

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUSAN SWETZ, individually on	:	CASE NO. 7:20-cv-04731-NSR
behalf of herself and all others similarly	:	
situated,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
GSK Consumer Health, Inc.,	:	
	:	
Defendant.	:	
	X	

**DECLARATION OF GARY E. MASON IN SUPPORT OF PLAINTIFFS’ MOTION FOR
FINAL APPROVAL OF SETTLEMENT AND MOTION FOR ATTORNEYS’ FEES,
LITIGATION COSTS AND SERVICE AWARDS**

I, GARY E. MASON, hereby declare and state as follows:

1. I am an attorney duly admitted to practice before this Court. I am a partner at the firm of Mason Lietz & Klinger, LLP (“MLK”), one of the law firms representing Plaintiffs in this Litigation¹.

2. MLK was appointed one of the Class Counsel in the above-captioned litigation. I submit this declaration in support of: (i) Plaintiffs’ Motion for Final Approval of Settlement; and (ii) Plaintiffs’ Motion for Attorneys’ Fees, Litigation Costs and Service Awards. A copy of my personal resume, as well as the MLK firm resume is attached hereto as Exhibit A. I am personally familiar with the facts set forth in this declaration. If called as a witness I could and would competently testify to the matters stated herein.

¹ Unless otherwise indicated, capitalized terms shall have the same meaning as they do in the Settlement Agreement. References to “§” are to sections of the Settlement Agreement, ECF No. 46-1, and all Settlement Agreement exhibits are referred to as “Ex #.”

3. MLK has prosecuted this Litigation solely on a contingent-fee basis and has been at risk that it would not receive any compensation for prosecuting claims against Defendant GSK Consumer Health, Inc. (“GSK”).

I. INVESTIGATION AND MANAGEMENT OF THIS ACTION

1. MLK began its investigation into GSK’s false advertising in September 2020. MLK reviewed publicly available documents, conducted research on claims, communicated with potential and retained class representatives, and conferred with other counsel in advance of filing a complaint in New Jersey on November 23, 2020 styled: *Griffin v GlaxoSmithKline Consumer Health Inc*, No. 3:20-cv-16941 (D.N.J.). MLK voluntarily dismissed *Griffin* and entered an appearance in the Litigation on behalf of the plaintiff and the putative class.

2. The attorneys from MLK, in addition to myself, who have worked on this Litigation are David Lietz, Gary Klinger and David Beiss.

3. Since its inception, MLK has actively participated in all aspects of the case, including, but not limited to: (1) case investigation; (2) drafting of the complaint; (3) settlement discovery; (4) legal research; (5) drafting of motions and briefs; (6) participating in case strategy decisions; (7) participating in mediation and settlement negotiations. These tasks required extensive legal research and attention to detail.

4. Additionally, MLK participated in regular calls with Class Counsel. During these weekly calls, various aspects of this Litigation were discussed.

II. MLK’S LODESTAR AND LITIGATION EXPENSES

5. This declaration generally summarizes the work performed by MLK for Plaintiffs and the Settlement Class Members in this litigation. As demonstrated below, MLK has worked diligently to perform tasks throughout the entire course of this litigation, including initial case investigation, filing a Complaint, and settlement discussions.

6. Before initiating any action, Class Counsel conducted a thorough investigation of the claims, both legal and factual. Specifically, MLK thoroughly investigated and researched the claims, which allowed Plaintiffs' Counsel to better evaluate the factual claims regarding GSK's representations on the Covered Products.

7. Not including the time expended in preparing the application for fees and expenses, the table below details the hours billed and the amount billed at current rates through August 1, 2021 for MLK's attorneys and paralegals:²

Attorney	Total Hours	Hourly Rate	Amount
Gary E. Mason	16.6	\$875	\$14,525
Gary M. Klinger	8.0	\$700	\$5,600
David Beiss	24.70	\$350	\$8,645
Paralegal	Total Hours	Hourly Rate	Amount
Gio Colon	6	\$170	\$1,020.00
Taylor Heath	6.4	\$170	\$1,088
Total:			\$30,878

This summary was prepared from contemporaneous, daily time records regularly prepared and maintained by MLK.

