief provisions to be implemented at NCAA member schools
22 regarding return-to-play guidelines schools must follow after an athlete’s head injury.

23 29. More specific to the case before the Court, Hagens Berman has committed to
24 prosecuting cases against colleges and universities that closed their campuses and transitioned
25 previously on-campus students to exclusively remote instruction in the wake of the COVID-19
26 pandemic. The firm has investigated and pursued many such cases including but not limited to
27 ongoing litigation in *In re Pepperdine University Tuition and Fees Covid-19 Refund Litigation*,

1 No. 2:20-cv-04928-DMG (C.D. Cal.) (class certification granted, summary judgment denied in
2 part); *In re Univ. of S. California Tuition & Fees COVID-19 Refund Litig.*, No. 2:20-CV-04066
3 (C.D. Cal.) (class certification granted, summary judgment denied in part); among others.

4 30. Further, Hagens Berman has shepherded COVID-19 refund cases through
5 settlement, with all cases receiving final approval and findings that the settlements obtained by the
6 firm on behalf of student class members were fair, reasonable and adequate. *See, e.g., Shaffer v.*
7 *George Washington University*, No. 1:20-cv-01145-RJL (D.D.C.) (\$5.4MM common fund on
8 behalf of approximately 18,000 students); *Rocchio v. Rutgers, the State Univ. of New Jersey*, No.
9 MID-L-003039-20 (Middlesex County, NJ) (\$5MM common fund on behalf of approximately
10 64,500 students); *Metzner v. Quinnipiac Univ.*, No. 3:20-cv-00784-KAD (D.Conn.) (\$2.5MM
11 common fund on behalf of approximately 9,200 students); *Choi v. Brown Univ.* 1:20-cv-00191
12 (D.R.I.) (\$1.5MM common fund on behalf of approximately 9,600 students).

13 31. Hagens Berman is and remains committed to zealously representing these students
14 across the country and believes this settlement is fair, reasonable, and adequate.

15 32. Based on the foregoing, all relevant factors favor granting the requested attorneys'
16 fees and costs.

17 33. I declare that the foregoing is true and correct under penalty of perjury under the
18 laws of the United States and the State of Washington.

19 Executed this 16th day of May 2025, at Seattle, Washington.

20
21 /s/ Steve W. Berman
22 STEVE W. BERMAN

Exhibit A

Barry et al. v. University of Washington
Hagens Berman Sobol Shapiro LLP
LODESTAR TOTALS - INCEPTION THROUGH APRIL 2, 2025

ATTORNEY	STATUS	CURRENT HOURLY RATE	TOTAL HOURS	LODESTAR AT CURRENT RATES
Steve Berman	Partner	\$1,425.00	62.90	\$89,632.50
Elaine Byszewski	Partner	\$1,150.00	132.50	\$152,375.00
Chris O'Hara	Partner	\$900.00	38.40	\$34,560.00
Daniel Kurowski	Partner	\$900.00	1336.70	\$1,203,030.00
Shelby Smith	Partner	\$850.00	0.50	\$425.00
Whitney Siehl	Associate	\$575.00	610.30	\$350,922.50
		ATTORNEY TOTAL	2181.30	\$1,830,945.00
PARALEGAL/LEGAL ASSISTANTS	STATUS	CURRENT HOURLY RATE	TOTAL HOURS	LODESTAR AT CURRENT RATES
Chavay Williams	Paralegal	\$425.00	683.40	\$290,445.00
Joseph Salonga	Paralegal	\$425.00	11.10	\$4,717.50
Megan Meyers	Paralegal	\$425.00	121.30	\$51,552.50
Jennifer Conte	Paralegal	\$400.00	64.10	\$25,640.00
Radha Kerzan	Paralegal	\$375.00	1.90	\$712.50
Shelby Taylor	Paralegal	\$375.00	17.00	\$6,375.00
Noreen Andersen	Law Clerk	\$175.00	5.30	\$927.50
		PARALEGAL TOTAL	904.10	\$380,370.00
		GRAND TOTAL	3085.40	\$2,211,315.00

Exhibit B

Barry et al. v. University of Washington
Hagens Berman Sobol Shapiro LLP
EXPENSE TOTALS - INCEPTION THROUGH APRIL 2, 2025

CATEGORY	AMOUNT
Court Fees/Filing Fees	\$2,006.85
Online Services/Legal Research (LexisNexis/Westlaw/PACER)	\$18,802.57
Court Reporters/Deposition Transcripts	\$14,024.18
Experts/Consultants	\$130,127.60
Class Notice	\$10,546.00
Outside Copy Service	\$3.74
In-House Copying/Printing (\$0.25/per page)	\$2,928.75
Messenger/Process Service	\$19.95
Overnight Shipping	\$104.65
Mediation Fees	\$3,832.50
Airfare	\$1,113.73
Hotel	\$1,404.08
Meals	\$78.33
Ground Transportation/Parking	\$532.74
	\$185,525.67

Exhibit C



HAGENS BERMAN

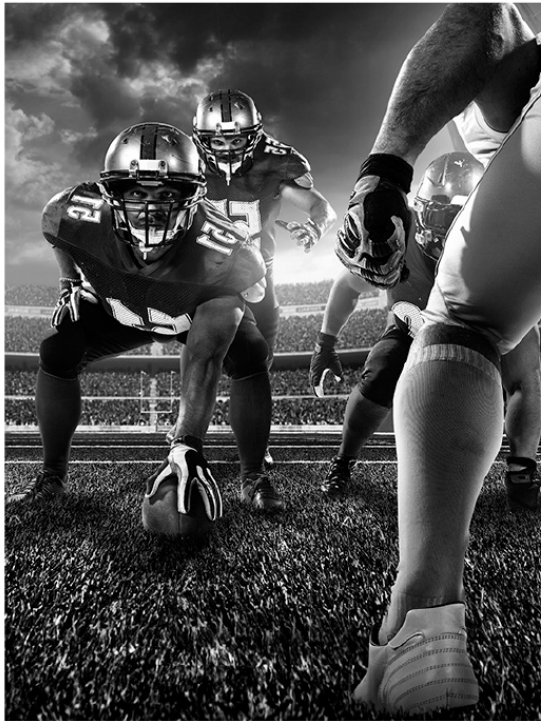
Auto Cases 1-888-381-2889 Email Tip Line

CASES ATTORNEYS NEWS & INSIGHT ABOUT PRACTICES SUCCESS BLOG

Trailblazer

Managing Partner, Steve Berman,
wins the ABA's Trailblazer Award

... states that 14.7 million people have been



Hagens Berman is a national leader in class-action litigation driven by an international team of legal powerhouses. With a tenacious spirit, we are motivated to make a positive difference in people's lives.

Table of Contents

INTRODUCTION4
The Firm 4
Locations 5
Quotes 6
Victories & Settlements 9

PRACTICE AREAS8
Consumer Protection – General Class Litigation 16

LEGAL TEAM 19
Steve W. Berman 20
Daniel J. Kurowski 30
Whitney K. Siehl 32

INTRODUCTION

The Firm

Hagens Berman Sobol Shapiro LLP was founded in 1993 with one purpose: to help victims with claims of fraud and negligence that adversely impact a broad group. Through the firm's focus on class-action litigation and other complex, multi-party cases, it fights for those seeking representation against wrongdoing and fraud. As the firm grew, it expanded its scope while staying true to its mission of taking on important cases that implicate the public interest and the greater good. We represent plaintiffs including consumers, inventors, investors, workers, the environment, governments, whistleblowers and others.

We are one of the nation's leading class-action law firms and have earned an international reputation for excellence and innovation in ground-breaking litigation against large corporations.

OUR FOCUS

Our focus is to represent plaintiffs in [antitrust](#), [consumer fraud](#), [employment](#), [environmental](#), [intellectual property](#), product liability, [securities and investment fraud](#), [sexual harassment](#), tort and [whistleblower law](#) cases. Our firm is particularly skilled at managing multistate and nationwide class actions through an organized, coordinated approach. Our skilled team implements an efficient and aggressive prosecutorial strategy to place maximum pressure on defendants.

WE WIN

We believe excellence stems from a commitment to try each case, vigorously represent the best interests of our clients and obtain maximum recovery. Our opponents know we are determined and tenacious. They respect our skills and recognize our track record of achieving top results for those who need it most.

WHAT MAKES US DIFFERENT

We are driven to return to the class every possible portion of its damages — our track record proves it. While many class action or individual plaintiff cases result in large legal fees and no meaningful outcome for the client or class, Hagens Berman finds ways to return real value to the victims of corporate fraud and malfeasance through damages and real change.

AN INTERNATIONAL REACH

Our firm offers clients an international scope of practice. We have flourished through our core network of U.S. offices, and with a global expansion, Hagens Berman has grown geographically to where our eyes have always been: trends of fraud, negligence and wrongdoing taking form anywhere in the world. The firm now does business through endeavors in Paris, London and Amsterdam and has a vested interest in fighting global instances of oppression and injustice.

INTRODUCTION

Locations

SEATTLE

1301 Second Avenue, Suite 2000
Seattle, WA 98101
T 206-623-7292
F 206-623-0594

CHICAGO

455 N. Cityfront Plaza Drive, Suite 2410
Chicago, IL 60611
T 708-628-4949
F 708-628-4950

PHOENIX

11 West Jefferson Street, Suite 1000
Phoenix, AZ 85003
T 602-840-5900
F 602-840-3012

BERKELEY

715 Hearst Avenue, Suite 300
Berkeley, CA 94710
T 510-725-3000
F 510-725-3001

LOS ANGELES

301 North Lake Avenue, Suite 920
Pasadena, CA 91101
T 213-330-7150
F 213-330-7152

SAN DIEGO

533 F Street
Suite 207
San Diego, CA 92101
T 619-929-3340

BOSTON

1 Faneuil Hall Square, 5th Floor
Boston, MA 02109
T 617-482-3700
F 617-482-3003

NEW YORK

594 Dean Street, Suite 24
Brooklyn, NY 11238
T 212-752-5455
F 917-210-3980

LONDON

Hagens Berman UK LLP
80 Strand
London, WC2R 0DT
T 0203 150 1445

PARIS

HBSS France
106 rue de l'Université
75007 Paris
T +1 83 64 15 08

INTRODUCTION

Quotes

“[A] clear choice emerges. That choice is the Hagens Berman firm.”

