



DICELLO LEVITT

# 2024

YEAR IN REVIEW



Justice in all its **DIMENSIONS**

# From Our Founders

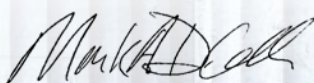
## **Clients, Colleagues, and Friends,**

2024 will be remembered as a year of successful transition for the firm. Reflecting on our determined growth over the past several years, we began implementing new systems and adding personnel to refine our operations. We also notched landmark wins, recovered hundreds of millions of dollars for our clients, launched our innovative DiCello Levitt Trial Center, and took on many high-profile matters. Through it all, we built upon our foundation of integrity and experience, delivering results when it mattered most.

As we look ahead, we remain dedicated to our mission of pursuing **Justice in All Its Dimensions**. That means providing exceptional service to clients of all sizes, through class actions, business litigations, mass torts, public client litigation, whistleblower matters, civil rights litigation, and beyond, with a team of diverse lawyers—across the United States and abroad—who are fully committed to our clients' causes and the goal of a better society.

Your support makes it all happen. We invite you to reflect on this year's achievements with us as we celebrate our shared triumphs and look forward to the future.

With deep appreciation,



**MARK DICELLO**  
FOUNDING PARTNER



**ADAM LEVITT**  
FOUNDING PARTNER



# Around the Firm

## Making Headlines

**Justin Hawal** was featured in *Law.com*'s highly selective "How I Made It" series, highlighting legal professionals who have achieved remarkable career milestones.

Justin shared, "I wanted to work somewhere where I had the opportunity to work on significant cases that have the chance to effect meaningful change, while also learning from more experienced attorneys who are among the best in their fields."

**Bobby DiCello**, co-chair of our Civil and Human Rights Litigation Practice Group and DiCello Levitt Trial Center team leader, continued to increase the firm's national exposure with regular appearances in top media on behalf of the firm's civil rights clients. Notably, he was selected to serve on *Law360*'s 2024 Trials Editorial Advisory Board.

**Diandra "Fu" Debrosse**, managing partner of our Birmingham office and co-chair of the Mass Tort Litigation and Civil and Human Rights Litigation practice groups, spoke to *Law.com* about the disparity in multidistrict litigation (MDL) appointments going to attorneys of color, noting that judges lending their voices can make a meaningful difference. Fu was instrumental in organizing the third annual **Shades of Mass** conference, continuing her dedicated efforts with the organization she co-founded to promote diversity in MDL leadership.

Founding Partner **Adam Levitt** published the next 12 of his "Arguing Class Actions" columns in *The National Law Journal*. Adam's insightful pieces on the evolving landscape of class action litigation reached more than 20 million readers this year.





# In Our Communities

Our firm continued its support of **The Joe Baab Culinary Fights Cancer Foundation**, proudly sponsoring the Soirée at the Shoreby fundraiser. The event raised nearly \$100,000 to support cancer fighters and their families, reaffirming our dedication to making a positive impact both inside and outside the courtroom.

We hosted the **Promoting Competition and Fighting Corporate Power Reception**, which brought together leading voices in the fight against corporate dominance and provided a platform for meaningful discussions on fostering competition and holding corporations accountable for abuses of power.

**Greg Ascio**, managing partner of our New York office and chair of our Antitrust and Competition Litigation Practice Group, was elected to the Board of Directors for **Public Justice**, a national nonprofit dedicated to fighting social and economic injustice, protecting the environment, and challenging corporate and government abuses through high-impact litigation. **Amy Keller**, managing partner of our Chicago office and chair of our Privacy, Technology, and Cybersecurity Practice Group, was elevated to the Board's Executive Committee. **Diandra "Fu" Debrosse** continues her role on the Board.





## THE DICELLO LEVITT TRIAL CENTER

**Leading the way in trial science. This year, we launched the DiCello Levitt Trial Center, a platform for lawyers to test their cases through focus grouping, transformative storytelling, and a science-informed method of trial preparation.** By applying a proprietary system to uncover judges' and jurors' decision-making processes, the Trial Center reveals the winning message in every case.