8. The attorneys of MLK billed this case at their usual and customary hourly billing rates, which have been approved by courts presiding over similar complex class action lawsuits, and which are commensurate with the prevailing market rates attorneys of comparable experience and skill handling complex litigation.

9. The hourly rates for the partners above are the same as the rates submitted in other contingent class action litigation and to our hourly clients. *See, e.g., In re Hill's Pet Nutrition, Inc. Dog Food Products Liability Litigation*, MDL No. 2887 (D. Kan. 2021) (approving current

² If the Court wishes, MLK can provide more detailed time entries describing the work of these attorneys and paralegals, as well as MLK's expenses.

rates); *Newman v. Metropolitan Life Ins. Co.*, No. 1:20-2016-cv-03530 (N.D. Illinois, Jan. 16, 2020) (approving Mr. Mason's rate of \$875 per hour); *In re Adobe Systems Inc. Privacy Litig.*, No. 5:13-cv-05226 (N.D. Cal. 2015) (approving Mr. Mason's then-rate of \$775 per hour).

10. During the course of this Litigation, MLK incurred \$600 in unreimbursed expenses. These expenses were reasonably and necessarily incurred in connection with the prosecution of this litigation. These expenses are reflected in the books and records of PSW and are a true and accurate summary of the expenses for this case. The chart below details the expenses incurred by category:

CATEGORY	EXPENSE AMOUNT
Telephone, Conference Calls and Facsimile	
Court Costs, Filing Fees and Transcripts	\$600
Delivery/Courier	
Carfare, Travel and Meals	
Legal Research	
Service of Process	
TOTAL	\$600

I hereby declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge.

Dated: August 3, 2021

/s/ Gary E. Mason
Gary E. Mason

EXHIBIT A

5101 Wisconsin Ave., NW
Suite 305
Washington, DC 20016

(202) 429-2290
(202) 429-2294 (Fax)
gmason@masonllp.com

Gary E. Mason

Education

1984 Bachelor of Arts (Honors, Phi Beta Kappa)
Brown University, Providence, Rhode Island

1987 J.D.
Duke University School of Law, Durham, North Carolina

Bar Memberships

Bar of the District of Columbia (1989)
State Bar of New York (1988)
State Bar of Maryland (2001)
Supreme Court of the United States (2001)
U.S. Court of Appeals for the D.C. Circuit (1989)
U.S. Court of Appeals for the Fourth Circuit (1993)
U.S. Court of Appeals for the Fifth Circuit (2019)
U.S. Court of Appeals for the Sixth Circuit (2006)
U.S. Court of Appeals for the Ninth Circuit (2011)
U.S. District Court for the District of Columbia (1989)
U.S. District Court for the District of Maryland (2001)
U.S. District Court for the Northern District of Ohio (2004)
U.S. District Court for the Northern District of New York (2006)
U.S. District Court for the District of Colorado (2009)
U.S. District Court for the Western District of New York (2013)
U.S. District Court for the Western District of Pennsylvania (2016)
U.S. District Court for the Northern District of Illinois (2019)
U.S. Court of Federal Claims (2017)

Professional Experience

Mason Lietz & Klinger LLP
2020 – present
Founding Partner

Whitfield Bryson & Mason LLP
2012 – 2020
Managing and Founding Partner

Mason LLP
2002-2011
President and Founding Partner

Cohen Milstein Hausfeld & Toll, P.L.L.C.
1990-2002
Partner and Co-Chair, Product Liability and Consumer Protection Practice Group

Skadden Arps Meagher & Flom, LP
1988-1990
Litigation Associate

U.S. District Court for the District of Alaska
1987-1988
Clerk, Hon. Andrew J. Kleinfeld

Honors

District of Columbia SuperLawyer (2012-2018)

Urban Justice Center Award for Litigation Excellence (2009)

LawDragon 500 (2006)

