

Daily Journal

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TOP PLAINTIFF LAWYERS IN CALIFORNIA 2016

In this second annual supplement devote to California's plaintiff bar, the Daily Journal sought to highlight attorneys making a difference far beyond the lives of their clients. Don't get us wrong. Making whole clients physically injured or the victims of corporate malfeasance are noted accomplishments. But the lawyers profiled in this edition didn't stop there. They used their legal skills to forge real and lasting change. Fighting for the little guy is all in a day's work for these lawyers — and often at great personal risk. They put millions of dollars on the line and spend countless hours over many years bringing cases. As you read through this supplement, we think you'll agree that they exemplify the positive force the legal industry can have on people's lives and on society.

— The Editors

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Practice: Consumer class actions



In multidistrict litigation alleging false advertising of vehicle fuel efficiency, U.S. District Judge George H. Wu appointed Gibbs liaison counsel. At an initial conference, Gibbs learned of a proposed class settlement, placing him in a highly demanding role as the lawyer tasked with reconciling the plaintiffs' often competing interests, coordinating a wide-ranging discovery process and advancing the view of colleagues seeking relief under the laws of more than 20 states.

Gibbs ultimately helped finalize a nationwide settlement valued at \$360 million, which he said he believes to be the second largest ever achieved in an automotive economic loss class action. Wu wrote that Gibbs had "efficiently managed the requests from well over 20 different law firms and effectively represented the interests of Non-Settling Plaintiffs throughout this litigation." *In re Hyundai & Kia Fuel Economy Litigation*, 13-ml-2424 (C.D. Cal., consolidated Feb. 6, 2013)

"That case falls into a broader bucket," Gibbs said. "When we look for cases to bring, we figure out why the case matters and whether we can resolve it in some reasonable way. Can we aid consumers? Is there a safety defect we can address? Can we get cars off the road and force a fix?"

That approach was evident

when Gibbs served as co-lead counsel in a class action for consumers who alleged they were sold and leased Chrysler vehicles with defective power control modules that caused stalling. After defeating Chrysler's efforts to dismiss the case, Gibbs filed an unusual motion asking U.S. District Judge Dean D. Pregerson to issue a class notice before granting class certification — a strategy designed to address serious safety concerns. Gibbs argued there was no time to spare, and even though drivers could not be told a class had been certified, they could be told a serious defect had been alleged so they could take precautions.

"You could stall out while driving," Gibbs said. "The case was getting bogged down in discovery, and I was looking for a way to cut through that." The judge didn't buy it. "He was skeptical, but we made our point. He did agree to expedite formal certification proceedings." Within two months, the parties reached a settlement in which Chrysler agreed to recall all 2012 and 2013 Jeep Grand Cherokee and Dodge Durango vehicles and to reimburse owners for all repair and rental car expenses. *Velasco v. Chrysler Group LLC*, 13-cv-08080 (C.D. Cal., filed Nov. 12, 2015)

"We accomplished the goals we had from the outset," Gibbs said.

— John Roemer