

Speaker Biographies

PETER A. BELLACOSA, ESQ.

BIOGRAPHY

Mr. Bellacosa concentrates his practice in the areas of product liability, mass torts, class action defense, ERISA, securities, and commercial disputes. He also has extensive experience with criminal and regulatory investigations, as well as handling matters in state and federal trial and appellate courts, and in arbitrations. Mr. Bellacosa has represented a diverse group of leading U.S. and international companies in complex, high-stakes disputes. Prior to joining Phillips Lytle, Mr. Bellacosa was a partner in Kirkland & Ellis LLP's litigation department for over 20 years.

PRACTICE AREAS

- Product Liability and Mass Tort Litigation
- White Collar Criminal Defense & Government Investigations
- Class Action
- Commercial Litigation including Breach of Contract; Business Torts; ERISA; Fraud/RICO; Securities Litigation

ADMITTED TO PRACTICE

- New York
- U.S. District Court, Eastern District of New York
- U.S. District Court, Northern District of New York
- U.S. District Court, Southern District of New York
- U.S. Court of Appeals, First Circuit
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Supreme Court

HONORS & AWARDS

- Appointed by Governor George Pataki as Member of the Council for the State University of New York Health Science Center at Brooklyn, 1997 (Reappointed 2002); Reappointed by Governor David Paterson, 2009
- Appointed by New York Court of Appeals to the Board of Trustees of the Lawyers' Fund for Client Protection, 2009 (Reappointed and Elected Treasurer 2012)
- Appointed Member of the Appellate Division, First Department, Departmental Disciplinary Committee, 2008 (Reappointed 2010)
- Appointed by Ret. Chief Judge Judith Kaye, Chief Judge of the State of New York, to the Committee to Promote Public Trust and Confidence in the Legal System, 1998
- Certified Guardian and Court Evaluator pursuant to Part 36 of the Rules of the Chief Judge of the State of New York and Article 81 of the New York Mental Hygiene Law

EDUCATION

- St. John's University School of Law, J.D., 1988
- Georgetown University, B.A., 1985

PROFESSIONAL ASSOCIATIONS

- New York City Bar Association
- New York State Bar Association

PRESENT ACTIVITIES

- New York State Lawyers' Fund for Client Protection, Board of Trustees, Treasurer

STEVEN P. BENENSON, ESQ.

BIOGRAPHY

Steven P. Benenson is a senior principal of Porzio, Bromberg & Newman, PC, in New York City and Morristown, New Jersey. For 34 year, Steve has represented public and private companies in high risk and “bet the company” class-actions, and commercial, business, and product-liability litigations in trial and appellate courts across the country. He chairs the firm’s Complex Litigation Practice Group. *Best Lawyers in America* describes Steve as a “top notch litigator,” whose “ability to quickly understand complex factual situations or unfamiliar technical issues is unmatched [and]. . . translates into his ability to effectively convey his client’s position to any tribunal.” Steve also has been recognized in the International Who’s Who of Commercial Litigators and New Jersey Super Lawyers for business litigation and class action defense. He is a Vice Chair to the ABA TIPS Business Litigation and Trial Practice Committees, a member of the DRI Business Litigation Committee’s Class Action Specialized Litigation Group and has served on the American Land Title Association, Title Counsel Committee. Steve is a frequent lecturer and author on class action topics.

EDUCATION

Dartmouth College, BA, *magna cum laude*, 1981
Cornell University Law School, JD 1984

BAR ADMISSIONS

New York, New Jersey, Washington, DC

PUBLICATIONS

- *New Jersey Supreme Court Holds Mere Technical Violations of Consumer Protection Regulations Do Not Satisfy TCCWNA’s Aggrieved Consumer Requirement*, Porzio Class Action Update, April 18, 2018.
- *Defeating Certification of “No-Injury” Consumer Protection Class Actions*, LJM, Product Liability Law & Strategy, January 2018.
- Co-Editor, *A Practitioner’s Guide to Class Actions*, Second Edition, American Bar Association, New Jersey Law Section, Fall 2017.
- *Anti-Injunction Decision Hamstrings Ability to Settle Federal Class Actions*, Porzio Class Action Update, March 2015.
- *A Second Bite at the Apple? CAFA Jurisdiction After Class Certification Denial*, Defense Research Institute, The Business Suit, Vol 17, Issue 2, February 2014.
- *Circumventing Class Action Predominance Through Improper Merits Discovery*, Defense Research Institute, In-House Defense Quarterly, September 2012.

PROFESSOR JOHN C. COFFEE, JR.