“Young Guns: 40 Lawyers Under 40 Who Are Making Names For Themselves,”
Washingtonian (Sept. 1998)

Who’s Who in American Law (1998-2018)

Public Justice Achievement Award, Trial Lawyers For Public Justice (July 1997)

Martindale-Hubbell – AV Preeminent Rating (2011-2018)

National Association of Legal Fee Analysis, Top Attorney Fees Experts (2017,
2018)

Memberships

American Association for Justice

- Chair, Rule 23 Subcommittee of Class Action Litigation Group (2014-19)
- Co-Chair, Class Action Litigation Group (2013-14)
- Co-Vice-Chair, Class Action Litigation Group (2012-13)
- AAJ Wiedemann & Wysocki Award (2017) for outstanding efforts to advance AAJ’s political outreach projects and priorities.

American Bar Association

Public Justice

National Association of Legal Fee Analysts

Articles

“Unveiling the New Class Action Rule,” *Trial* (Nov. 2018).

“The Proper Measure of The Value of Class Actions,” *Law360* (Aug. 2017).

“What’s Wrong with Consumer Class Action Settlements?,” *Law360* (Apr. 2017).

“Environmental Contamination Treatise: Overview of the Litigation Process,” *The Environmental Law Reporter* (Jan. 2007).

“New Studies Provide Further Proof Diet Drugs Cause Valve Damage,” *Fen-Phen Litigation Strategist* (Nov. 1998).

“How to Evaluate a Potential Product Liability Class Action,” *Leader’s Product Liability Law & Strategy* (Feb. 1998).

“Don’t Judge All Class Actions By Some Failures,” *The National Law Journal* (Jan. 19, 1998).

“A Management Question: Recent Decisions Tougher Standards for Class Certification,” *Legal Times* (Feb. 18, 1997).

“The Reaction to Class Action,” *Legal Times* (July, 1997).

“Nuisance and the Recovery of ‘Stigma’ Damages: Eliminating the Confusion,” *The Environmental Law Reporter* (Feb. 1996).

SEMINARS

Panelist, Data Beach and Privacy Litigation Round-Up, Mass Torts Made Perfect Conference (Las Vegas, Nevada, April 12, 2019).

Panelist, New Amendments to Federal Rule 23: Impact on Class Action Practice, Strafford Webinars (Feb. 13, 2019).

Panelist, HarrisMartin’s Marriott Data Breach Litigation Conference (Miami, Florida, Jan. 29, 2019).

Panelist, HB Litigation Conferences, Class Action Mastery (New York, NY, May 9, 2018).

Co-Chair & Moderator, HarrisMartin's Equifax Data Breach Litigation Conference (Atlanta, GA, Nov. 10, 2017).

Moderator, AAJ Education and NACA's Consumer Warranty Class Action Litigation Seminar (Washington, DC, June 4, 2014).

Panelist, ABA Class Action Institute (Chicago, IL, Oct. 24, 2014).

Faculty/Speaker, "What You Need to Know About the Economic Loss Rule," AAJ Chinese Drywall – MDL 2047 Seminar (New Orleans, LA, Aug. 11, 2009).

Speaker, "Construction Defect Class Actions," HarrisMartin's Drywall Litigation Conference (Orlando, FL, June 4, 2009).

Speaker, "Emerging Issues in Class Actions," Mealey's Construction Defect and Mold Litigation Conference (Lake Las Vegas, NV, Dec. 10, 2004).

Faculty/Speaker, Mealey's "Construction Defects in 2002: EIFS, CCA Treated Wood and Mold" (Oct. 14, 2002).

Panelist, "Litigating Mortgage Servicing Issues," NCLC Consumer Rights Litigation Conference (Baltimore, MD, Oct. 28, 2001).

Panelist Faculty, 4th Annual Mass Tort Litigation Institute (Georgetown University Law Center, Washington, DC, Nov. 4-5, 1999).

Panelist/Faculty, ABA Third Annual Symposium on Class Actions (Washington, DC, Oct. 9, 1999).

