

The firm's class action practice is national in scope and includes the representation of insurance companies, banks, and brokerage firms in many different contexts, along with the representation of Fortune 500 companies in consumer class actions. We use our experience in handling a wide array of class action disputes to formulate effective challenges to class certification, to develop focused case and discovery plans that are calculated to achieve the pretrial disposition of claims, and to assemble trial teams that are well prepared to present complex issues simply and persuasively.

Companies are not the only clients who turn to Conrad O'Brien lawyers for help against class actions; their officers select the firm for assistance as well. For example, years before the current wave of subprime-related lawsuits, the chief financial officer of a bankrupt subprime lender chose Conrad O'Brien to represent him in a securities class action and other related litigation in Pennsylvania. Likewise, when a national healthcare equipment financier went bankrupt, shareholders, bondholders, and financial institutions joined forces to allege securities fraud claims against both the company and its officers. Conrad O'Brien was brought into those actions to defend one of the officers. These representations are ongoing, and we are mounting vigorous defenses.

Representative matters include the following:

- A national insurance company was sued in a small Pennsylvania county in a national consumer class action. The putative class claimed that the insurer had breached contracts and fiduciary duties when it calculated the death benefits owed on variable annuity products. The insurer turned to Conrad O'Brien for help, and we stopped the case at the outset by defeating class certification.
- A putative class formed to file a consumer class action in Florida against a national insurance company, challenging the adequacy of the company's disclosures for how premiums were calculated on a variable life insurance product. Conrad O'Brien took up the defense, secured the claim's dismissal, and successfully defended the dismissal on appeal.
- When a putative national class filed a securities fraud lawsuit in a federal district court in Iowa, a national brokerage firm chose Conrad O'Brien to defend the claims of misrepresentation in the sale of variable annuities. We succeeded not only in securing the dismissal of lawsuit, but in protecting the result on appeal to the United States Eight Circuit Court of Appeals.
- A national insurance company faced claims of misrepresentation and fraud in the sale of universal life insurance policies and needed help in defending against national consumer class actions filed in both Georgia and Kentucky. Conrad O'Brien lawyers met the challenge, defeating class certification in Georgia and winning summary judgment on the claims in Kentucky.
- An international bank was sued in a federal district court in New Jersey in a class action that alleged improprieties in the company's assessment of late fees on equipment leases. Conrad O'Brien lawyers stepped in and convinced the putative class to dismiss the claims voluntarily.
- Conrad O'Brien defended a national public utility in a class action claiming \$100 million in property damages due to an industrial fire. We obtained summary judgment in the client's favor and the case was dismissed.
- Conrad O'Brien defended an automobile accident medical insurer in a class action brought by durable medical equipment providers alleging failure to reimburse providers according to statutory guidelines.
- The firm defended an international computer manufacturer in class actions by customers alleging failure to disclose hard drive failure rates.

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