

Baron & Budd makes the Hot List 8 out of 10 years



Baron & Budd is 100% dedicated to representing those harmed by corporate misconduct” ~ “...specializes in toxic torts including asbestos injury” ~ “claims to have recovered \$23 million” ~ “Dallas’ Baron & Budd has won national recognition...” ~ “...representing individuals and municipalities injured by exposure to hazardous substances, particularly asbestos.” ~ “...has recovered hundreds of millions of dollars in verdicts and settlements.” ~ “At present it represents some 180 municipalities, water providers and private well owners” ~ “Baron & Budd is 100% dedicated to representing those harmed by corporate misconduct” ~ “...specializes in toxic torts including asbestos injury” ~ “claims to have recovered \$23 million” ~ “Dallas’ Baron & Budd has won national recognition...” ~ “...representing individuals and municipalities injured by exposure to hazardous substances, particularly asbestos.” ~ “...has recovered hundreds of millions of dollars in verdicts and settlements.” ~ “At present it represents some

THE PLAINTIFFS' A SPECIAL REPORT HOT LIST

Baron & Budd 2012

SCOTT SUMMY



With billions of dollars at stake in the litigation over the Gulf of Mexico oil spill, the case marks one of the largest private civil actions in the country's history. Baron & Budd played a leadership role in the high-profile litigation, serving on both the plaintiffs' steering and executive committees.

The Dallas-based firm, with 50 lawyers who handle cases ranging from water contamination and whistleblower actions to occupational injuries, helped shape the multidistrict litigation in U.S. District Court for the Eastern District of Louisiana. The team reached a \$7.8 billion settlement with BP PLC in March resolving claims for economic loss, property damage and injuries.

Baron & Budd shareholder Scott Summy, who served on the steering committee that actually litigated the case with more than a dozen attorneys, helped lead the team of lawyers looking at the science of the spill. "At the beginning, when you

started hearing about the spill, you never dreamed it would be as big as it was," Summy recalled. The executive committee, which coordinated the steering team, also included James Parkerson Roy of Lafayette, La.'s Domengeaux, Wright, Roy & Edwards; Stephen Herman of Herman, Herman & Katz in New Orleans; and Brian Barr of Levin Papantonio Thomas Mitchell Rafferty & Proctor in Pensacola, Fla.

The steering committee, Summy said, was "extremely focused" on the task at hand: to prove liability. "The full tentacle of how many people were impacted is mind-blowing," he said. A lead attorney for BP, J. Andrew Langan, a Kirkland & Ellis partner in Chicago, declined to comment. The U.S. Department of Justice hasn't settled with BP.

The limelight for Baron & Budd stretched across industries during the past year—including a deepening of the firm's role in financial-sector class actions. The firm snagged a spot on the plaintiffs' executive committee in the JPMorgan Chase & Co. overdraft litigation in U.S. District Court for the Southern District of Florida.

A judge in May preliminarily approved a \$110 million nationwide settlement of allegations the bank—among others—manipulated debit card transactions to boost overdraft fees. Bank of America Corp. last year settled for \$410 million. Name partner Russell Budd, a negotiator in the settlements, called the litigation "a huge case in terms of the benefit for consumers." —Mike Scarcella

Baron & Budd 2011

The Deepwater Horizon oil spill. Shoddy drywall. Bad actions by banks. This Dallas firm has established a reputation as an advocate in some of the hottest litigation going. It is especially well regarded for its work on behalf of mesothelioma victims, for whom Baron & Budd has secured hundreds of millions of dollars in settlements and verdicts, including the largest asbestos win—\$55 million. In the pending oil spill multidistrict litigation, it represents the state of Louisiana and has a seat on the plaintiffs' executive committee.