Speaker, "Inspection Issues Symposium: Exterior Insulation and Finish Systems," US Inspect (June 1999).

Panelist, "Road Warriors and Their Tools," Association of Legal Administrators Educational Expo (June 1999).

Panelist, NOVASHOC EIFS Seminar (May 1999).

Speaker, Advanced EIFS Litigation Seminar, North Carolina Bar Association (May 1999).

Speaker, "ADR and Mass Torts," Georgetown University Law Center (Washington, DC, Apr. 5, 1999).

NOTABLE CASES

In re Hill's Pet Nutrition, Inc., Dog Food Prods. Liab. Litig., MDL No. 2887, No. 19-md-2887-JAR-TJJ (D. Kan.) (court appointed Co-Lead Counsel).

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

MacDougall v. American Honda Motor Co., No. 8:17-cv-01079-AG (C.D. Cal.) (Co-Lead Counsel in litigation alleging damages from defective transmissions; discovery ongoing).

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

Abalos v. United States, No. 1:17-cv-00163-LKG (Fed. Cl.) (direct representation of 2000 Customs and Border Agents alleging violations of FLSA).

Roy v. Titeflex Corp. & Ward Mfg., LLC, No. 384003V (Md. Cir. Ct. 2017) (Lead Counsel; statewide settlement providing safety inspections and subsidized repairs for 130,000 homes).

Helmer et al. v. Goodyear Tire & Rubber Co., No. 1:12-cv-00685 (D. Colo.) (class action tried to jury verdict).

In re U.S. Office of Pers. Mgmt. (OPM) Data Sec. Breach Litig., MDL No. 2664, No. 1:15-cv-01394 (D.D.C.) (court-appointed Liaison Counsel).

In re Chinese Manufactured Drywall Prods. Liab. Litig., MDL No. 2047, No. 2:09-md-02047 (E.D. La.) (litigation arising out of defective drywall; +1 billion remediation settlement) (appointed Co-Chair, Insurance Committee).

Hobbie v. RCR Holdings, II, LLC, MDL No. 2047, No. 10-113 (E.D. La. 2013) (Lead Counsel on behalf of owners of 326 condominium units with Chinese Drywall; \$30 million settlement for complete remediation of building).

Young v. Nationwide Mut. Ins., 693 F.3d 532 (6th Cir. 2012) (Lead Counsel; affirming lower court's opinion certifying class action; multiple settlements).

In re Google Buzz Privacy Litig., No. CV 10-00672 (N.D. Cal. 2011) (court-appointed Lead Class Counsel; \$8.5 million *cy pres* settlement).

In re Dep't of Veterans Affairs (VA) Data Theft Litig., MDL No. 1796 (D.D.C. 2008) (\$20 million dollar settlement with the United States Department of Veterans Affairs arising from the theft of computer equipment which was reported to contain personal information of military veterans, spouses of military veterans and military personnel; court appointment Co-Lead Counsel).

In re Zurn PEX Plumbing Liab. Litig., No. 08-md-1958 (D. Minn.) (\$20 million settlement; class action arising out of defective brass fittings; court-appointed member of Plaintiffs' Steering Committee).

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

Stillman v. Staples, Inc., No. 07-849 (D.N.J. 2009) (FLSA collective action, plaintiffs' verdict for \$2.5 million; \$42 million national settlement).

Nnadili v. Chevron U.S.A., Inc., No. 02-cv-1620 (D.D.C. filed July 2002) (\$6.2 million settlement for owners and residents of 200 properties located above underground plume of petroleum from former Chevron gas station).

In re Gen. Motors Corp. Speedometer Prods. Liab. Litig., MDL No. 1896 (W.D. Wash., filed 2006) (national settlement for repairs and reimbursement of repair costs incurred in connection with defective speedometers).

In re Rail Freight Fuel Surcharge Antitrust Litig., No. 1:07-mc-00489 (PLF) (D.D.C. 2008) (court-appointed co-lead counsel for indirect purchaser plaintiff class).

