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DAILY BUSINESS REVIEW

PRESENTS

Litigation
Department
OF THE *Year*
2014

AN **ALM RECOGNITION** EVENT

Podhurst & Orseck

GENERAL LITIGATION Small Law Firm

Small Podhurst Orseck tackles mighty cases

GENERAL LITIGATION Small Law Firm

by **Mary Hladky**

Special to the Review

While it only has a handful of attorneys, Podhurst Orseck is involved in some of the biggest national class action and multidistrict litigation cases year after year.

And 2013 was no different. The Miami firm played a key role in three major cases.

Podhurst Orseck represents about 800 of more than 4,000 former National Football League players and their families who sued the NFL for concealing what it knew about the dangers of concussions. Many former players have suffered from early dementia, Parkinson's disease and other disorders such as chronic traumatic encephalopathy, or CTE, a degenerative brain disease.

In August, the NFL agreed to pay \$765 million plus legal fees to end the multidistrict litigation. Partner Steve Marks is one of three lawyers who negotiated the settlement. A federal judge in Pennsylvania deferred ruling, saying she wanted more proof that the money is enough to last the 65-year life of the settlement. A special master is expected to issue a report soon.



Podhurst Orseck includes, standing, Steven C. Marks, Peter Prieto, Ricardo M. Martinez-Cid, Aaron Podhurst, Katherine W. Ezell, Robert C. Josefberg, Matthew P. Weinshall, Ramon Rasco and Joel D. Eaton, and, sitting, John Gravante III, Lea P. Valdivia, Carole Curran and Stephen F. Rosenthal.

"The significance is monumental," Marks said. "One of the goals of the litigation was to educate the public, and now there is discussion every day about the danger of concussions. ... It transcends football."

The firm, as co-lead counsel, also represents homeowners in a class action against JPMorgan Chase that seeks to end the practice of force-placed wind, hazard and flood insurance, where homeowners are required to buy insurance at high rates from companies affiliated with banks that hold their mortgages.

Chief U.S. District Judge Federico Moreno in Miami gave preliminary approval to a \$300 million settlement in October and final approval in March. Similar cases against other big banks, most filed by Podhurst Orseck in Miami federal court, are pending or have preliminary approval on settlements.

Podhurst Orseck also represents bank customers challenging overdraft fees in a multidistrict class action.

Lawsuits filed by bank customers across the country were consolidated before senior U.S. District

Judge James Lawrence King in Miami in 2009. Podhurst Orseck is on the plaintiffs executive committee, and founding partner Aaron Podhurst is co-lead counsel.

"These cases are perfect examples of how class actions when appropriately brought can deter banks and other companies from taking advantage of their customers who otherwise might not have the incentive or the ability to take on these banks individually," said partner Peter Prieto.

Podhurst Orseck has 11 litigation partners and two associates.