NOTEWORTHY CASES:

- *In re Checking Account Overdraft Litig.*, MDL No. 2036 (S.D. Fla.). The crux of this case is the alleged manipulation of data by banks to increase overdraft fee revenue. The firm helped obtain a \$410 million settlement with Bank of America Corp., the largest financial institution involved. General litigation practice leader Bruce Steckler served on the plaintiffs' executive steering committee with attorneys from Grossman Roth, Hanly Conroy Bierstein Sheridan Fisher & Hayes, the Alters Law Firm and Podhurst Orseck. The suit accused the banks of manipulating the timing of debit card transactions so they could soak customers for overdraft fees. Besides the monetary recovery, the litigation forced banks across the country to change their overdraft policies—they no longer offer “courtesy” overdraft protection or “re-ordering debits.”
- *City of San Diego v. Hotels.com L.P.*, No. GIC 8611117 (San Diego Co., Calif., Sup. Ct.). Plaintiffs' counsel Laura Baughman and Thomas Sims won a \$21.2 million award for the City of San Diego. Travel companies allegedly shortchanged the city by millions of dollars in hotel occupancy taxes for their online bookings. Baron & Budd is working on 40 similar suits involving other cities. Baron's litigation group participated in strategic planning, working with co-counsel from Kiesel, Boucher & Larson and McKool Smith and the San Diego city attorney's office.
- *Henderson v. The Dow Chemical Co.*, No. 10-07003 (Dallas Co., Texas, Dist. Ct.). John Langdoc and Alana Kalantzakis won a \$9 million verdict against Dow for the family of a Dow contract employee who was exposed to insulation containing asbestos, with fatal consequences. Asbestos litigation practice chief Steve Baron said that Dow refused to settle, “so we presented our case to the jury.”

Baron & Budd 2008

Baron & Budd comprises 50 attorneys in offices in Dallas; Beverly Hills, Calif.; Baton Rouge, La.; and Austin, Texas. Founded in 1977, Baron & Budd is 100% dedicated to representing those harmed by corporate misconduct, with a primary focus on toxic torts including asbestos and methyl tertiary butyl ether (MTBE) litigation. In 2006, it served on the negotiating committee that secured a \$3.9 billion settlement with United States Gypsum Co.

NOTEWORTHY CASES:

- *In re W.R. Grace & Co.*, No. 01-01139 (Bankr. D. Del.). Co-lead counsel Russell Budd and Steve Baron. The firm was one of four that served on the negotiating committee that in April reached a \$2.87 billion settlement with W.R. Grace & Co. on behalf of asbestos claimants. W.R. Grace was forced into bankruptcy in 2001 by asbestos liabilities and the trust negotiated by the firms will pay out the claims.
- *In re Methyl Tertiary Butyl Ether Prod. Liab. Litig.*, No. MDL-1358 (S.D.N.Y.). Co-lead counsel Scott Summy, Celeste Evangelisti, Cary McDougal, Laura Baughman, Carla Burke and Stephen Johnston. Baron & Budd was involved in all stages and represented all of the settling plaintiffs in multidistrict litigation over the contamination of drinking water by a foul-tasting fuel additive. In May 2008, the firm reached a \$422 million settlement with major gasoline refiners on behalf of 153 water providers in 17 states. The refiners made a 30-year commitment to clean up contaminated wells.
- *Environmental Law Found. v. Laidlaw Transit Inc.*, No. CGC-06-451832 (San Francisco Co., Calif., Super. Ct.). Lead counsel Laura Baughman and Thomas Sims. Baron & Budd reached a \$34.9 million settlement on behalf of three environmental organizations to provide California's school children with newer buses that meet current pollution emission standards.

Baron & Budd 2006

Founded in Dallas in 1977, Baron & Budd specializes in toxic torts including asbestos injury; it helped write the casebook on groundwater contamination. At present it represents some 180 municipalities, water providers and private well owners across 19 states suing over contaminants including methyl tertiary-butyl ether. The 80-attorney firm also maintains offices in California, Ohio, Louisiana and New York.

NOTEWORTHY CASES:

- *In re USG Corp.*, No. 01-2094-JKF (U.S. Bankr. Ct., D. Del.). Co-lead counsel Russell Budd was one of the negotiators for the asbestos creditors' committee that secured a \$3.9 billion settlement with the bankrupt United States Gypsum Co. It was one of the largest

bankruptcy settlements on record.