Penobscot Indian Nation v. United States Dep't of Hous. & Urban Dev., N. 07-1282 (PLF) (D.D.C. 2008) (represented charitable organization which successfully challenged regulation barring certain kinds of down-payment assistance; Court held that HUD's promulgation of rule violated the Administrative Procedure Act).

Nichols v. Progressive Direct Ins. Co., No. 2:06-cv-00146 (E.D. Ky. 2008) (Class Counsel; class action arising from unlawful taxation of insurance premiums; statewide settlement with Safe Auto Insurance Company and creation of \$2 million Settlement Fund; statewide settlement with Hartford Insurance Company and tax refunds of \$1.75 million).

Lubitz v. Daimler Chrysler Corp. (national settlement for repairs and reimbursement of repair costs incurred in connection with defective brake system; creation of \$12 million fund; 7th largest judgment or settlement in New Jersey in 2007).

Turner v. Gen. Elec. (national settlement for repairs or replacement of defective refrigerators).

Galanti v. Goodyear Tire & Rubber Co. (national settlement and creation of \$330 million fund for payment to owners of homes with defective radiant heating systems).

Synthetic Stucco (EIFS) Litig. (represented over 100 individual homeowners in lawsuits against homebuilders and EIFS manufacturers).

Diet Drug (Fen Phen) Litig. (represented over 100 individuals with personal injuries from exposure to diet drugs).

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

In re Swanson Creek Oil Spill Litig., No. 00-1429 (D. Md.) (Lead Counsel; \$2.25 million settlement of litigation arising from largest oil spill in history of State of Maryland).

Baird v. Thomson Consumer Elec., Inc., No. 00-L-00701 (Ill. Sup. Ct. 2001) (defective television sets; \$100 million settlement).

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

Cox v. Shell Oil Co., No. 18-844 (Tenn. Ch. Ct., Obion Cty.) (defective polybutylene pipe; \$950 million settlement).

Stockbridge Cmty. Ass'n v. Star Enter., No. 108514 (Va. Cir. Ct., Fairfax Cty.) (represented over 200 homeowners in individual cases arising from leak from petroleum storage facility; +\$50 million settlement and +\$200 million in property value protection).

In re the Exxon Valdez, No. A89-095 Civ. (D. Alaska) (represented Alaska Native Class; \$20 million settlement; \$5 billion punitive damages).

Morris v. Osmose Wood Pres. Inc., No. 069721 (Md. Cir. Ct., Montgomery Cty.) (defective FRT plywood).



FIRM RESUME

With offices in Washington, D.C., and Chicago, Illinois, Mason Lietz & Klinger LLP is dedicated to representing plaintiffs in class actions, mass torts and individual actions in courts throughout the United States.

ATTORNEY PROFILES

Gary E. Mason **Managing Partner**

Gary is a nationally recognized leader of the class action bar. Focusing on consumer class actions and mass torts, Gary has recovered more than \$1.5 billion in the 30 years he has represented plaintiffs.

With his broad experience, Gary is nationally known for representing consumers in class actions involving a wide range of defective products, including Chinese drywall, fire retardant plywood, polybutylene pipe, high-temperature plastic venting, hardboard siding, pharmaceutical products, consumer electronics and automobiles.

Gary has served in leadership positions in many consumer class actions in State and Federal Courts nationwide as well as in Multi-District Litigation. Gary writes and speaks frequently on topics related to class action litigation. He was the 2012-2013 Co-Chair of the Class Action Litigation group for the American Association for Justice. He has repeatedly been named as a Washington, DC Superlawyer for Class Actions.

Gary also serves as Executive Director and President of the Board of Directors of The Bethesda Blues and Jazz Foundation.

Gary graduated magna cum laude, Phi Beta Kappa, from Brown University in 1984 and earned his law degree from Duke University Law School. He then clerked for the Honorable Andrew J. Kleinfeld, U.S. District Court Judge, in Anchorage, Alaska. Gary is admitted to practice law in Washington, D.C, New York and Maryland. He is a member of the Bar of the United States Supreme Court and numerous federal Courts of Appeals and District Courts across the country.