— *U.S. District Court for the Northern District of California, In re Optical Disk Drive Products Antitrust Litigation (Appointing the firm lead counsel in the case which would later usher in \$205 million in settlements.)*

“Landmark consumer cases are business as usual for Steve Berman.”

— *The National Law Journal, naming Steve Berman one of the 100 most influential attorneys in the nation for the third time in a row*

“Berman is considered one of the nation’s top class action lawyers.”

— *Associated Press*

“unprecedented success in the antitrust field”

— *California Magistrate Judge Nathanael M. Cousins
A July 2015 order awarding attorneys’ fees in student-athlete name and likeness litigation*

“All right, I think I can conclude on the basis with my five years with you all, watching this litigation progress and seeing it wind to a conclusion, that the results are exceptional... You did an exceptionally good job at organizing and managing the case...”

— *U.S. District Court for the Northern District of California, In re Dynamic Random Access Memory Antitrust Litigation (Hagens Berman was co-lead counsel and helped achieve the \$406 million class settlement.)*

“I think you have conducted yourselves with great professionalism in this case that has been very difficult, very challenging, and I’m grateful for your professionalism and your advocacy”

— *Honorable Terrence G. Berg
Fairness Hearing in Mark D. Chapman, et al. v. General Motors LLC, April 25, 2025*

“aggressive and independent advocacy”

— *Hon. Thomas M. Durkin in an order appointing Hagens Berman as interim class counsel in In re Broiler Chicken Antitrust Litigation*

“Class counsel has consistently demonstrated extraordinary skill and effort.”

— *Hon. James Selna, Central District of California, In re Toyota Motor Corp. Unintended Acceleration Marketing, Sales Practices and Products Liability Litigation, (The firm was appointed co-lead counsel without submitting to lead the case, and later achieved what was then the largest settlement in history brought against an automaker – \$1.6 billion.)*

“...I have never worked with such professional, decent counsel.”

— Hon. Dennis M. Cavanaugh, United States District Judge (Retired), Transcript Of Proceedings Fairness Hearing for In re Mercedes-Benz Emissions Litigation, (Hagens Berman helped secure a \$700 million settlement for class members and served as interim class counsel.)

“...the track record of Hagens Berman[‘s] Steve Berman is...impressive, having racked... a \$1.6 billion settlement in the Toyota Unintended Acceleration Litigation and a substantial number of really outstanding big-ticket results.”

— Hon. Milton I. Shadur, Senior U.S. District Judge, naming Hagens Berman interim class counsel in Stericycle Pricing MDL (Hagens Berman served as lead counsel and secured a \$295 million settlement.)

“...when you get good lawyers this is what happens; you get these cases resolved.”

— Hon. Dennis M. Cavanaugh, United States District Judge (Retired), Proceedings Fairness Hearing for In re Mercedes-Benz Emissions Litigation

“...Class counsel have devoted considerable time and resources to this litigation...”

— Hon. Dennis M. Cavanaugh, United States District Judge (Retired), Proceedings Fairness Hearing for In re Mercedes-Benz Emissions Litigation

“...This result...puts significant money into the pockets of all of the class members, is an excellent result. ...I’ve also looked at the skill and quality of counsel and the quality of the work... and find that to have been at a high level.”

— Hon. Beth Labson Freeman, United States District Judge, Final Approval of Settlement Hearing for Dean Sheikh et al v. Tesla, Inc.

“...respective clients certainly got their money’s worth with these attorneys and the work that they did on their behalf. ...Plaintiffs did an excellent job on behalf of their clients in this case.”

— Hon. Dennis M. Cavanaugh, United States District Judge (Retired)
Proceedings Fairness Hearing for In re Mercedes-Benz Emissions Litigation

“Class Member reaction to the Mercedes Settlement is overwhelmingly positive.”

— Hon. Dennis M. Cavanaugh (Ret.) Special Master, In re Mercedes-Benz Emissions Litigation

“I will reiterate that class counsel has demonstrated over many years, superior experience and capability in handling class actions of this sort.”

— Hon. Beth Labson Freeman, United States District Judge, Final Approval of Settlement Hearing for Dean Sheikh et al v. Tesla, Inc.

“Not only did they work hard and do what was appropriate under the circumstances; their behavior was exemplary throughout. They were fair and firm. There were no pushovers involved here.”

— Hon. Dennis M. Cavanaugh, United States District Judge (Retired), Proceedings Fairness Hearing for *In re Mercedes-Benz Emissions Litigation*

“Class Counsel are extremely qualified and competent counsel who have experience and expertise prosecuting complex class actions...successfully tried class actions to jury verdicts and...also obtained billions of dollars in settlements...”

— Judge Magnuson, *Final CBL Approval Order*

“Plaintiffs have zealously litigated this case on behalf of the class over the course of eight years...the reaction of the class members has been overwhelmingly positive.”

— Hon. Jeffrey S. White
Order finalizing \$28 million settlement in class-action against Schneider National Carriers Inc.

INTRODUCTION

Victories & Settlements

Since its founding, the firm has secured settlements valued at more than \$320 billion on behalf of class members in large-scale complex litigation.

\$260 BILLION

STATE TOBACCO LITIGATION

Hagens Berman represented 13 states prosecuting major actions against Big Tobacco. The settlement led to a multistate settlement requiring the tobacco companies to pay the states and submit to advertising and marketing restrictions. It was the largest civil settlement in history.

\$25 BILLION

VISA CHECK/MASTERMONEY ANTITRUST LITIGATION

The firm served as co-lead counsel in what was then the largest antitrust settlement in history. The class-action lawsuit alleged that Visa and MasterCard engaged in an anticompetitive scheme to monopolize the debit card services market and charge merchants artificially inflated interchange fees by tying merchant acceptance of their debit card services, Visa Check and MasterMoney, to merchant acceptance of their credit card services. Settlements secured categories of relief that court decisions valued at as much as \$25-87 billion.

\$14.7 BILLION

VOLKSWAGEN EMISSIONS LITIGATION

Hagens Berman was named a member of the plaintiffs' steering committee and part of the settlement negotiating team in this monumental case that culminated in the largest automotive settlement in history. The firm was the first law firm to file against Volkswagen regarding its Dieselgate emissions-cheating scandal.

\$1.67 BILLION

VOLKSWAGEN FRANCHISE DEALERS LITIGATION

The firm served as lead counsel representing VW franchise dealers in this lawsuit related to VW's Dieselgate scandal. The settlement recovered nearly full damages for the class.

\$1.6 BILLION

TOYOTA UNINTENDED ACCELERATION LITIGATION

Hagens Berman served as co-lead counsel and secured what was then the largest automotive settlement in history in this class action that recovered \$1.6 billion for vehicle owners.

\$1.45 BILLION

NOTEWORLD / MERACORD

The firm secured a default judgment on behalf of consumers for a useless debt-settlement conspiracy, following years of plaintiff victories in the case. Hagens Berman filed its lawsuit in 2011, on behalf of consumers nationwide, claiming the company violated Washington law and the federal Racketeer Influenced and Corrupt Organizations Act.

\$1.3 BILLION

HYUNDAI KIA THETA II GDI FIRE HAZARD LITIGATION I

Hagens Berman is co-lead counsel in this case accusing automakers of selling vehicles with failure-prone engines that could sometimes catch fire. The case is still pending litigation pertaining to other affected models.

\$700 MILLION

MERCEDES BLUETEC EMISSIONS LITIGATION

A monumental settlement was reached on behalf of owners of Mercedes vehicles affected by Daimler's emissions cheating. The case was initially filed and researched by Hagens Berman, based on the firm's independent vehicle testing, and the firm served as co-lead counsel. The consumer settlement followed a \$1.5 billion settlement between Mercedes and the U.S. Justice Department and California Air Resources Board. The settlement includes an \$875 million civil penalty for violating the Clean Air Act.

\$700 MILLION

WASHINGTON PUBLIC POWER SUPPLY SYSTEM (WPPSS) SECURITIES LITIGATION

Hagens Berman represented bondholders and the trustee in a class action stemming from the failure of two nuclear projects. Plaintiffs were awarded a \$700 million settlement.

\$568 MILLION

APPLE E-BOOKS ANTITRUST LITIGATION

Hagens Berman served as co-lead counsel against Apple and five of the nation's largest publishing companies and secured a combined \$568 million settlement, returning class members nearly twice their losses in recovery, following the firm's victory over Apple after it appealed the case to the U.S. Supreme Court.

\$535 MILLION

CHINA MEDIAEXPRESS HOLDINGS, INC. SECURITIES LITIGATION

Hagens Berman, which served as lead counsel in the case, alleged on behalf of a class of investors that China MediaExpress Holdings made false and misleading statements, including misrepresentations about its revenues, the number of buses in its network and the nature of its business relationships. The lawsuit resulted in relief for investors valued at \$535 million.

\$470 MILLION

LCD ANTITRUST LITIGATION

Hagens Berman served as a member of the Executive Committee representing consumers in multi-district litigation. Total settlements exceeded \$470 million.

\$453 MILLION

GLUMETZA ANTITRUST LITIGATION

The court denied summary judgment and paved the way for trial in this litigation against brand and generic manufacturers of the diabetes drug Glumetza. Hagens Berman served as co-lead counsel for the direct purchaser class. U.S. District Judge William Alsup approved \$453.85 million in settlements resolving direct purchasers' allegations. The result was the largest antitrust recovery to receive final approval in 2022.

\$406 MILLION

DRAM ANTITRUST LITIGATION

The firm was co-lead counsel in this antitrust case which settled for \$406 million in favor of purchasers of dynamic random access memory chips.

\$385 MILLION

SUBOXONE ANTITRUST LITIGATION

Hagens Berman was co-lead counsel in this pharmaceutical antitrust class action alleging defendants violated federal antitrust laws by delaying generic competition for its blockbuster opioid addiction medicine, Suboxone.

