

Top Verdicts and Settlements

● ● ● ● Described by *The American Lawyer* as “one of the nation’s premier plaintiffs’ firms,” Lieff Cabraser Heimann & Bernstein, LLP, has played a significant role in achieving verdicts and settlements valued at \$100 million or greater in 43 separate cases, including 14 cases in excess of \$1 billion. The following is a summary of our largest cases.

\$206 Billion Settlement in Tobacco Litigation in

Federal and State Courts Nationwide

1. We represented Attorneys’ General of Massachusetts, Louisiana and Illinois, several additional states, and 18 cities and counties in California in multi-state litigation that resulted in a \$206 billion settlement with the tobacco industry in November 1998. In addition to recovering costs incurred by governmental entities for the treatment of patients with smoking-related diseases, the settlement required that the tobacco industry undertake extensive changes in the marketing and sale of cigarettes to reduce teenage smoking.

\$6.25 Billion in Settlements in Holocaust Cases

2. Lieff Cabraser took a leading role in prosecuting claims by Holocaust survivors against banks, private manufacturers and other corporations that profited from the persecution of Jews and other

minority groups by the Nazi Regime during World War II. We served as Settlement Class Counsel in the case against the Swiss Banks that resulted in a \$1.25 billion settlement in July 2000, and participated in multi-national negotiations that led to Executive Agreements between Germany and the United States establishing an additional \$5 billion in funds for survivors and victims of Nazi persecution. Lieff Cabraser donated its attorneys’ fees in the Swiss Banks case, in the amount of \$1.5 million, to endow a Human Rights clinical chair at Columbia University Law School.

\$4.85 Billion Settlement in Vioxx Products Litigation (E.D. Louisiana)

3. Lieff Cabraser represents patients that suffered heart attacks or strokes, and the families of loved ones who died, after having being prescribed the arthritis and pain medication Vioxx. In individual personal injury lawsuits against Merck, the manufacturer of Vioxx, our clients allege that Merck falsely promoted the safety of

Vioxx and failed to disclose the full range of the drug’s dangerous side effects. In November 2007, Merck announced that it has entered into an agreement with plaintiffs and will pay a fixed amount of \$4.85 billion for qualifying claims already filed against Merck.

\$4.75 Billion Settlement in Fen-Phen Diet Drugs Litigation, MDL No. 1203 (E.D. Pa.)

4. Lieff Cabraser filed the Fen-Phen class action lawsuit in federal court. Our firm also served on the Plaintiffs’ Management Committee in the Multi-District Litigation, helping organize and direct the Fen-Phen litigation in federal court. In January 2002, a settlement valued at \$4.75 billion received final judicial approval. Lieff Cabraser continues to represent patients who have developed

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pulmonary hypertension as a result of taking Fen-Phen.

\$4.25 Billion in Settlements in Silicone Gel Breast Implants Litigation, MDL No. 926 (N.D. Ala.)

5. In 1992, the Court appointed Lieff Cabraser to the Plaintiffs' Lead Counsel Committee to represent a certified class of women with defective and dangerous silicone gel breast implants. We served on the Plaintiffs' Steering Committee and the five-member negotiating committee which achieved a \$4.25 billion global settlement of the action, and later a \$3.25 billion Plan of Reorganization when the Defendant Dow sought bankruptcy protection.

\$3.3 Billion Verdict in ACC/Lincoln Savings Securities Litigation, MDL No. 834

6. We participated with co-counsel in all phases, including trial, of the prosecution of this securities fraud class action, helping obtain the class judgment of over \$3.3 billion and settlements totaling over \$250 million.

\$1.255 Billion in Settlements in Natural

Gas Antitrust Cases

(California State Coordinated Proceedings)

7. With co-counsel, we represented California consumers of natural gas in a class action lawsuit against El Paso Natural Gas. During the California energy crisis in 2000-2001, El Paso allegedly rigged bids and manipulated the market for natural gas pipeline transmission into California. In December 2003, the Court granted final approval to a settlement of nearly \$1.1 billion. In addition to monetary compensation, the settlement contains extensive structural relief to ensure more reliable supplies of gas to California.

In 2006 and 2007, the Court granted final approval to a series of settlements totaling over \$155 million in related cases against additional natural gas suppliers and energy companies. Plaintiffs charged defendants with manipulating the price of natural gas in California by a variety of means, including falsely reporting the prices and quantities of natural gas transactions to trade publications.

\$1.033 Billion Settlement in Sulzer Hip and Knee Implants Litigation, MDL No. 1401 (N.D. Ohio)

8. In the litigation against Sulzer for faulty hip and knee implants, Lieff

Cabraser played a significant role in creating a revised, court-approved settlement valued at over \$1 billion. In May 2002, the Court granted final approval to the settlement that provided thousands of patients who needed corrective surgery with awards of at least \$200,000.

\$1.515 Billion in Exxon Valdez Oil Spill Litigation (District of Alaska/Alaska Supr. Ct.)

9. The Exxon Valdez ran aground in March 1989, spilling 11 million gallons of oil into Prince William Sound. Lieff Cabraser served as one of the court-appointed Plaintiffs' Class Counsel. The class consisted of 32,000 fisherman, Alaska natives, landowners and others whose livelihoods were gravely affected by the disaster. The trial court found, "Exxon officials knew that carrying huge volumes of crude oil through Prince William sound was a dangerous business, yet they knowingly permitted a relapsed alcoholic to direct the operation of the Exxon Valdez through Prince William Sound."

After a series of appeals, the U.S. Supreme Court set the punitive damages award against Exxon at \$507.5 million, an amount equal to the compensatory damages. With interest, the total award to the plaintiffs class was \$1.515 billion.