David Lietz **Partner**

David Lietz's practice concentrates in the areas of complex civil litigation, consumer class actions, and mass torts in federal and state courts nationwide. His class action experience includes a wide range of subject matters, including violations of federal consumer protection laws (such as the FDCPA and TCPA), violations of state consumer protection law, defective products, wage abuse, and data privacy. Mass tort experience includes pharmaceutical litigation.

David also has decades of experience as a trial lawyer, representing plaintiffs in complex actions involving wrongful death and critical injury. Through both trials and settlement, he has recovered millions and millions of dollars for the victims of commercial trucking accidents,

MLK Firm Resume
Page 3 of 9

commercial airplane crashes, bus crashes, manufacturing and power plant explosions and fires, and construction related injuries and deaths.

David's practice includes appellate work, having briefed and argued multiple cases before federal appellate courts, including *Home Depot v. Jackson* at the Fourth Circuit. David then served as part of the winning brief-writing and oral advocacy team for *Home Depot v. Jackson* at the United States Supreme Court.

David holds an AV rating from the Martindale-Hubbell Law Directory, an honor he has held since 1998. He is listed in the Bar Register of Preeminent Lawyers, Washington D.C. & Baltimore's Top Rated Lawyers, 2012 - 2015 edition, and has a Martindale-Hubbell Client Distinction Award.

Outside of the law, David served for 12 years on the Board of Regents of his alma mater, Luther College, and was appointed Regent Emeritus in 2017. He was a member of the Luther College Presidential Search Committee, and received the Luther College Distinguished Service Award in 2018.

David received his undergraduate degree in Political Science from Luther College in 1988, where he graduated with honors. He received his J.D. from the Georgetown University Law Center in 1991. He is admitted to practice law in the District of Columbia, and is admitted to practice before a number of federal district and appellate courts.

Gary M. Klinger **Partner**

Gary is a natural competitor and relishes the challenge of being a litigator. He is a tenacious and dedicated advocate of his client's interests and welcomes every opportunity to help them prevail in complex, high-stakes litigation.

Gary represents clients in class actions involving wide-ranging theories of liability including consumer fraud, breach of contract, privacy violations, conspiracy, violation of the antitrust laws, and other torts. He has been appointed as class counsel to millions of consumers across the country. Gary has recovered tens of millions of dollars for consumers in class action settlements.

Prior to forming Mason Lietz & Klinger LLP, Gary was an attorney at one of the premier litigation firms in Chicago where he focused on class action litigation. Gary has successfully represented clients from pre-litigation disputes through trials and appeals in federal and state jurisdictions throughout the country.

Gary is a graduate of the University of Illinois where he received both his undergraduate and law degrees. He is licensed to practice in Illinois and numerous federal district courts across the country.

Danielle L. Perry
Partner

Danielle's primary focus is in protecting employee and consumer rights through class action lawsuits.

Danielle graduated from the University of California, Berkeley in 2010 with a Bachelor of Arts in Peace and Conflict Studies. During her undergraduate studies, she managed and rowed for the university's Lightweight Crew Team and also spent a year in Budapest, Hungary, where she interned with the Helsinki Committee, an international human rights organization. Danielle went on to attend Loyola Law School, where she was on the Board of the Public Interest Law Foundation and headed efforts to promote alternative dispute resolution, including founding a club structured to inform students of developments in mediation and working at The Center for Conflict Resolution.

During law school, she held an externship as a law clerk for the Honorable Victoria Chaney of the California Court of Appeals, worked with the Labor Division of the Los Angeles Office of the City Attorney, and was a Board Member for the Public Interest Law Foundation.

Prior to joining Mason Lietz & Klinger, Danielle practiced at a plaintiffs' class action firm in Los Angeles, where she worked as an advocate for victims of wage theft—employees who were being deprived of pay and not provided with legally required meal and rest periods. Danielle spent much of her time working on lawsuits brought to recover lost wages and penalties for banking, manufacturing, retail, property management, and trucking industry employees.