\$383.5 MILLION

DAVITA HEALTHCARE PERSONAL INJURY LITIGATION

A Denver jury awarded a monumental \$383.5 million verdict to families of three patients who died after receiving dialysis treatments at DaVita clinics.

\$350 MILLION

T-MOBILE DATA BREACH

Hagens Berman represented consumers in this class-action lawsuit against T-Mobile related to its 2021 data security breach. On Aug. 15, 2021, a hacker exposed the sensitive information of tens of millions of individuals that were either T-Mobile customers or those that had applied for credit with the company and put them at risk of identity theft and its subsequent consequences.

\$340 MILLION

RANBAXY INC.

Hagens Berman served as co-lead counsel representing Meijer Inc. and Meijer Distribution Inc. in a class-action lawsuit against drugmaker Ranbaxy. The lawsuit alleged it recklessly stuffed the generic drug approval queues with grossly inadequate applications and deceiving the FDA into granting tentative approvals to lock in statutory exclusivities to which Ranbaxy was not entitled. Ranbaxy then excluded competition at the expense of U.S. drug purchasers. The settlement was part of a \$485 million settlement for all plaintiffs. The result was the second largest antitrust recovery to receive final approval in 2022.

\$338 MILLION

PHARMACEUTICAL AVERAGE WHOLESALE PRICE LITIGATION

Hagens Berman was lead counsel in this ground-breaking drug pricing case against the world's largest pharmaceutical companies, resulting in a victory at trial. The court approved a total of \$338 million in settlements.

\$325 MILLION

NEURONTIN PFIZER LITIGATION

The firm brought suit against Pfizer and its subsidiary, Parke-Davis, accusing the companies of a fraudulent scheme to market and sell the drug Neurontin for a variety of “off-label” uses for which it is not approved or medically efficacious.

\$307 MILLION

FCA ECODIESEL EMISSIONS CHEATING LITIGATION

The firm achieved a settlement on behalf of owners of EcoDiesel Dodge 1500 and Jeep Grand Cherokee vehicles in response to Fiat Chrysler’s emissions-cheating. Under the settlement, class members who repair their vehicles and submit a claim will receive \$3,075. The total value of the deal is estimated at \$307 million, granted all owners submit a valid claim.

\$300 MILLION

HYUNDAI/KIA HYDRAULIC ELECTRONIC CONTROL UNIT (HECU) FIRE HAZARD

Approximately three million Hyundai and Kia vehicles nationwide were affected by a dangerous defect in the hydraulic and electronic control units (HECU), also known as anti-lock brake (ABS) modules which posed a risk of non-collision engine fires. Conservatively, plaintiffs’ experts valued the settlement achieved by Hagens Berman as co-class counsel in the range of \$326 million to \$652 million.

\$295 MILLION

STERICYCLE, STERI-SAFE LITIGATION

Hagens Berman served as lead counsel representing small businesses including veterinary clinics, medical clinics and labs in a class-action lawsuit alleging Stericycle’s billing practices and accounting software violated consumer laws and constituted breach of contract.

\$255 MILLION

HYUNDAI & KIA FUEL ECONOMY LITIGATION

Hagens Berman filed a class-action lawsuit on behalf of consumers alleging Hyundai and Kia overstated fuel economy for many vehicles they sold in the United States.

\$250 MILLION

ENRON ERISA LITIGATION

Hagens Berman was co-lead counsel in this ERISA litigation, which recovered in excess of \$250 million, the largest ERISA settlement in history.

\$250 MILLION

BOFA COUNTRYWIDE APPRAISAL RICO

Hagens Berman served as co-lead counsel in a nationwide class-action lawsuit against Bank of America, Countrywide Financial and appraisal firm LandSafe Inc. on behalf of a class of home buyers accusing the suit’s defendants of carrying out a series of phony appraisals in an attempt to secure more loans.

\$235 MILLION

CHARLES SCHWAB SECURITIES LITIGATION

The firm was lead counsel in this action alleging fraud in the management of the Schwab YieldPlus mutual fund. A \$235 million class settlement was approved by the court.

\$234.6 MILLION

AEQUITAS CAPITAL MANAGEMENT

The firm settled this case on behalf of 1,600 investors of the now-defunct Aequitas companies. It is believed to be the largest securities settlement in Oregon history.

\$218 MILLION

JP MORGAN MADOFF

Hagens Berman settled this case on behalf of Bernard L. Madoff investors in a suit filed against JPMorgan Chase Bank, its parents, subsidiaries and affiliates. The settlement against JPMorgan involved three simultaneous, separately negotiated settlements totaling more than \$2.2 billion.

\$215 MILLION

USC, DR. GEORGE TYNDALL SEXUAL ABUSE AND HARASSMENT

The firm served as co-lead counsel and secured a \$215 million settlement on behalf of a class of thousands of survivors of sexual assault against the University of Southern California and its Dr. George Tyndall, the full-time gynecologist at USC’s student health clinic.

\$212 MILLION

TOYOTA, LEXUS DENSO FUEL PUMP DEFECT

Hagens Berman represented consumers in a lawsuit alleging that Toyota Motor Corp. sold vehicles with faulty engines made by Denso International America Inc. The defect left vehicle owners at risk of spontaneous vehicle shutdown, engine stall and other safety risks that increased the likelihood of a crash or injury. The settlement brought relief to more than 3.3 million vehicle owners and is valued between \$212 million and \$288 million.

\$208 MILLION

NCAA GRANT-IN-AID CAP ANTITRUST LITIGATION

Hagens Berman was co-lead counsel in the damages portion of this historic antitrust class action claiming the NCAA unlawfully capped the value of athletic scholarships. In a historic ruling, the U.S. Supreme Court unanimously upheld a trial victory regarding the injunctive portion of the case securing monumental improvements for college athletes, and forever changing college sports. Steve Berman served as trial counsel.

\$205 MILLION

OPTICAL DISC DRIVES (ODD) ANTITRUST LITIGATION

Hagens Berman served as lead counsel on behalf of consumers in a lawsuit filed against Philips, Pioneer and others for artificially inflating the price of ODDs.

\$200 MILLION

NEW ENGLAND COMPOUNDING PHARMACY MENINGITIS OUTBREAK LITIGATION

Hagens Berman attorneys served as lead counsel for the plaintiffs' steering committee on behalf of plaintiff-victims of the 2012 fungal meningitis outbreak that led to more than 64 deaths and hundreds of joint infection cases.

\$169 MILLION

ANIMATION WORKERS

Hagens Berman was co-lead counsel for a class of approximately 10,000 animators and other artistic workers in an antitrust class action against Pixar, DreamWorks, The Walt Disney Company, Sony and others for allegedly conspiring to restrain competition and suppress industry wages. A \$169 million settlement resulted in a payment of more than \$13,000 per class member.

\$150 MILLION

FLONASE ANTITRUST LITIGATION

Hagens Berman was co-lead counsel representing purchasers in this case alleging GlaxoSmithKline filed petitions to prevent the emergence of generic competitors to its drug Flonase to overcharge consumers and purchasers of the drug, which would have been priced lower had a generic competitor been allowed to come to market.

\$150 MILLION

LUPRON CONSUMER LITIGATION

Hagens Berman served as co-lead counsel on behalf of consumers and third-party payors who purchased the drug Lupron. Under the terms of the settlement, TAP Pharmaceuticals paid \$150 million on behalf of all defendants.

\$123.4 MILLION

EXPEDIA LITIGATION

Hagens Berman led this class action arising from bundled "taxes and service fees" that Expedia collects when its consumers book hotel reservations. Plaintiffs alleged that by collecting exorbitant fees as a flat percentage of the room rates, Expedia violated both the Washington Consumer Protection Act and its contractual commitment to charge as service fees only "costs incurred in servicing" a given reservation.

\$120 MILLION

GENERAL MOTORS IGNITION SWITCH

Hagens Berman represented owners of GM-branded vehicles as co-lead counsel in a national class-action lawsuit seeking compensation, statutory penalties and punitive damages against GM on behalf of owners of millions of vehicles affected by alleged safety defects and recalls. The court granted final approval to a \$120 million settlement on behalf of affected GM vehicle owners on Dec. 18, 2020. Under the settlement, a trust controlled by creditors in GM's 2009 bankruptcy contributed up to \$50 million.

\$120 MILLION

LOESTRIN ANTITRUST LITIGATION

Hagens Berman served as interim co-lead counsel for the certified class of direct purchasers. The parties reached a proposed settlement shortly before trial.

\$113 MILLION

BATTERIES ANTITRUST LITIGATION

Hagens Berman served as co-lead counsel and secured a settlement in this class-action lawsuit against some of the largest electronics manufacturers for allegedly illegally fixing the price of lithium-ion batteries, pushing costs higher for consumers.

\$108 MILLION

FIAT CHRYSLER LOW OIL PRESSURE SHUT-OFF

As co-lead counsel, Hagens Berman represented a class of owners of Fiat Chrysler vehicles allegedly prone to spontaneous shut off when oil pressure is low. A federal judge approved a settlement valued at \$108 million comprised of comprehensive relief including extended warranties, software upgrades, free testing and repairs and repair reimbursements.

\$100 MILLION

APPLE IOS APP STORE LITIGATION

In this lawsuit against Apple, the firm served as interim lead counsel in this matter and represented U.S. iOS developers against the tech giant. The suit accused Apple of monopolizing distribution services for iOS apps and in-app digital products, allegedly resulting in commission overcharges. Apple agreed to pay \$100 million and make developer-friendly changes to its App Store policy.

\$100 MILLION

OPPENHEIMER CORE BOND AND CHAMPION INCOME FUNDS LITIGATION

Hagens Berman obtained settlements in two cases alleging that various Oppenheimer entities and certain individual defendants made materially false or misleading statements and omissions to the investing public regarding the investment profile and objectives of the two funds.

\$100 MILLION

TENET HEALTHCARE

Hagens Berman achieved a settlement on behalf of uninsured patients who received care at Tenet facilities nationwide, alleging that the patients were charged excessive prices at 114 hospitals owned and operated by Tenet Healthcare. The suit claimed that Tenet took advantage of the uninsured and working poor who did not have the economic leverage to negotiate lower rates, while giving discounts to HMO's and other large payers.