- *In re 7-Eleven Inc. Shareholders Litig.*, No. 05-08944-M (Dallas Co., Texas, Dist. Ct.). Lead counsel Randall K. Pulliam. The firm represented shareholders attempting to force the company to pay more to take the corporation private. The company ultimately agreed to boost its tender offer by \$5 per share, worth \$145 million to the shareholders.
- *Bostic v. Metropolitan Life Ins. Co.*, No. CC-03-01977-C (Dallas Co., Texas, Ct. at Law). Lead counsel Charla Aldous and Chris Panatier. This was the second plaintiffs' verdict in the case—the first was vacated—and brought \$13.5 million to an East Texas man who died of mesothelioma at 41 following exposure to asbestos as a child.

Baron & Budd 2005

Baron & Budd stayed in the limelight representing clients as varied as a Mississippi oysterman, scores of municipal governments and alumni of the Beverly Hills High School in claims involving toxic chemical exposure. With more than 80 attorneys in Texas, Illinois, Ohio, Louisiana and New York, it claims to have recovered \$23 million in asbestos verdicts thus far in 2005. The Dallas-based firm seems assured of maintaining its high profile, having secured a key ruling in April allowing local authorities and other plaintiffs in 18 states to pursue products liability claims against petroleum refiners arising from MTBE contamination. Another widely reported pending case involves cancers attributed to oil drilling on the fabled high school's grounds; it goes to trial early next year.

NOTEWORTHY CASES:

- *Strong v. E.I. du Pont de Nemours & Co.*,

No. 2005-57-CV3 (Jones Co., Miss., Cir. Ct.). Lead attorney Allen Stewart. A jury awarded \$15.5 million on Aug. 26 to an oysterman who allegedly contracted cancer through exposure to dioxin released from a Gulfport, Miss., chemical plant into the air in the surrounding neighborhood and St. Louis Bay. The firm argued he was exposed to the toxin through consuming contaminated oysters and other environmental exposure. This is the bellwether case for more than 2,000 claims brought by the plant's neighbors.

- *Bostic v. Metropolitan Life Ins. Co.*, No. CC-03-01977-C (Dallas Co., Texas, Ct. at Law No. 3). Co-lead attorneys Charla Aldous and Chris Panatier. A jury awarded \$9.3 million against Georgia-Pacific Corp. for a man who died at 41 from mesothelioma attributed to his exposure to asbestos while working with his father as a boy. Within six weeks, the firm

Baron & Budd 2005 - continued

would secure a \$10 million verdict for a Los Angeles Navy veteran who developed cancer after being exposed to asbestos during his World War II service and as a Navy contractor following the war, and a \$3.6 million verdict for a former chemical plant worker in Louisiana who died from cancer attributed to asbestos exposure.

- **CBE v. Tosco Corp.**, No. 300595 (San Francisco Co., Calif., Super. Ct.). Co-lead attorneys

Scott Summy and Laura Baughman. Baron & Budd reached settlements in March and September 2004 requiring oil companies including ExxonMobil Corp., Shell Oil Co., Atlantic Richfield Co. and ChevronTexaco to upgrade gas stations, clean up groundwater contamination and take steps to prevent gasoline leaking from more than 1,000 underground storage tanks in California. The monetary and injunctive relief was valued at \$107 million.

Baron & Budd 2004

Dallas' Baron & Budd has won national recognition representing individuals and municipalities injured by exposure to hazardous substances, particularly asbestos. Founded in 1977, the 78-lawyer firm has recovered hundreds of millions of dollars in verdicts and settlements. It has offices in Cleveland; Baton Rouge, La.; Canton, N.Y.; and Glen Carbon, Ill.

NOTEWORTHY CASES:

- **City of Santa Monica v. Shell Oil** (Orange Co., Calif., Super. Ct. 2003), lead attorneys Fred Baron and Scott Summy. The firm secured a \$312.8 million settlement from a dozen oil
- companies accused of polluting drinking water with the gasoline additive MTBE.
- **Blandford v. Garlock Sealing Technologies** (Cuyahoga Co., Ohio, Ct. C.P. 2003), lead attorney Ladd Gibke. A jury returned a verdict of \$6.4 million to the family of a pipe-and-steam-fitter who died of asbestos-related mesothelioma.
- **Ytuarte v. Quigley** (El Paso Co., Texas, Ct. at Law 2004), lead attorney Al Stewart. The firm won a \$5.2 million verdict for the family of a tradesman who died of asbestos-related mesothelioma.