Danielle is a member of the American Association for Justice and regularly volunteers as an advising attorney at the Employment Justice Center.

NOTABLE CLASS ACTION CASES LITIGATED BY MLK ATTORNEYS

Antitrust

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

Appliances

Ersler, et. al v. Toshiba America et. al, No. 07- 2304 (D.N.J.) (settlement of claims arising from allegedly defective television lamps) (2009).

Maytag Neptune Washing Machines (class action settlement for owners of Maytag Neptune washing machines).

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

Hurkes Harris Design Associates, Inc., et al. v. Fujitsu Computer Prods. of Am., Inc. (settlement provides \$42.5 million to pay claims of all consumers and other end users who bought certain Fujitsu Desktop 3.5” IDE hard disk drives) (2003).

Turner v. General Electric Company, No. 2:05-cv-00186 (M.D. Fla.) (national settlement of claims arising from allegedly defective refrigerators) (2006).

Automobiles

In re General Motors Corp. Speedometer Prods. Liability Litig., MDL 1896 (W.D. Wash.) (national settlement for repairs and reimbursement of repair costs incurred in connection with defective speedometers) (2007).

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

Lubitz v. Daimler Chrysler Corp., No. L-4883-04 (Bergen Cty. Super. Ct, NJ 2006) (national settlement for repairs and reimbursement of repair costs incurred in connection with defective brake system; creation of \$12 million fund; 7th largest judgment or settlement in New Jersey) (2007).

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

Civil Rights

In re Black Farmers Discrimination Litigation, Case No. 1:08-mc-00511 (D.D.C.) (\$1.25 billion settlement fund for black farmers who alleged U.S. Department of Agriculture discriminated against them by denying farm loans) (2013).

Bruce, et. al. v. County of Rensselaer et. al., Case No. 02-cv-0847 (N.D.N.Y.) (class settlement of claims that corrections officers and others employed at the Rensselaer County Jail (NY) engaged in the practice of illegally strip searching all individuals charged with only misdemeanors or minor offenses) (2004).

Commercial

MLK Firm Resume
Page 6 of 9

In re: Outer Banks Power Outage Litigation, 4:17-cv-141 (E.D.N.C) (Co-Lead Counsel; \$10.35 million settlement for residents, businesses, and vacationers on Hatteras and Ocracoke Islands who were impacted by a 9-day power outage) (2018)

Construction Materials

Cordes et al v. IPEX, Inc., No. 08-cv-02220-CMA-BNB (D. Colo.) (class action arising out of defective brass fittings; court-appointed member of Plaintiffs' Steering Committee) (2011).

Elliott et al v. KB Home North Carolina Inc. et al 08-cv-21190 (N.C. Super. Ct. Wake County) (Lead Counsel; class action settlement for those whose homes were constructed without a weather-resistant barrier)(2017)

In re: Pella Corporation Architect and Designer Series Windows Marketing, Sales Practices and Products Liability Litigation, MDL No. 2514 (D.S.C.)(class action arising from allegedly defective windows; Court-appointed Co-Lead Counsel).

In re MI Windows and Doors, Inc., Products Liability Litigation, MDL No. 2333 (D.S.C) (National class action settlement for homeowners who purchased defective windows; Court-appointed Co-Lead Counsel).

In re: Atlas Roofing Corporation Chalet Shingle Products Liability Litig., MDL No. 2495 (N.D. Ga.) (class action arising from allegedly defective shingles; Court-appointed Co-Lead Counsel).

Helmer et al. v. Goodyear Tire & Rubber Co., No. 12-cv-00685-RBJ (D. Colo. 2012) (class action arising from allegedly defective radiant heating systems; Colorado class certified, 2014 WL 3353264, July 9, 2014)).

In re: Zurn Pex Plumbing Products Liability Litigation, No. 0:08-md-01958, MDL No. 1958 (D. Minn.) (class action arising from allegedly plumbing systems; member of Executive Committee; settlement) (2012).