\$100 MILLION

TREMONT LITIGATION

The firm filed a class action on behalf of investors alleging the company and others grossly neglected fiduciary duties by turning capital over to Bernard Madoff Investment Securities.

\$98 MILLION

PROGRAF ANTITRUST LITIGATION

Hagens Berman served as court-appointed co-lead class counsel representing a class of direct purchasers of Prograf. The antitrust lawsuit alleges that Astellas violated antitrust laws by filing a petition with the FDA as a means of delaying entry of a generic version of Prograf, a drug used to prevent organ rejection by kidney, liver, heart and lung transplant patients.

\$95 MILLION

APPLECARE

This class action secured compensation for iPhone and iPad owners who bought AppleCare or AppleCare+ coverage. The suit accused Apple of using inferior, refurbished or used parts in device replacements, despite promising to provide consumers with a device "equivalent to new in performance and reliability," and Hagens Berman reached a settlement with the tech giant in April 2022, resolving these claims.

\$94 MILLION

CELEBREX ANTITRUST LITIGATION

Hagens Berman litigated claims on behalf of a certified class of direct purchasers alleging Pfizer obtained reissuance of a follow-on patent by defrauding the Patent and Trademark Office. The case settled just weeks before trial.

\$93 MILLION

LIPITOR ANTITRUST LITIGATION

Hagens Berman served as co-lead counsel in this action alleging that drug manufacturer Pfizer delayed market entry of generic versions of the cholesterol drug Lipitor by fraudulently procuring a follow-on patent for Lipitor, knowingly listing that patent in the FDA Orange Book without any lawful basis to do so, suing generic pharmaceutical companies that challenged that patent's blocking ability, and then leveraging those meritless lawsuits into reverse payment settlements with the generic manufacturers.

\$92.5 MILLION

BOEING SECURITIES LITIGATION

Boeing and Hagens Berman agreed to a settlement to this shareholder suit filed in November 1997 by Hagens Berman. The settlement, the then second largest awarded in the Northwest, affected tens of thousands of Boeing common stock shareholders.

\$90 MILLION

GOOGLE PLAY STORE APP DEVELOPERS

The firm filed a class action on behalf of Android app developers for violating antitrust laws by allegedly illegally monopolizing markets for Android app distribution and in-app payment processing. A \$90 million settlement has been preliminarily approved.

PRACTICE AREAS

PRACTICE AREAS

PRACTICE AREAS

Consumer Protection – General Class Litigation

Hagens Berman is a leader in protecting consumers, representing millions in large-scale cases that challenge unfair, deceptive and fraudulent practices.

We realize that consumers suffer the brunt of corporate wrongdoing and have little power to hold companies responsible or to change those tactics. We believe that when backed by a tenacious spirit and determination, class action cases have the ability to serve as a powerful line of defense in consumer protection.

Hagens Berman pursues class litigation on behalf of clients to confront fraudulent practices that consumers alone cannot effectively dispute. We make consumers' concerns a priority, collecting consumer complaints against suspected companies and exploring all avenues for prosecution.

Hagens Berman's legacy of protecting consumer rights reflects the wide spectrum of scams that occur in the marketplace. The cases that we have led have challenged a variety of practices such as:

- False, deceptive advertising of consumer products and services
- False billing and over-charging by credit card companies, banks, telecommunications providers, power companies, hospitals, insurance plans, shipping companies, airlines and Internet companies
- Deceptive practices in selling insurance and financial products and services such as life insurance and annuities
- Predatory and other unfair lending practices, and fraudulent activities related to home purchases

REPRESENTATIVE SUCCESS IN CONSUMER PROTECTION LITIGATION

T-MOBILE DATA BREACH LITIGATION (2021)

Hagens Berman served a court-appointed position on the Executive Committee in this consumer class action against T-Mobile for a data breach affecting 7.8 million subscribers, as well as 40 million people who had applied for credit with T-Mobile. T-Mobile also reported that approximately 850,000 active T-Mobile prepaid customers names, phone numbers and PIN numbers were exposed, as well as up to 52,000 names of customers related to current Metro by T-Mobile accounts.

RESULT: \$350 million settlement pending preliminary approval

STERICYCLE CONTRACT LITIGATION

The firm served as court-appointed lead counsel in a class-action lawsuit against Stericycle alleging that the company violated contracts and defrauded them by hundreds of millions of dollars through an automatic price-increasing

scheme. In February of 2017, a federal judge certified a nationwide consumer class. The class had more than 246,000 class members, with damages estimated preliminarily at \$608 million.

RESULT: \$295 million settlement

BANK OF AMERICA COUNTRYWIDE APPRAISAL RICO LITIGATION

Hagens Berman filed a nationwide class-action lawsuit against Bank of America, Countrywide Financial and appraisal firm, LandSafe Inc. on behalf of a class of home buyers alleging defendants carried out a series of phony appraisals in an attempt to secure more loans.

RESULT: \$250 million settlement

APPLECARE WARRANTY LITIGATION

The firm represented a class of Apple device owners claiming that Apple violated consumer laws, illegally charging customers premium prices for what they believed to be new replacement devices under its AppleCare/AppleCare+ programs. Attorneys for the class estimate the settlement will cover between 3.5 and 4 million refurbished Apple devices.

RESULT: \$95 million settlement has been preliminarily approved

BANK OF AMERICA MILITARY CUSTOMER FRAUD LITIGATION

Hagens Berman filed a class-action lawsuit alleging that Bank of America violated the Servicemembers Civil Relief Act, the Truth in Lending Act and North Carolina's Unfair and Deceptive Trade Practices Act. The suit also accused Bank of America of violating common law, including breach of contract, negligence and negligent misrepresentation.

RESULT: \$42 million settlement

PENDING CONSUMER PROTECTION LITIGATION

COLLEGE TUITION & FEES AMID COVID-19 PANDEMIC REIMBURSEMENT

In 2020, as the COVID-19 pandemic unfolded, Hagens Berman sought to represent tuition and fee payers in class-action lawsuits seeking reimbursement for parents and guardians of college students or college students for tuition, fees and other expenses at colleges and universities across the nation. Hagens Berman believes that institutions of higher learning had no right to keep these charges given the coronavirus outbreak and lack of options to students, as college campuses closed.

RESULT: \$14.4 million has been granted final approval by the courts in settlements reached with Brown University (\$1.5 million), George Washington University (\$5.4 million), Quinnipiac University (\$2.5 million) and Rutgers University (\$5 million), and a \$4 million settlement with the University of Washington has been granted preliminary approval. Litigation continues against other universities.

AMAZON BASICS PAPER PRODUCTS ECO-FRIENDLY ADVERTISING

The firm filed a class-action lawsuit against Amazon alleging it made false claims about the damaging environmental impact of its Amazon Basics toilet paper and paper towel products. The company has led consumers to believe it is a leader in environmental stewardship committed to "protecting natural resources." However, the lawsuit alleges that Amazon fails to disclose that its Amazon Basics paper products contribute to the devastating destruction in Canada's boreal forest — one of the last remaining primary forests on Earth.

AMAZON BUY BOX

Hagens Berman filed a class-action lawsuit against Amazon accusing the retailer of violating state consumer protection laws through the alleged use of a biased algorithm. The lawsuit alleges that Amazon's algorithm determines which

offers are displayed to shoppers via its Buy Box. The Buy Box contains “Buy Now” and “Add to Cart” buttons that allow consumers to purchase the item in question. Nearly every time, consumers use this interface to finalize their one-click purchase. The lawsuit claims the algorithm frequently overlooks lower priced product offers in favor of offers that will earn Amazon the highest fees, even when those offers are not the best deals for its customers. The firm has been retained by Arizona Attorney General Kris Mayes and has filed a consumer-protection and antitrust lawsuit on behalf of the state of Arizona.

AMAZON COVID-19 PRICE GOUGING

This lawsuit was filed against Amazon accusing the company of [price gouging](#) consumers during the COVID-19 pandemic, causing massive price spikes for essential goods including food, personal hygiene products and other emergency or medical supplies, allegedly violating California state consumer-protection laws.

AMAZON PRIME CANCELLATION “DARK PATTERNS”

Hagens Berman represents consumers seeking to hold Amazon accountable for its alleged use of “[dark patterns](#)” to deceive users into subscribing to Amazon Prime, or complicate the process of unsubscribing. Since the lawsuit’s filing, the firm has been retained by Arizona Attorney General Kris Mayes to file a similar lawsuit on behalf of the state of Arizona, and the Federal Trade Commission filed a complaint against Amazon for the same actions, bolstering the firm’s existing claims.

CHARMIN BATH TISSUE ECO-FRIENDLY ADVERTISING

Hagens Berman filed a class-action lawsuit against Procter & Gamble accusing the company of making false claims about the harmful environmental impact of its Charmin toilet paper products. The company touts sustainability, proclaiming it “helps protect forests” and promises consumers “We are committed to helping keep forests as forests.” Behind Charmin’s promise that it “maintains healthy forests for generations to come.” Procter & Gamble — a multibillion-dollar corporation — is allegedly cutting down boreal forest, in spite of its alleged greenwashing.

ONEWHEEL SHUT OFF DEFECT

Consumers have reported sudden shutoffs and nosedives while operating Future Motion Inc.’s OneWheel electronic skateboards that launch riders from the board at potentially high speeds and steep angles. The boards have since been recalled yet Future Motion has yet to remedy the defect causing sudden loss of power. Hagens Berman filed its class action in 2022, seeking damages on behalf of consumers.

CONSUMER INSURANCE LITIGATION

Hagens Berman has pioneered theories to ensure that, in first- and third-party contexts, consumers and health plans always receive the treatment and benefits to which they are entitled. Many of our cases have succeeded in expanding coverage owed and providing more benefits; recovering underpayments of benefits; and returning uninsured/underinsured premiums from the misleading tactics of the insurer. The firm’s existing cases include pending litigation against Allstate and CNA Casualty Company.