Baron & Budd 2003

Sentences were excerpted from *The National Law Journal*, "The Plaintiffs' Hot List, Featured Firm - Baron & Budd," 7/21/2003, by David Hechler

NOTEWORTHY MENTIONS:

- And by any measure, Baron & Budd, which celebrated its 25th anniversary last year, is one of the country's most successful firms.
- Its specialty is toxic torts. The product that turned it into one of the largest plaintiffs' shops anywhere is asbestos.
- It has all the assets and resources of a big defense firm.

THE WINNINGEST FIRM IN THE U.S.

NLJ LITIGATION 50

Disparate firms top 2001 list

NLJ verdict survey shows two that topped \$1 billion.

By Margaret Cronin Fisk STAFF REPORTER

THE “WINNINGEST” law firms in the United States are a decidedly disparate lot.

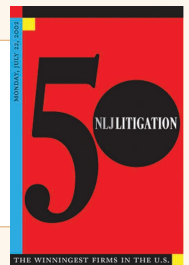
Solo origins

Many of the firms started as solo practices or small partnerships by attorneys with minimal experience and little or no financial backing. Others were started by seasoned refugees from other traditional or plaintiffs’ law firms. Most of the firms are fairly small; three are solo practitioners. But eight firms have more than 20 lawyers and one firm, Dallas-based Baron & Budd, has 80 attorneys.

The National Law Journal’s Litigation 50 is a survey of the “winningest” trial firms of 2001, based on the gross amount of money awarded by juries during trials concluded between Jan. 1, 2001, and Dec. 31, 2001. A firm’s ranking is based on the total amount from all cases tried to a verdict before a jury, but does not include any money obtained through settlements or through bench trials. The ranking also does not take into account any post-trial changes in the judgment, subsequent settlements or the ultimate chances of collection—just the amount the jury awarded.

To determine the rankings, the NLJ sent out surveys to every law firm involved in the 100 largest jury verdicts of 2001 and every firm we could determine, through searches of VerdictSearch.com

Total won: \$59,825,000 Attorneys: 80
Firm name: Baron & Budd, Dallas, Texas
Largest verdict: \$55,515,000,
Hernandez v. Kelly-Moore Paint Co.



and other databases, that had won at least one \$5 million verdict in 2001. These surveys, sent to more than 300 firms, were supplemented by additional research, including calls to the various firms, to determine every verdict won by each firm in 2001. If multiple firms participated together in a single trial, we gave each firm credit for the full amount of the verdict.

Not every firm responded to the survey. Where firms did not respond, we used information in “The 100 Largest Verdicts of 2001,” published in the NLJ’s Feb. 4, 2002, issue, articles in various other publications and reports in VerdictSearch and other compilers of verdicts. Despite this additional research, the final numbers do not include all verdicts. Many verdicts are not reported by this publication, or by anyone else.

Overall, the Litigation 50 made one thing clear: In 2001, juries found the lawyers in these firms incredibly persuasive.

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Baron & Budd is one of the largest and most accomplished plaintiffs' law firms in the country. Since it was founded in 1977, Baron & Budd has garnered national acclaim for championing the rights of people and communities harmed by corporate misconduct. Baron & Budd's mission is Protecting What's Right® through its work in the following areas:

- Asbestos/Mesothelioma
- Water Contamination
- Gulf Oil Spill
- Whistleblower
- Commercial Litigation
- Consumer Scams
- California Prop 65
- Securities Fraud
- Overtime Violations (FLSA)
- Pharmaceutical
- Chinese Drywall
- Brazilian Blowout
- Online Hotel Taxes
- Hearing Loss

"Being part of THE NATIONAL LAW JOURNAL's Hot List is a real honor, and a reflection of both the importance of our firm's work and the caliber of our legal team."

— Baron & Budd managing shareholder, Russell Budd

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