Hobbie, et al. v. RCR Holdings II, LLC, et al., No. 10-1113 , MDL No. 2047 (E.D. La.) (\$30 million settlement for remediation of 364 unit residential high-rise constructed with Chinese drywall) (2012).

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

Galanti v. Goodyear Tire & Rubber Co., No. 03-209 (D.N.J. 2003) (national settlement and creation of \$330 million fund for payment to owners of homes with defective radiant heating systems) (2003).

MLK Firm Resume
Page 7 of 9

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

In re Synthetic Stucco (EIFS) Prods. Liability Litig., MDL No. 1132 (E.D.N.C.) (represented over 100 individuals homeowners in lawsuits against homebuilders and EIFS manufacturers).

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

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

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

In re Elk Cross Timbers Decking Marketing, Sales Practices and Products Liability Litigation, No. 15-cv-0018, MDL No. 2577 (D.N.J.) (Lead Counsel; national settlement to homeowners who purchased defective GAF decking and railings).

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

In re Lumber Liquidators Chinese-Manufactured Flooring Products Marketing, Sales Practices and Products Liability Litigation MDL No. 1:15-md-2627 (E.D.Va.) (Formaldehyde case; \$36 million national class action settlement for member who purchased a certain type of laminate flooring).

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

In re Windsor Wood Clad Window Products Liability Litigation MDL No. 2:16-md-02688 (E.D. Wis.) (National class action settlement for homeowners who purchased defective windows; Court-appointed Lead Counsel).

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

MLK Firm Resume
Page 8 of 9

Environmental

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

In re Swanson Creek Oil Spill Litigation, No. 00-1429 (D. Md.) (Lead Counsel; \$2.25 million settlement of litigation arising from largest oil spill in history of State of Maryland) (2001).

Fair Labor Standards Act/Wage and Hour

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

Stillman v. Staples, Inc., Civil No. 07-849 (D.N.J. 2009) (FLSA collective action, plaintiffs' trial verdict for \$2.5 million; national settlement approved for \$42 million) (2010).

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

Food and Drug Misrepresentation

Smid et al. v. Nutranext, LLC, No. 20L0190 (St. Clair Ctuy., Ill., 2020) (\$6.7 million settlement)

In re Hill's Pet Nutrition, Inc. Dog Food Prods. Liab. Litg., MDL No. 2887, No. 2:19-md-02887 (D. Kan. filed June 6, 2019) (Court-appointed Co-Lead Counsel)

Financial

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

Penobscot Indian Nation et al v United States Department of Housing and Urban Development, N. 07-1282 (PLF) (D.D.C. 2008) (represented charitable organization which successfully challenged regulation barring certain kinds of down-payment assistance; Court held that HUD's promulgation of rule violated the Administrative Procedure Act),

Insurance

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

MLK Firm Resume
Page 9 of 9

Nichols v. Progressive Direct Insurance Co., et al., No. 2:06cv146 (E.D. Ky. 2012) (Class Counsel; class action arising from unlawful taxation of insurance premiums; statewide settlement with Safe Auto Insurance Company and creation of \$2 million Settlement Fund; statewide settlement with Hartford Insurance Company and tax refunds of \$1.75 million)

Privacy/Data Breach

In Re: U.S. Office of Personnel Management Data Security Breach Litigation, No. 15-1393 (ABJ), MDL No. 2664 (D.D.C.) (court appointed interim Liaison Counsel).

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

In re: Dept. of Veterans Affairs (VA) Data Theft Litig., No. 1:2006-cv-00506, MDL 1796 (D.D.C. 2009) (Co-Lead counsel representing veterans whose privacy rights had been compromised by the theft of an external hard drive containing personal information of approximately 26.6 million veterans and their spouses; creation of a \$20 million fund for affected veterans and a cy pres award for two non-profit organizations).

In re: Adobe Systems Inc. Privacy Litigation, No. 5:13-cv-05226 (N.D. Cal. 2015) (settlement requiring enhanced cyber security measures and audits).