LEGAL TEAM



steve@hbsslw.com

T 206-623-7292

F 206-623-0594

1301 Second Avenue
Suite 2000
Seattle, WA 98101

YEARS OF EXPERIENCE

44

PRACTICE AREAS

[Anti-Terrorism](#)
[Automotive Litigation](#)
[Civil & Human Rights](#)
[Class Action](#)
[Consumer Rights](#)
[Emissions Litigation](#)
[Environmental Litigation](#)
[Governmental Representation](#)
[High Tech Litigation](#)
[Intellectual Property](#)
[Investor Fraud](#)
[Patent Litigation](#)
[Qui Tam](#)
[Securities](#)
[Sexual Abuse & Harassment](#)
[Sports Litigation](#)
[Whistleblower](#)

BAR ADMISSIONS

- Illinois
- Washington
- Foreign Registered Attorney in England and Wales

COURT ADMISSIONS

- Supreme Court of the United States
- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Second Circuit

MANAGING PARTNER

Steve W. Berman

Served as co-lead counsel against Big Tobacco, resulting in the **largest settlement in world history**, and at the time **the largest automotive, antitrust, ERISA and securities settlements in U.S. history**

INTRODUCTION

Steve Berman has dedicated this career as a class-action plaintiffs' lawyer to improving the lives of those most in need. He represents large classes of consumers, investors and employees in large-scale, complex litigation held in state and federal courts. Steve's trial experience has earned him significant recognition and led The National Law Journal to name him one of the 100 most powerful lawyers in the nation, and to repeatedly name Hagens Berman one of the top 10 plaintiffs' firms in the country. Steve's class-action lawsuits have led to record-breaking settlements, historic changes to industries and made real change possible for millions of individuals.

Steve co-founded Hagens Berman in 1993 after his prior firm refused to represent several young children who consumed fast food contaminated with E. coli — Steve knew he had to help. In that case, Steve alleged that the poisoning was the result of Jack in the Box's cost cutting measures and negligence. He was further inspired to build a firm that vociferously fought for the rights of those most in need. Berman's innovative approach, tenacious conviction and impeccable track record have earned him an excellent reputation and numerous historic legal victories. He is considered one of the nation's most successful class-action attorneys and has been praised for securing tangible benefits for class members, as well as outstanding monetary relief. Steve is particularly known for his tenacity in forging settlements that return a high percentage of recovery or meaningful industry change to class members.

[Print & Online Feature Interviews »](#)

CURRENT ROLE

- Managing Partner of Hagens Berman Sobol Shapiro LLP and Hagens Berman EMEA LLP (U.K.), U.S. Managing Member of HBSS France

CURRENT CASES

Steve leads the firm's efforts in the areas of antitrust, consumer protection and more, maintaining a leading edge amid shifting trends and technology. His active cases concern billions of dollars in damages and affect hundreds of millions of individuals. Steve's caseload spans several industries, including technology, college sports, agriculture and wages and include the following highlights.

ANTITRUST LITIGATION

The antitrust lawsuits that Steve Berman has led have secured settlements valued at more than \$27 billion, spotlighting anticompetitive practices that have harmed consumers across various industries. Steve's outstanding work in this field has earned the firm accolades and awards, and his current caseload speaks to the breadth of the firm's impact.

- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the D.C. Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Federal Claims
- U.S. District Court for the District of Colorado
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Western District of Washington
- Supreme Court of Illinois
- Supreme Court of Washington

EDUCATION



University of Chicago Law School,
J.D., 1980



University of Michigan, B.S., 1976

CASE	DESCRIPTION
Apple iPhone Overpricing Antitrust Co-lead Interim Class Counsel	Class action accusing Apple Inc. of establishing an illegal monopoly over the smartphone market via suppressing technologies and innovations that would make it easier for consumers to switch device ecosystems Status: Hagens Berman named to case leadership as interim class counsel
Amazon E-Books Price-Fixing Co-Lead Counsel	Class action accusing Amazon of establishing an illegal monopoly of the e-books market and charging artificially inflated prices Status: Motion to dismiss denied
Amazon Online Retailer Consumer Antitrust (Frame-Wilson) Interim Co-Lead Counsel	Class action accusing Amazon of increasing prices for online purchases made via other retailers Status: Motion to dismiss denied
Amazon.com Antitrust (De Coster) Co-Lead Counsel	Class action accusing Amazon of violating federal antitrust laws, causing customers to pay artificially high prices for products purchased via Amazon Status: Motion to dismiss denied
Apple iCloud Antitrust	Class action accusing Apple of violating antitrust laws and establishing a monopoly through its iOS cloud-based storage policies Status: Complaint filed
Apple Pay Payment Card Issuer Antitrust	Class action accusing Apple of intentionally monopolizing the billion-dollar mobile wallet market on iOS platforms, forcing payment card issuers to pay supracompetitive fees and stifling innovation Status: Motion to dismiss denied in part
NCAA Student-Athlete Name, Image and Likeness Co-Lead Counsel	Class action representing current and former NCAA college athletes accusing the NCAA and its conferences of illegally limiting the compensation athletes may receive for the use of their names, images and likenesses Status: Preliminary approval of \$2.7 billion settlement granted
Real Estate Commissions Antitrust Co-Lead Counsel	Class action against four national broker franchises alleging parties illegally inflated commissions associated with home sales Status: Settlements reached totaling \$1 billion
Visa Mastercard ATM Co-Lead Counsel	Class action alleging that Visa and MasterCard, with BofA, JP Morgan Chase and Wells Fargo, established uniform agreements with U.S. banks, preventing ATM operators from setting access fees below the level of fees charged on Visa's and MasterCard's networks Status: Preliminary approval of \$197.5 million settlement with Visa and Mastercard, bringing total settlements to \$264.2 million if approved

AGRICULTURE ANTITRUST LITIGATION

The firm's total settlements in this area of litigation is valued at more than \$636.32 million and have affected the lives of U.S. consumers and employees in the meat-processing industry. As inflation continues to rise, combatting anticompetitive schemes raising the cost of food is an issue pertinent to families across the nation.

AWARDS

Law360

TITANS
 OF THE PLAINTIFFS BAR

 THE NATIONAL
 LAW JOURNAL
**ELITE TRIAL
 LAWYERS**

 THE NATIONAL
 LAW JOURNAL
PLAINTIFFS' HOT LIST

 100 MOST INFLUENTIAL
 LAWYERS IN AMERICA
 | A SPECIAL REPORT |

**MOST POWERFUL
 ATTORNEY**
 STATE OF WASHINGTON
 THE NATIONAL LAW JOURNAL

Super Lawyers

CASE	DESCRIPTION
Poultry Processing Wage-Fixing Antitrust Interim Co-Lead Counsel	Class action alleging wage-fixing agreement between the nation's biggest poultry companies Status: Settlements reached totaling \$398 million, the second largest recovery ever in a labor antitrust class action
Broiler Chicken Antitrust Co-Lead Counsel	Class action accusing major food corporations of increasing the price of chicken in violation of antitrust laws Status: Settlements totaling \$203.35 million are pending court approval, class certification has been granted
Red Meat Processing Wage-Fixing Antitrust	Class action against the nation's largest meat processing companies alleging a yearslong wage-fixing agreement, causing employees to receive far less than legally owed Status: Settlements pending before the court total \$200.2 million, litigation continues with remaining defendants
Pork Antitrust Co-Lead Counsel	Class action alleging pork producers colluded to reduce pork production to artificially inflate prices Status: Settlements totaling \$109 million have been granted final approval, with additional settlements preliminarily approved, and litigation continues with remaining defendants
Turkey Antitrust Interim Co-Lead Counsel	Class action alleging antitrust scheme by food corporations Status: Icebreaker settlement reached with Tyson for \$4.62 million, class certification has been granted, litigation continues with seven remaining defendants
Beef Antitrust Interim Co-Lead Counsel	Class action alleging major food corporations engaged in illegal conduct regarding the marketing and sales of beef products Status: Motion to dismiss denied

AUTO DEFECT & EMISSIONS LITIGATION

Hagens Berman's settlements in automotive defect and emissions lawsuits are collectively valued at more than \$21.4 billion and have led to significant safety protocols and changes in the auto industry. Steve's expertise leading complex litigation has led him to be hand-selected to champion the rights of vehicle owners. He remains dedicated to unearthing new instances of defect coverups, emissions cheating and safety concerns, utilizing the firm's resources to lead the charge against negligence.

CASE	DESCRIPTION
Hyundai/Kia Car Theft Defect Co-Lead Counsel	Class action stemming from Hyundai and Kia's failure to equip nearly nine million vehicles with an immobilizer antitheft device Status: Settlement valued at more than \$200 million granted final approval
General Motors CP4 Fuel Pump Defect Class Counsel	Class action alleging Chevy Silverado and GMC Sierra trucks with a Duramax diesel 6.6 V8 engine are equipped with a defective high-pressure fuel injection pump. Status: \$50 million settlement granted preliminary approval, class certification granted
VW Atlas Wiring Harness Defect Co-Class Counsel	Class action accusing VW of a manufacturing defect in the door wiring harness of VW Atlas vehicles, allegedly causing vehicles' systems to malfunction Status: Settlement granted preliminary approval

Daimler Mercedes BlueTEC Emissions – Australia Advisory Role	Following Hagens Berman’s \$700 million settlement with Mercedes for alleged emissions cheating in the U.S., the firm has taken an advisory role in comparable litigation against Daimler filed in Australia. Status: Pending and active across multiple jurisdictions
FCA Dodge RAM 2500/3500 Emissions – 2007-2012 & 2013-2023	Class action alleging Fiat Chrysler/Stellantis and Cummins placed emissions-cheating defeat devices in affected RAM trucks Status: 2007-2012 models: motion to dismiss denied in part; 2013-2023 models: complaint filed
FCA Chrysler Pacifica Hybrid Minivan Fire Hazard Co-lead Counsel	Class action against Fiat Chrysler/Stellantis alleging a defect in the design of Chrysler Pacifica hybrid minivans results in spontaneous fires while vehicle is parked and off Status: Motion to dismiss denied

SECURITIES LITIGATION

Hagens Berman’s total settlements in securities litigation valued at more than \$2.9 billion, and Steve’s efforts in this area have helped to recover losses for millions of individuals who have been blindsided by instances of fraud and disinformation orchestrated by publicly traded companies.