In addition to the dozens of cases that the Trial Center is presently working up for trial, our attorneys applied the Trial Center's scientific methods to

secure a major victory this year for our client Bridgeway Diagnostics when a jury in Cleveland, Ohio, returned a multimillion-dollar verdict against Hitachi Healthcare Americas Corporation Inc. In preparation for that trial, our trial team conducted numerous focus groups and other testing to develop a courtroom presentation that effectively illustrated Hitachi's misrepresentations and breach of contract when the company promised our client a like-new refurbished MRI device but instead delivered an older, defective, lower-quality machine.

Learn more about how we are breaking new ground in trial success at [DiCelloLevittTrialCenter.com](https://www.DiCelloLevittTrialCenter.com).

"We gained a better sense of whether we were evaluating the cases correctly, not just in terms of dollar amount but how we viewed the wrongful conduct and the ways to message this to a jury."

—Trial Center Client

"The lawyers at DiCello Levitt are smart, creative and hard-working. It's a top litigation boutique which works on high-profile and high-impact litigation."

—Chambers USA Respondent

"DiCello Levitt provides invaluable leadership and guidance."

—Chambers USA Respondent

"The very thoughtful and deliberate planning that went into the focus groups allowed us to come away with a very good sense of what our themes should be for trial, as well as a handful of themes to use or to avoid."

—Trial Center Client



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# Antitrust and Competition Litigation

## **Leading a nationwide antitrust class action against some of the largest tire manufacturers**

We were appointed Interim Co-Lead Counsel in an antitrust multidistrict class action lawsuit against some of the largest tire manufacturers in the United States and Europe. The complaint alleges the defendants—the world’s leading tire manufacturers, including Continental, Goodyear, Bridgestone, Michelin, and Pirelli—engaged in a conspiracy to artificially increase the prices of new replacement tires.

## **Protecting mobile home tenants from corporate collusion and greed**

Our proprietary case against Datacomp, the nation’s largest provider of mobile home data, and several large owners of manufactured home communities continues to drive forward. The plaintiffs—many of whom are elderly, low-income earners, veterans, or mobility-challenged individuals—allege that they suffered substantial financial losses due to their landlords’ conspiracy to fix, raise, and systematically inflate mobile home lot rental prices in thousands of communities throughout the United States.

## **Achieved favorable settlements for aerospace engineers in no-poach class action**

After several years of leading a class action lawsuit alleging the jet propulsion systems industry secretly conspired to restrict competition in the recruitment and hiring of aerospace engineers and other skilled workers, we secured multimillion-dollar settlements to fully resolve the case.

## **Continuing our success in challenging conspiracies in the financial industry**

As co-lead counsel, we settled two class actions challenging unlawful price-fixing conspiracies among the largest dealer banks in the world. The first, involving platinum and palladium derivative products, was resolved for \$20 million after eight years of litigation and a successful appeal to the Second Circuit. The second, involving European government bonds, settled for \$120 million after plaintiffs prevailed over several efforts to dismiss the case.



# Civil and Human Rights Litigation

Our Civil and Human Rights Litigation Practice Group, with one of the largest civil rights case dockets in the United States, continued to garner national attention, navigating numerous high-profile cases of police shootings, brutality, and misconduct and other abuses of civil rights.

## Major steps toward justice for victims of police violence

We represent numerous victims in high-profile cases of police violence, including Randal Worcester, a homeless Native American man who was brutally beaten by Arkansas police officers, and Frank E. Tyson, a 53-year-old Black man

who died after being handcuffed and allegedly suffocated by police officers in Canton, Ohio.

As we continue to fight for justice for each of these men and their families, officers involved in their cases are being held accountable. In October, two former sheriff's deputies from Crawford County, Arkansas, were sentenced in federal court for the beating of Worcester, and in November, two Canton police officers were charged with reckless homicide in Tyson's death—underscoring that the officers in both tragedies were in the wrong.



## Civil Rights Firm of the Year

ALM and *The National Law Journal* named DiCello Levitt the Civil Rights Firm of the Year, in recognition of our attorneys' innovative and impactful advocacy for clients who have suffered from civil rights abuses, discrimination, catastrophic injuries, defective products, corporate misconduct, and other violations of their rights and safety.



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# Product Liability and Consumer Protection Litigation

## **Holding one of the world's largest automakers accountable for dangerous defects**

We represent consumers in a group of class action lawsuits against Honda for selling and leasing certain Honda and Acura models that suffer from a dangerous defect that can cause their engines to stall while idling, putting the vehicles' drivers and other motorists at risk of serious injury and death. Against fierce opposition, we got a series of classes certified, and the case is moving toward a 2025 trial.

## **Driving forward class actions against General Motors over excessive engine oil consumption**

On the heels of a rare, nine-figure class action jury verdict against GM over an excessive oil consumption manufacturing defect in its

SUVs and light trucks, the firm is leading several satellite cases in other jurisdictions, including in Missouri, New York, Ohio, and Oklahoma, achieving substantial success in each of those states.

## **Exposing serious safety issues in luxury vehicles**

We represent vehicle owners and lessees in a lawsuit to hold Mercedes-Benz accountable for a dangerous defect in the rear subframes of the company's vehicles and to compensate consumers for the damages arising from the defect—an issue potentially affecting hundreds of thousands of 2010-2022 cars across the Mercedes vehicle line.





# Environmental Litigation

## **Helping Rockton, Illinois rebuild following the Chemtool plant fire**

In September, we secured final approval of a \$94.5 million settlement with Chemtool Inc. to resolve a class action lawsuit against Chemtool and its parent company, The Lubrizol Corporation, resulting from a fire and series of explosions that occurred in June 2021 at Chemtool's grease and lubricant manufacturing facility in Rockton, Illinois.

## **The most significant environmental litigation of our time**

We represent several states in pursuing claims against major chemical companies for PFAS pollution to secure funding for remediation and protect public health and the environment. Earlier this year, the Seventh Circuit affirmed an order remanding the State of Illinois' case against 3M for pollution from its PFAS manufacturing facility in Cordova, Illinois, back to the state court in Rock Island, County. We are honored to assist the Illinois Attorney General's office in holding 3M accountable for decades of pollution from the facility.

## **Climate change and deception litigation**

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

## **Seeking justice for Conyers, Georgia residents injured by toxic BioLab fire**

In September 2024, a fire ignited at BioLab's facility in Conyers, Georgia, causing a toxic plume of smoke and fumes that required the evacuation and shelter-in-place of tens of thousands of residents. In November 2024, we were appointed Co-Lead Counsel in the litigation against BioLab Inc. and KIK Custom Products, seeking damages for more than 90,000 residents and businesses in Conyers and surrounding areas affected by the companies' wrongful conduct.

## Raising the bar in ESI strategy

This year, our ESI team expanded to four members and took the lead on several MDL document review teams. We established ESI protocols and kept our plaintiffs-side teams on track throughout the process. By leveraging existing generative AI technology and developing our own tools, we have found ways to streamline discovery without sacrificing accuracy. We consistently deliver on challenging projects and tight deadlines, turning obstacles into successes. Our reputation has made DiCello Levitt's ESI team the go-to team for co-counsel seeking leadership on critical case components and complex ESI issues before judges and special masters.



# Labor and Employment Litigation

## **Upholding fair labor standards for North Carolina and Wisconsin corrections officers**

Our North Carolina and Wisconsin wage and hour cases on behalf of tens of thousands of corrections officers achieved major milestones this year. The United States District Court for the Eastern District of North Carolina granted class certification to our North Carolina class, and the Supreme Court of Wisconsin granted our *certiorari* petition to reinstate our class certification grant in that case.

## **Fighting against one of the nation's largest insurers to ensure fair compensation to its independent agents**

We represent former GEICO independent field representatives who allege that they—and other class members—were damaged by GEICO's complex commission diversion scheme, resulting in the theft of their clients and significant monetary loss. Despite bringing substantial business to GEICO and being promised total control over their business ventures, the plaintiffs allege that they were unjustly terminated, burdened with financial obligations, denied their rightful renewal commissions, and lost out on other commissions that GEICO wrongfully diverted.