CASE	DESCRIPTION
Zuora, Inc. (NYSE: ZUO) Lead Counsel	Class action representing investors of Zuora regarding alleged misrepresentations and concealment of delays in implementing and integrating new software application Status: \$75.5 million settlement granted final approval
Plantronics, Inc. (NYSE: PLT) Co-Lead Counsel	Class action representing Plantronics investors seeking to recover damages caused by violations of the Securities Exchange Act of 1934 Status: \$29.5 million settlement granted preliminary approval
Sasol Ltd. (NYSE: SSL) Lead Counsel	Class action representing purchasers of Sasol ADRs securities alleging the company misled investors Status: \$24 million settlement
Vaxart, Inc. (NASDAQ: VXRT) Lead Counsel	Class action against Vaxart and controlling shareholder, Armistice, alleging claims under federal securities laws Status: Settlement fund totaling more than \$12 million
Aurora Cannabis Inc. (NYSE: ACB) Class Counsel	Class action representing investors of Aurora Cannabis Inc. for alleged false and misleading statements about the company’s financial performance and prospects Status: Motion filed for final approval of an \$8.05 million settlement
Redwire Corp. (NYSE: RDW) Lead Counsel	Class action arising out of Redwire’s allegedly false and misleading financial statements leading up to its merger with Genesis Park Acquisition Corp. Status: \$8 million settlement granted preliminary approval
Zillow Group, Inc. (NASDAQ: Z, ZG) Class Counsel	Class action alleging defendants falsely touted the durability and acceleration of Zillow Offers and improvements to pricing models Status: Class certification granted

RECENT SUCCESS

Steve Berman has achieved monumental settlements within the last two years, bringing hundreds of millions of dollars of relief to classes of everyday individuals affected by

pricing schemes, automotive defects and other instances of wrongdoing. Through his recent case work, Steve maintains Hagens Berman's edge and excellence in class-action litigation.

CASE NAME	DATE	RECENT SUCCESS
Amazon E-Books Price-Fixing Co-Lead Counsel	03/17/25	Amazon's motion for reconsideration denied
University of Washington College Tuition Payback	03/04/25	Settlement granted preliminary approval
Oregon Groundwater Contamination	02/24/25	A federal judge recommended claims under the federal Resource Conservation and Recovery Act and Oregon law — including claims for negligence, trespass, nuisance and inverse condemnation — be allowed to proceed
VW Atlas Wiring Harness Defect Co-Class Counsel	01/15/25	Settlement granted final approval
Poultry Processing Wage-Fixing Antitrust Interim Co-Lead Counsel	01/06/25	Settlements reached totaling \$398 million
Real Estate Commissions Antitrust Co-lead Counsel	11/26/24	Court grants final approval to a \$418 million settlement
HBSS France Launches	11/03/24	Esteemed publishers' rights law firm Dazi launches HBSS France
NCAA Student-Athlete Name, Image and Likeness Co-Lead Counsel	10/07/24	\$2.8 billion settlement receives preliminary approval
Hyundai / Kia Car Theft Defect Co-Lead Counsel	10/01/24	Settlement receives final approval
Ford Super Duty Roof Crush	09/30/24	Court denies in part motion to dismiss
BMW X and 335d Diesel Emissions	09/25/24	Settlement receives final approval
USAA Bank Interest & Fees Class Counsel	09/06/24	\$64.2 million settlement granted preliminary approval
Red Meat Processing Wage-Fixing Antitrust	09/05/24	Motion filed seeking preliminary approval of more than \$200 million in settlements
General Motors Duramax Emissions	08/22/24	Dismissal reversed by U.S. Court of Appeals
Amazon.com COVID-19 Price Gouging Consumer Litigation	08/08/24	Washington Supreme Court allows proposed class-action alleging price-gouging to move forward
Visa MasterCard ATM Co-Lead Counsel	07/26/24	\$197.5 million settlement with Visa and Mastercard receives preliminary approval
CP4 Fuel Pump Defect – GM/Ford/FCA Class Counsel	06/07/24	\$50 million settlement receives preliminary approval

Seattle Children's Hospital Discrimination & Personal Injury Counsel	05/16/24	Motion to dismiss WLAD claim denied
George Washington University Tuition Payback Class Counsel	05/13/24	\$5.4 million settlement receives final approval
Real Estate Commissions Antitrust Co-lead Counsel	04/23/24	\$418 million settlement with NAR receives preliminary approval
Hyundai / Kia Engine Fire Hazard Co-lead Counsel	04/09/24	Settlement receives final approval
NCAA/EA Video Games Likeness Co-lead Counsel	03/04/24	10,000 athletes revive EA College Football Videogame following NIL litigation
Hyundai / Kia Hydraulic Electronic Control Unit (HECU) Fire Hazard Class Counsel	05/05/23	\$300 million settlement receives final approval

CAREER HIGHLIGHTS

Steve's career highlights encompass the top cases in world history both in their historical significance and in their monetary relief. Steve's total settlements are valued at more than \$316 billion, including the infamous Big Tobacco litigation of the 90s, and have had major national impact. Steve's career highlights include Enron pension protection, justice for victims of Harvey Weinstein, restitution for those affected by Volkswagen's Dieseltgate scandal, the complete remaking of college sports compensation and more.

His career focus remains clear: steadfast representation for those most in need across the nation. Steve's cases have brought widespread benefit to classes of individuals spanning industries and decades. Lawsuits he has settled have reunited Hungarian Holocaust survivors with priceless family heirlooms, and also enacted major changes in youth soccer and NCAA sports to promote safety and minimize the risk of concussions. Below are Steve's outstanding career highlights.

CASE/ROLE	SETTLEMENT VALUE	NATIONAL IMPACT
State Tobacco Litigation Special Assistant Attorney General Representing 13 States	\$260 billion	Largest civil settlement in history The multi-state agreement required tobacco companies to pay the states \$260 billion and submit to broad advertising and marketing restrictions, leaving a lasting and widespread impact.
Visa Check/MasterMoney Antitrust Litigation Co-lead Counsel	\$25 billion	Largest antitrust settlement in U.S. history at the time Agreements with Visa and Mastercard secured relief valued at as much as \$25-87 billion, and injunctive relief reducing interchange rates, among other benefits.

<p>Volkswagen/Porsche/Audi Emissions Scandal Plaintiffs' Steering Committee and Settlement Negotiating Team</p>	\$14.7 billion	<p>Largest ever brought against any automaker Hagens Berman's automotive legal team was the first to file in this historic lawsuit against Volkswagen for its emissions cheating and masking of harmful pollutants, culminating in a historic settlement.</p>
<p>Volkswagen Franchise Dealerships Lead Counsel</p>	\$1.67 billion	<p>The firm achieved a monumental settlement on behalf of Volkswagen dealerships across the U.S. blindsided by the automaker's emissions cheating, returning an average payment to each Dealer Settlement Class Member of approximately \$1.85 million.</p>
<p>Toyota Sudden, Unintended Acceleration Co-lead Counsel</p>	\$1.6 billion	<p>Largest automotive settlement in history at the time The firm did not initially seek to lead this litigation but was sought out by the judge for its wealth of experience in managing very complex class-action MDLs.</p>
<p>Hyundai / Kia Theta II GDI Engine Fire Hazard Settlement Co-lead Counsel</p>	\$1.3 billion	<p>The firm achieved a settlement in response to a defect in 4.1 million Hyundai and Kia vehicles equipped with Theta II GDI engines putting owners at risk for spontaneous, non-collision engine fires or premature engine failure.</p>
<p>Mercedes BlueTEC Co-lead Counsel</p>	\$700 million	<p>Spurred by the firm's success in the Volkswagen Dieselgate case, Steve independently tested diesel vehicles across manufacturers, uncovering additional instances of emissions-cheating, masked via illegal defeat devices.</p>
<p>Apple E-Books Antitrust Co-lead Counsel</p>	\$568 million	<p>This antitrust lawsuit alleged Apple and five of the nation's top publishers colluded to raise the price of e-books for U.S. consumers. Steve's litigation resulted in an unheard of recovery equal to twice consumers' actual damages. Apple took the case to the U.S. Supreme Court, where it denied Apple's request to review the case.</p>
<p>McKesson Drug Class Litigation Co-lead Counsel</p>	\$350 million	<p>Steve was named co-lead counsel in this action that led to a rollback of benchmark prices of hundreds of brand name drugs, and relief for third-party payers and insurers. His discovery of the McKesson scheme led to follow up lawsuits by governmental entities and recovery in total of over \$600 million.</p>
<p>Average Wholesale Price Litigation</p>	\$338 million	<p>Drug prices charged to consumers and payers across the nation are significantly more than the cost to produce them. In many cases, Big Pharma conspires with other companies to create these false profits. Hagens Berman has helped several classes of plaintiffs obtain multimillion-dollar judgments.</p>