## **Righting wrongdoing by a Fortune 500 company**

We represented several former employees of a Fortune 500 company who alleged that the company intentionally failed to promote them because of their race and/or sex. Following discovery and motion practice, our team successfully resolved the matters on behalf of the plaintiffs for a collective amount of over seven figures. Each employee who demonstrated the courage to come forward achieved the justice they were seeking from their prior employer.

## **Securing the largest reported settlement under the Illinois False Claims Act**

Our team, along with co-counsel, notched a \$70 million settlement in a whistleblower lawsuit against eight of the nation's largest banks. The whistleblower alleged that defendants engaged in widespread fraud and collusion in the fees they charged and the interest rates they set for tax-exempt municipal bonds known as VRDOs.



# Mass Tort Litigation

## **Protecting minority populations from toxic chemical hair relaxers**

We continue to go head-to-head against some of the nation's largest hair product manufacturers, including L'Oréal, SoftSheen-Carson LLC, Revlon Inc., and others in a landmark MDL concerning the manufacturing and selling toxic chemical hair relaxers to mostly Black and Brown women, which has allegedly caused these women to develop uterine, endometrial, and ovarian cancer.

## **Exposing the dangers of popular diabetes and weight-loss drugs**

Our team, along with eight other law firms, has been appointed to the Plaintiffs' Leadership Committee in the MDL against Novo Nordisk and Eli Lilly. This case involves claims that drugs such as Ozempic, Wegovy, Rybelsus, Mounjaro, and Trulicity, marketed as weight-loss and diabetes remedies, cause severe side effects, including intestinal obstruction, gastroparesis, and other acute gastrointestinal injuries. The litigation seeks to hold these companies accountable for failing to warn patients about the serious health risks associated with their medications.

## **Fighting for thousands of dedicated service members and their families**

For decades, thousands of our nation's dedicated service members and their families were poisoned by contaminated drinking water at U.S. Marine Corps Base Camp Lejeune in North Carolina. The contaminants included chemicals linked to serious and potentially deadly diseases, including anemia, Parkinson's disease, multiple cancers, and infertility. We represent the families of thousands of victims against the United States government.

## **Protecting consumers from deadly pesticide and weed killer paraquat**

Since the 1960s, manufacturers have known that paraquat exposure can cause serious injury or death. Recent studies show an increased risk of Parkinson's disease in populations with occupational exposure. Despite this, Chevron and Syngenta continue to market and sell the herbicide to farmers and landscapers across the United States. We are actively involved in seeking justice for hundreds of victims of Chevron's and Syngenta's wrongful conduct.

## **Addressing the youth mental health crisis caused by social media platforms**

We represent plaintiffs who accuse social media giants Meta, Snap, ByteDance, and Google of intentionally targeting children with addictive algorithms to increase profits. The lawsuit alleges that children's widespread use of addictive programs, including Facebook, Instagram, TikTok, and YouTube, has caused a youth mental health crisis and perpetuates the sexual exploitation of children.

## **Fighting for children poisoned by toxic baby food**

We represent more than 1,000 minors who were exposed to elevated quantities of toxic heavy metals from consuming the defendants' baby food products and, as a result, suffered brain injuries that manifested in diagnoses of autism spectrum disorder (ASD) and/or attention deficit hyperactivity disorder (ADHD). DiCello Levitt joined this litigation to protect children from manufacturers who knew about heavy metals in their products.



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# Privacy, Technology, and Cybersecurity

## **Winning a landmark Ninth Circuit victory in Google Chrome privacy class action**

A unanimous Ninth Circuit panel handed a major victory to users of Google's Chrome web browser, reinstating a nationwide data privacy class action that challenges Google's intentional collection of Chrome users' personal information, including sensitive web browsing information, without their consent.

## **Landmark injunctive relief privacy settlement for hospital patients**

Together with our Co-Lead Counsel, we negotiated an expansive injunctive relief settlement on behalf of patients of Rush University Hospital, requiring the hospital to cease certain data collection and sharing practices.

## **Protecting consumers by combatting unauthorized collection of driver "telematics" data**

We were appointed Co-Lead Counsel in a national data breach case against General Motors and

OnStar related to an explosive *New York Times* story exposing their widespread collection of driver behavior data. The practice, which lasted several years, resulted in the surreptitious collection of driver data, the sale of that data to insurance companies, and—in many instances—consumers' insurance rates increasing without warning.

## **Holding casinos accountable when they protect the house but not their guests**

Our team represents tens of millions of consumers who were victimized by a social engineering attack of Caesars Entertainment's vendor, which resulted in the theft of Social Security numbers and driver's license data. This case represents one of the largest California Consumer Privacy Act cases to proceed forward since the law's January 2020 effective date.



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# Public Client

## **Representing the City of Baltimore in the catastrophic Key Bridge collapse**

In one of the largest maritime disasters in U.S. history, on March 26, 2024, the historic Francis Scott Key Bridge in Baltimore, Maryland, collapsed after being struck by a cargo ship after it lost power. This tragedy not only resulted in a devastating loss of life, but the consequent blockage of the Port of Baltimore's main shipping channel has had a catastrophic impact on the regional economy and the many businesses and individuals who depend upon the port for revenue and wages. Our team has been retained by the City of Baltimore and has been appointed Co-Lead Counsel in this important litigation to hold all responsible entities accountable.

## **A clutch partner with antitrust prowess**

We represent the State of New Mexico and lead the Attorney General's prosecution of the State's antitrust and other claims against the largest poultry farmers and pork producers in the United States for price fixing and other anticompetitive conduct.

## **Protecting the privacy rights of New Mexicans**

In a case filed in the wake of Facebook's Cambridge Analytica scandal and the January 6 Capitol riots, we represent the State of New Mexico in litigation against Meta, Facebook's parent company, relating to its unauthorized

sharing of user information with third parties and contributing to the spread of disinformation and radicalization. We have won every substantive motion in this important litigation and are aggressively moving forward toward a May 2025 trial date.

## **Holding U.S. Pipe accountable for damage to public water systems**

We represent Greenville Water against U.S. Pipe, one of the largest manufacturers of ductile iron pipe used in public water systems in the United States, in a matter alleging U.S. Pipe engaged in the deceptive marketing and sale of defective pipe caused by a widespread manufacturing defect at its Lynchburg, Virginia, facility. The defect drastically affects water quality and the performance of public water systems.

## **Empowering Municipalities Through Strategic Litigation**

DiCello Levitt equips municipalities with the tools to take decisive legal action. Our workshop provides cities and counties with guidance on codifying litigation practices, overcoming procedural challenges, and managing public relations. We also reveal ways in which municipalities can recover costs, address harm, and safeguard their communities.



# Securities and Financial Products Litigation

## **Fighting on behalf of hundreds of public and union pension fund beneficiaries and other Syneos Health stockholders**

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

## **Conducting groundbreaking international securities litigation**

Our team is working with German counsel to pursue separate recoveries in Germany for Volkswagen, Daimler, and Porsche investors who suffered losses because of the companies' deception in installing emissions control defeat devices and the companies' lies about environmental standards of the supposedly "clean" diesel engines.

The team is also managing an ongoing Brazilian arbitration against Petróleo Brasileiro S.A.-Petrobras before the Bovespa panel in São Paulo, Brazil—a case brought by 24 institutional

investors that we represent, including some of the largest sovereign wealth funds globally and public pension funds across the United States.

## **Representing educators and protecting teachers' retirement funds**

In July 2024, we initiated an action on behalf of investors in variable annuities issued by Equitable Financial Life Insurance Company. Equitable is alleged to have given investors, most of whom are public school teachers and staff members, the false impression that their quarterly account statements listed all fees paid during the period. The statements listed only certain types of fees that investors infrequently incurred and, often, the statements had \$0 listed for fees.

## **Holding NeoGenomics accountable for violations of federal healthcare laws and regulations**

We are taking on NeoGenomics Inc. and certain senior investors in a securities class action for allegedly making false and misleading statements about the company's cancer tests, compliance program, and operating structure.