<p>Enron Pension Protection Litigation Co-lead Counsel</p>	\$250 million	Attorneys represented 24,000 Enron employees claiming the company recklessly endangered retirement funds, causing some employees to lose hundreds of thousands of dollars almost overnight, in a major economic milestone in U.S. history.
<p>BoA Home Loans</p>	\$250 million	Following the historic market crash in 2008, Hagens Berman filed this class action against Bank of America, Countrywide and LandSafe, alleging their collusion was in direct violation of the RICO Act and other laws.
<p>McKesson Governmental Entity Class Litigation Lead Counsel</p>	\$82 million	Steve was lead counsel for a nationwide class of local governments that resulted in a settlement for drug price-fixing claims.
<p>JPMorgan Madoff Lawsuit</p>	\$218 million	This historic settlement against JPMorgan involved three simultaneous, separately negotiated settlements totaling more than \$2.2 billion, in which Hagens Berman returned hundreds of millions of dollars on behalf of Bernard L. Madoff investors.
<p>NCAA Athletic Grant-in-Aid Cap Antitrust Co-lead Counsel</p>	\$208 million	Steve pioneered this historic case which forever changed NCAA sports and the lives of 53,748 class members. The case culminated in a \$208 million settlement regarding damages and injunctive relief secured through a unanimous U.S. Supreme Court decision in favor of plaintiffs. According to the Court, the NCAA “permanently restrained and enjoined from agreeing to fix or limit compensation or benefits related to education” that conferences or schools may make available. Schools are now allowed to provide benefits tethered to education up to \$6,000 annually
<p>Apple iOS App Developers Class Counsel</p>	\$100 million	Hagens Berman represented developers of iOS apps sold via Apple’s App Store or featuring in-app sales, alleging the tech giant engaged in anticompetitive practices that harmed developers. The settlement brings important changes to App Store policies and practices. U.S. iOS app developers with less than \$1 million per year in proceeds from App Store sales through all associated developer accounts across the nation can receive hundreds to tens of thousands of dollars from the fund.
<p>Google Play Store App Developers Co-lead Counsel</p>	\$90 million	This antitrust class action accused Google of monopolizing its Play Store through anticompetitive policies, affecting small businesses across the nation. Attorneys for the class of roughly 43,000 Android app developers say some class members will likely see payments in the hundreds of thousands of dollar

Zuora Investor Fraud Lead Counsel	\$75.5 million	In a showcase of Steve’s securities litigation expertise, this settlement achieved in 2023 provides significant relief to purchasers of the securities of Zuora across the U.S.
NCAA Concussions Lead Counsel	\$75 million	Hagens Berman served as lead counsel in this multidistrict litigation against the NCAA, achieving medical monitoring and injunctive relief in the form of changes to concussion management and return-to-play guidelines. The lawsuit alleged the institutions neglected to protect college athletes from concussions and their aftermath at schools across the country.
NCAA/Electronic Arts Name and Likeness Co-lead Counsel	\$60 million	This first-of-its-kind lawsuit ushered in the first time that hardworking college athletes saw some of the profits from the use of their likeness in video games. More than 24,000 individuals were eligible to receive payment, and checks were issued for up to \$7,600, with a median around \$1,100.
Harvey Weinstein Sexual Harassment	\$17.1 million	As the #MeToo movement hit a fever pitch moment, Hagens Berman’s Steve Berman represented a class of those harmed by Harvey Weinstein, a kingpin of sexual harassment in Hollywood. The firm litigated the case through to bankruptcy proceedings in 2020.
Youth Soccer Concussions		Steve pioneered this first-of-its-kind lawsuit that ended heading for US Soccer’s youngest players to diminish risk of concussions and traumatic brain injuries, changing the game for youth players across the U.S.

ACTIVITIES

- In April of 2021, the University of Michigan School for Environment and Sustainability (SEAS) launched the Kathy and Steve Berman Western Forest and Fire Initiative with a philanthropic gift from Steve (BS ‘76) and his wife, Kathy. The program will improve society’s ability to manage western forests to mitigate the risks of large wildfires, revitalize human communities and adapt to climate change. Steve studied at the School of Natural Resources (now SEAS) and volunteered as a firefighter due to his focus on environmental stewardship.
- In 2003, the University of Washington announced the establishment of the Kathy and Steve Berman Environmental Law Clinic. The Berman Environmental Law Clinic draws on UW’s environmental law faculty and extensive cross-campus expertise in fields such as Zoology, Aquatic and Fishery Sciences, Forest Resources, Environmental Health and more. In addition to representing clients in court, the clinic has become a definitive information resource on contemporary environmental law and policy, with special focus on the Pacific Northwest.

RECOGNITION

- 500 Leading Lawyers in America, Plaintiff Consumer Lawyers, Lawdragon, 2019-2025
- Honoree for Outstanding Antitrust Litigation Achievement in Private Law Practice, American Antitrust Institute, 2018, 2019, 2021, 2024

- 500 Global Plaintiff Lawyers, Lawdragon, 2024
- 500 Leading Lawyers in America, Plaintiff Financial Lawyers, Lawdragon, 2023-2024
- Lawyer of the Year, Litigation, Securities Litigation, Best Lawyers, 2024
- The Best Lawyers in America, Antitrust Litigation, Best Lawyers, 2024
- The Best Lawyers in America, Securities Litigation, Best Lawyers, 2024
- The Best Lawyers in America, Plaintiffs Mass Tort Litigation/Class Actions, Best Lawyers, 2024
- The Best Lawyers in America, Plaintiffs Product Liability Litigation, Best Lawyers, 2024
- Legal Lion of the Week as part of the litigation team that achieved class certification in NCAA Student-Athlete Name, Image and Likeness, Law360, 2023
- Best Lawyers in America in Litigation, Securities and Product Liability Litigation, Plaintiffs and Other Areas of Note, 2023
- Washington Super Lawyers, 1999-2023
- Titan of the Plaintiffs Bar, Law360, 2018, 2020, 2022
- Leading Commercial Litigators, The Daily Journal, 2022
- Hall of Fame, Lawdragon, 2022
- Plaintiffs' Attorneys Trailblazer, The National Law Journal, 2017, 2022
- Sports & Entertainment Law Trailblazer, The National Law Journal, 2021
- Class Action MVP of the Year, Law360, 2016-2020
- Elite Trial Lawyers, The National Law Journal, 2014-2016, 2018-2019
- 500 Leading Lawyers in America, Lawdragon, 2014-2019
- State Executive Committee member, The National Trial Lawyers, 2018
- Class Actions (Plaintiff) Law Firm of the Year in California, Global Law Experts, 2017
- Finalist for Trial Lawyer of the Year, Public Justice, 2014
- One of the 100 most influential attorneys in America, The National Law Journal, 2013
- Most powerful lawyer in the state of Washington, The National Law Journal, 2000
- One of the top 10 plaintiffs' firms in the country, The National Law Journal

PRESENTATIONS

- Steve is a frequent public speaker and has been a guest lecturer at Stanford University, University of Washington, University of Michigan and Seattle University Law School.

PERSONAL INSIGHT

Steve was a high school and college soccer player and coach. Now that his daughter's soccer skills exceed his, he is relegated to being a certified soccer referee and spends weekends being yelled at by parents, players and coaches (as opposed to being yelled at by judges during the week). Steve is also an avid cyclist and is heavily involved in working with young riders on the international Hagens Berman Axeon cycling team.



dank@hbsslaw.com

T 708-628-4949
F 708-628-4950

455 N. Cityfront Plaza Drive
Suite 2410
Chicago, IL 60611

YEARS OF EXPERIENCE

20

PRACTICE AREAS

Antitrust Litigation
Class Action
Consumer Rights
Pharmaceutical Fraud
Sports Litigation

BAR ADMISSIONS

- Illinois

COURT ADMISSIONS

- U.S. Court of Appeals for the First Circuit
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Seventh Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the D.C. Circuit
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Central District of Illinois
- U.S. District Court for the Southern District of Illinois

CLERKSHIPS

- Hon. Paul E. Plunkett, Northern District of Illinois

PARTNER

Daniel J. Kurowski

2020 “Rising Star” in Illinois, Super Lawyers

CURRENT ROLE

- Partner, Hagens Berman Sobol Shapiro LLP.
- Since 2006, Mr. Kurowski has focused his practice on protecting the interests of individuals and small companies prejudiced by large corporations and organizations. Based in Chicago, with cases located throughout the country, his work with the firm covers a diverse variety of complex cases including:
 - Representing individuals economically affected by COVID-19, such as students/payers of tuition and fees in litigation against U.S. colleges and universities that closed and only offered online only courses due to the outbreak of COVID-19 but continued to charge full tuition and fees.
 - Representing athletes in individual personal injury and class-action litigation arising out of concussions/traumatic brain injuries suffered during sporting activities, including in *In re National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation (N.D. Ill.)* and *In re NFL Players’ Concussion Injury Litig.* (E.D. Pa.).
 - Representing consumers of electricity in certified class action alleging claims against nearly two dozen defendants for perpetuating an extensive fuel oil fraud, resulting in users of electricity in Puerto Rico being overcharged by more than \$1 billion dollars for electricity since 2002.
 - Representing purchasers with antitrust, consumer fraud and/or unjust enrichment claims against sellers and manufacturers of retail products.

RECENT SUCCESS

- *Shaffer v. George Washington University* (D.C. Circuit), \$5.4 million settlement
- *Rocchio et al v. Rutgers, the State University of New Jersey* (Superior Court N.J.), \$5.0 million settlement
- *Metzner v. Quinnipiac University* (D. Conn.), \$2.5 million settlement
- *Choi et al. v. Brown University* (D.R.I.), \$1.4 million settlement
- *In re Pre-Filled Propane Sales & Marketing Practices Litigation* (W.D. Mo.) (\$35 million in settlements involving multiple defendants)
- *In re Bayer Combination Aspirin Sales & Marketing Practices Litigation* (E.D.N.Y.) (\$15 million settlement)
- *In re Aurora Dairy Organic Milk Marketing & Sales Practices Litigation* (E.D. Mo.) (\$7.5 million settlement)
- *Silk v. Bowling Green State University* (Ohio Court of Claims) (\$712,500 individual settlement for student-athlete injured as a result of alleged failures to properly manage athlete’s concussions)

- Hon. Maria Valdez, Northern District of Illinois

EDUCATION


**THE JOHN MARSHALL
 LAW SCHOOL**
 The John Marshall Law School,
 J.D., cum laude, 2005


LOYOLA
 UNIVERSITY CHICAGO
 Loyola University Chicago, B.B.A.,
 with Honors, 2002

AWARDS

Super Lawyers
 RISING STARS

- *In re NFL Players' Concussion Injury Litigation* (E.D. Pa.) (over \$6.1 million in approved claims for former NFL players)
- *In re National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation* (N.D. Ill.) (creating a \$70 million 50-year medical monitoring program for former student-athletes to screen for and track head injuries, a \$5 million fund for concussion research, and implementing changes to NCAA concussion rules to protect current student-athletes)

EXPERIENCE

- Federal judicial law clerk, Hon. Paul E. Plunkett and Hon. Maria Valdez
- Intern, U.S. Department of Housing and Urban Development's Office of Fair Housing and Equal Opportunity, the U.S. Attorney's Office for the Northern District of Illinois and with Hon. Ronald A. Guzman and his staff
- During law school, Mr. Kurowski received multiple academic scholarships, served as a staff member and Lead Articles Editor for The John Marshall Law Review, and received an award for an appellate brief submitted in a national moot court competition

RECOGNITION

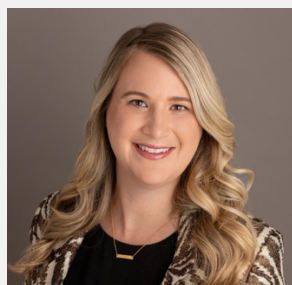
- Illinois Class Action/Mass Torts Rising Star, Super Lawyers Magazine, 2020
- Illinois Rising Star, Super Lawyers Magazine, 2015-2020

NOTABLE CASES

- Aurora Dairy Corporation Organic Milk Marketing & Sales Practices Litigation (E.D. Mo.)
- Bayer Corp. Combination Aspirin Product Marketing & Sales Practices Litigation (E.D.N.Y.)
- Pre-Filled Propane Tank Marketing & Sales Practices Litigation (W.D. Mo.)
- RC2 Corp. Toy Lead Paint Products Liability Litigation (N.D. Ill.)
- *In re National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation* (N.D. Ill.)