# Awards and Recognition

## SUBSTANTIAL EXPERTISE, SOPHISTICATED ISSUES

In the latest *Chambers USA*, the gold standard in legal services directory rankings, the editors had this to say: “DiCello Levitt is an **esteemed litigation boutique** noted for **sophisticated representation of plaintiffs in high-value class actions**. The firm offers **substantial expertise in a wide range of disputes**, including those involving product liability, policyholder-side insurance claims, and alleged breach of contract. It is also able to advise on **sophisticated issues** relating to privacy and data security.”



### CHAMBERS & PARTNERS

- Band 1  
Litigation: Mainly Plaintiffs, Illinois  
Antitrust: Mainly Plaintiff, New York
- Antitrust: Plaintiff, USA-Nationwide
- Product Liability: Plaintiffs, USA-Nationwide
- Litigation: Mainly Plaintiffs, Alabama
- Ranked attorneys: Adam Levitt, Greg Ascioffa, Diandra “Fu” Debrosse, and Amy Keller



### LEGAL 500

Ranked practices:

- Antitrust: Civil Litigation/Class Actions: Plaintiff
- Securities Litigation: Plaintiff
- Product Liability, Mass Tort and Class Action—Plaintiff
- Recommended attorneys: Adam Levitt, Greg Ascioffa, Jonathan Crevier, Patrick Daniels, Brian O’Mara, Roxanna Pierce, and Henry Rosen



### BENCHMARK LITIGATION

- Top plaintiffs’ firm and a national leader in competition and antitrust work
- Recognized attorneys: Mark DiCello, Adam Levitt, Greg Ascioffa, Diandra “Fu” Debrosse, Greg Gutzler, Amy Keller, and Corban Rhodes

# Awards and Recognition



## LAWDRAGON

- 500 Global Plaintiff Lawyers  
Recognized attorneys: Mark DiCello, Adam Levitt, Diandra “Fu” Debrosse and Bobby DiCello
- 500 Leading Litigators in America  
Recognized attorney: Adam Levitt
- 500 Leading Civil Rights and Plaintiff Employment Lawyers  
Recognized attorneys: Bobby DiCello, Diandra “Fu” Debrosse, and Ken Abbarno
- 500 Leading Plaintiff Consumer Lawyers  
Recognized attorneys: Mark DiCello, Adam Levitt, Ken Abbarno, Diandra “Fu” Debrosse, Bobby DiCello, and Amy Keller
- 500 Leading Plaintiff Financial Lawyers  
Recognized attorneys: Adam Levitt, Greg Ascioia, Jamie Baskin, Patrick Daniels, Bobby DiCello, Greg Gutzler, Steve Jodlowski, Amy Keller, Brian O’Mara, Roxana Pierce, Caroline M. Robert, Henry Rosen, and David Straite



## INDIVIDUAL ACCOLADES

- American Antitrust Institute, 2024 Antitrust Enforcement Awards, Outstanding Antitrust Litigation Achievement in Private Law Practice: Greg Ascioia and Jonathan Crevier
- *Crain’s Chicago Business*, Notable Leaders in Accounting, Consulting, and Law: Adam Levitt and Amy Keller
- *Crain’s New York Business*, Notable Leaders in Accounting, Consulting, and Law: Greg Gutzler
- Who’s Who Legal, *WWL Competition 2024*, Global Elite Thought Leader: Greg Ascioia
- ALM and *Law.com’s* Southeastern Legal Awards, Managing Partner of the Year: Diandra “Fu” Debrosse
- *Forbes*, America’s Top 200 Lawyers of 2024: Diandra “Fu” Debrosse



**Birmingham**

T: 205.855.5700

**Chicago**

T: 312.214.7900

**Cleveland**

T: 440.953.8888

**New York**

T: 646.933.1000

**San Diego**

T: 619.923.3939

**Santa Fe**

T: 505.810.0770

**Washington, DC**

T: 202.975.2288

**DiCelloLevitt.com**



**DICELLO LEVITT**