PERSONAL INSIGHT

An avid cyclist, Dan enjoys staying active by competing in cyclocross and other cycling races. Dan is also a board member for the DuPage Cycling Foundation, a 501(c)(3) non-profit corporation that raises fund for community non-profits through the hosting and promotion of cycling events.



whitneys@hbsslaw.com

T 708-628-4966

F 708-628-4950

455 N. Cityfront Plaza Drive
Suite 2410
Chicago, IL 60611

YEARS OF EXPERIENCE

11

PRACTICE AREAS

Civil & Human Rights
Class Action
Employment Litigation
Personal Injury
Sexual Abuse & Harassment

BAR ADMISSIONS

▪ Illinois

COURT ADMISSIONS

▪ Supreme Court of the United States
▪ U.S. Court of Appeals for the First Circuit
▪ U.S. Court of Appeals for the Second Circuit
▪ U.S. Court of Appeals for the Seventh Circuit
▪ U.S. District Court for the Northern District of Illinois

CLERKSHIPS

▪ Extern for Judge George C. Smith on the Southern District of Ohio

ASSOCIATE

Whitney K. Siehl

Ms. Siehl works tirelessly and has achieved millions of dollars in settlements for her clients. Her passion and empathy are unmatched.

CURRENT ROLE

- Associate, Hagens Berman Sobol Shapiro LLP
- Ms. Siehl's Plaintiffs' litigation practice focuses on complex class-action and individual cases in the areas of data privacy, sexual abuse, sexual harassment, consumer protection, antitrust and sports law. Her notable cases include:
 - Representing students against U.S. colleges and universities that closed and only offered online courses due to the outbreak of COVID-19 but continued to charge full tuition and fees
 - *In Re: MOVEit Customer Data Breach Security Litigation* (MDL No. 1:23-md-03083-ADB) (D. Mass) representing consumers against Progress Software and over 100 other Defendants. The 2023 MOVEit data breach is believed to be the largest data breach in history, compromising the sensitive personal information of more than 85 million people.
 - Represented an actress and entertainment industry class against The Weinstein Company, Harvey Weinstein and related companies for racketeering and sexual assault
 - Represented students and alumnae of the University of Southern California in a class-action lawsuit against the university and Dr. George Tyndall for his alleged decades-long sexual abuse of patients

RECENT SUCCESS

- *Shaffer v. George Washington University* (D.C. Circuit), \$5.4 million settlement
- *Rocchio et al v. Rutgers, the State University of New Jersey* (Superior Court N.J.), \$5.0 million settlement
- *Metzner v. Quinnipiac University* (D. Conn.), \$2.5 million settlement
- *Choi et al. v. Brown University* (D.R.I.), \$1.4 million settlement
- *Geiss et al. v. The Weinstein Company Holdings LLC* (S.D.N.Y.), part of team that secured \$17.1 million settlement fund on behalf of survivors of Harvey Weinstein's sexual harassment and abuse.
- *USC, Dr. Tyndall Sexual Harassment*, (C.D. Cal.), part of team that secured \$215 million settlement on behalf of class of sexual assault survivors against university and OB-GYN
- Played a significant role in a \$4 million settlement for a child who suffered severe and permanent brain damage due to the medical providers' delay in recognizing a placental abruption

EDUCATION

THE OHIO STATE UNIVERSITY

MORITZ COLLEGE OF LAW

The Ohio State University
Moritz College of Law, J.D.,
cum laude, 2013**Northwestern
University**Northwestern University, B.A.,
2009**AWARDS****Super Lawyers[®]**
RISING STARS

- Assisted in a \$3.5 million settlement for a child with a hypoxic-ischemic brain injury that resulted from too much Pitocin and a physician's failure to recognize fetal distress

EXPERIENCE

- Prior to joining Hagens Berman, worked as an associate in the Chicago office of a well-respected Plaintiffs' firm representing families and children in birth injury and birth trauma litigation nationwide
- Worked previously at another Chicago firm where she gained experience in all aspects of civil litigation with a focus on medical malpractice and professional liability matters

PRO BONO

- In 2017, received an Award for Excellence in Pro Bono Service from the United States District Court for the Northern District of Illinois and the Chicago Chapter of the Federal Bar Association for her dedication to representing underserved individuals in employment discrimination matters

ACTIVITIES

- Board Member, Chicago Area Runners Association, a non-profit organization committed to serving and advocating for the local Chicago running community.
- Professional Board Member, PAWS Chicago — the Midwest's largest no-kill animal shelter, 2015-2020
 - TEAM PAWS Marathon Team 2015--2019

LEGAL ACTIVITIES

Whitney is the immediate Past President of the Women's Bar Association of Illinois ("WBAI"). Among her many initiatives to support and empower women, she started WBAI's Mentoring Circles program to bring together early career lawyers and law students, formed partnerships with the Chicago Sky and Red Stars, introduced the Employer Diversity Equity and Inclusion and Flexible Workplace Awards to WBAI's Top Women Lawyers in Leadership Awards, and started a monthly walking club.

- Women's Bar Association of Illinois; President 2023 -2024, First Vice President, 2022-2023, Second Vice President 2021-2022, Financial Secretary 2020-2021, Recording Secretary 2019-2020, Board of Directors, 2017-present, Chair of Golf Outing 2015-2023, Chair of Mentoring Committee, among others.
- Illinois State Bar Association, Sports and Entertainment Law Section Council, Secretary Women and the Law Committee, Tort Law Section Council, 2024-2025
- Chicago Bar Association, Election Committee, 2024
- Advisory Council Member, Illinois Supreme Court Commission's Initiative to Eliminate Bullying in the Legal Profession, 2023-2024
- Founding Member, Force of Lawyers Against Sexual Harassment ("FLASH")
- Founding Member, Bar Presidents' Leadership Council, to strengthen partnerships and succession planning among bar associations.
- Member, American Association for Justice
- Member, Illinois Trial Lawyers Association

- Member, ITLA Women’s Caucus
- Member of numerous bar associations

RECOGNITION

Whitney has been recognized for her excellence in law, dedication to mentoring, pro bono, and community service, and advocacy for a more inclusive legal profession, including:

- Top Women in Law Award, Chicago Law Bulletin Media, 2024, selected from over 375 nominations
- Presidential Award, Cook County Bar Association, the nation’s oldest association of African-American lawyers and judges, 2024
- Maurice Weigle Exceptional Young Lawyer Award, Chicago Bar Foundation, 2023
- Service Award, Women's Bar Association of Illinois, 2022-2023
- Rising Star, Super Lawyers, 2019-2024
- 500 X — The Next Generation, Lawdragon, 2023, 2024
- Excellence in Pro Bono Service, U.S. District Court for the Northern District of Illinois and the Federal Bar Association Chicago Chapter, 2017
- National Champion Team Member, Sutherland Cup National Constitutional Law Moot Court Competition, 2013
- CALI Award for Highest Grade in Legislation Clinic, Dispute Systems Design, and Comparative Legal Professions
- Public Service Fellow with Dean’s Special Recognition, The Ohio State University Moritz College of Law, 2013

PUBLICATIONS

- "#Us Too: Gender Inequality in the Legal Profession," American Association for Justice, Birth Trauma Litigation Group Newsletter, February 2018

PERSONAL INSIGHT

Whitney is an avid golfer and chairs the annual golf outing for the Women’s Bar Association of Illinois. At Northwestern, she was a member of the women’s golf team. She was previously a member of the Miami University cross country and track teams, where the cross country team was selected as NCAA Academic All-Americans. As a four-sport athlete, Whitney was recently inducted into the Port Clinton High School Athletic Hall of Fame.

Whitney is the 2006 Women’s Catawba Island Club Golf Champion. She enjoys volunteer marathon pace coaching with Chicago Area Runners Association, guiding first-time marathoners to achieve what they once thought was impossible. In 2021, she received her training location’s Service Award. She has completed 16 marathons and multiple triathlons including Ironman 70.3 Ohio and the Escape from Alcatraz in San Francisco.

RELATED ACTIVE CASES

- [College Tuition & Fees Payback](#)
- [Emory University College Tuition & Fees Payback](#)

- Hofstra University College Tuition Payback
- Humira Overpricing
- Oregon State University College Tuition Payback
- Pepperdine University College Tuition Payback
- Progress Software MOVEit Data Breach
- Real Estate Commissions Antitrust
- University of Oregon Tuition Payback
- University of Southern California (USC) Tuition Payback
- University of Washington College Tuition Payback

RELATED SETTLED CASES

- Brown University College Tuition Payback
- George Washington University Tuition Payback
- Quinnipiac University College Tuition Payback
- Rutgers University College Tuition Payback