BIOGRAPHY

Professor John C. Coffee, Jr. is the Adolf A. Berle Professor of Law at Columbia University Law School and Director of its Center on Corporate Governance. He is a Fellow at the American Academy of Arts and Sciences and has been repeatedly listed by the National Law Journal as among its “100 Most Influential Lawyers in America.” Professor Coffee has served as a Reporter to The American Law Institute for its Corporate Governance Project, has served on the Legal Advisory Board to the New York Stock Exchange, and was a member of the SEC’s Advisory Committee on the Capital Formation and Regulatory Processes. Professor Coffee is the author or editor of several widely used casebooks on corporations and securities regulation, including Coffee and Sale, *SECURITIES REGULATION: Cases and Materials* (13th ed. 2015); Choper, Coffee and Gilson, *CASES AND MATERIALS ON CORPORATIONS* (8th ed. 2013); and Klein, Coffee, and Partnoy, *BUSINESS ORGANIZATIONS AND FINANCE* (11th ed. 2010). His books include Coffee, *ENTREPRENEURIAL LITIGATION: Its Rise, Fall, and Future* (Harvard University Press 2015); Coffee, *GATEKEEPERS: The Professions and Corporate Governance* (Oxford University Press 2006); Coffee, Lowenstein, and Rose-Ackerman, *KNIGHTS, RAIDERS AND TARGETS: The Impact of the Hostile Takeover* (Oxford University Press 1988); and Ferran, Moloney, Hill and Coffee, *THE REGULATORY AFTERMATH OF THE GLOBAL FINANCIAL CRISIS* (Cambridge University Press 2012). According to recent surveys of law review citations, Professor Coffee is the most cited law professor in U.S. law reviews over the last fifteen years in the combined corporate, commercial, and business law fields.

HONOR COSTELLO, ESQ.

BIOGRAPHY

Honor Costello is a counsel in Crowell & Moring's New York office. She litigates complex health care, antitrust, intellectual property, and commercial disputes with a focus on class actions and multidistrict litigation (MDL) proceedings. She has represented insurers, reinsurers, managed care organizations, chemical companies, energy companies, and pharmaceutical companies in state and federal litigation.

Recent matters include:

- Defending companies in MDL comprised of national and statewide class actions asserting antitrust claims.
- Defending major automobile manufacturer in multiple class actions alleging vehicle performance defects, breach of warranty, fraud, and consumer protection claims.
- Defending chemical companies in class and individual actions alleging federal statutory and state law tort claims based on environmental contamination.
- Defending health insurers in Employee Retirement Income Security Act (ERISA) litigation.
- Representing a medical school in litigation over breach of a patent license agreement.
- Representing a major pharmaceutical company in Hatch-Waxman litigation involving generic drugs.
- Representing a U.S. reinsurance company in litigations relating to underlying asbestos and environmental losses.
- Representing a leading marketing and communications agency in a dispute with former employees regarding violation of nonsolicitation covenants and misappropriation of trade secrets.

Honor received her J.D. from Cornell Law School in 2011. While in law school, she served as a managing editor of the *Cornell Journal of Law and Public Policy*. She also served as a judicial intern to the Honorable Charles J. Siragusa, U.S. District Court for the Western District of New York. Honor graduated from Wellesley College with a B.A. in English.

HONORABLE EUGENE M. FAHEY

BIOGRAPHY

Eugene M. Fahey, Associate Judge of the Court of Appeals, was born in Buffalo, New York, in September 1951. He attended high school at St. Joseph's Collegiate Institute. Later, he graduated from the State University of New York with a B.A. in political science in 1974 (cum laude), a law degree in 1984 and an M.A. in European History in 1998. Judge Fahey served on the Buffalo Common Council from 1978 to 1983 and again from 1988 to 1994. He served as Law Clerk to Judge Edgar C. NeMoyer in the New York Court of Claims before entering private practice in 1985, serving as house counsel for Kemper Insurance Company until 1993. Judge Fahey was elected to Buffalo City Court in 1994.

He was elected to the Supreme Court in 1996, and was re-elected in 2010. As a Supreme Court Justice, Judge Fahey was assigned to handle a civil calendar as well as criminal Special Term and presided over a variety of cases in Erie County as well as the outlying counties in the Eighth Judicial District. He was assigned to the Commercial Division in Erie County in January 2005 until his appointment by Governor George E. Pataki to the Appellate Division, Fourth Department in December 2006. In January 2015, Judge Fahey was nominated to the Court of Appeals by Governor Andrew Cuomo. The New York State Senate unanimously confirmed that nomination on February 9, 2015. He and his wife, Colleen Maroney-Fahey, live in Buffalo, New York. They have one daughter.

DANIEL R. KARON, ESQ.

BIOGRAPHY

Daniel R. Karon manages Karon LLC. He represents and defends consumers and corporations in consumer-fraud and antitrust class-action lawsuits. In addition to teaching at Columbia, he has lectured at Vanderbilt, Ohio State, Notre Dame, Georgia, Tulane, and other law schools. He was a lecturer in law at Cleveland State University's Cleveland-Marshall College of Law. He also serves on Loyola University Chicago School of Law's Institute for Consumer Antitrust Studies' U.S. Advisory Board.

He serves as lead counsel in *Lorain County v. Medical Mutual of Ohio*, *Aftermarket Sheet Metal Indirect Purchaser Antitrust Litigation*, *Schwartz v. Avis Rent-A-Car Corp.*, *Klein v. Budget Rent-A-Car Group*, and *Sallee v. Dollar Thrifty Rent A Car*; served as lead counsel in the *Magnesium Oxide Antitrust Litigation*, *Dairy Indirect-Purchaser Antitrust Litigation*, *Johnson v. Evangelical Lutheran Church of America*, *Bausch & Lomb Contact Lens Product Liability Litigation* and *Schwartz v. Alltel Corp.*; and is co-lead counsel in multiple other antitrust and consumer fraud class-action cases.

He was extensively involved in the *LCD-TFT Indirect Purchaser Antitrust Litigation* (nationwide price-fixing class action that settled for \$1.1 billion), *Vitamins Direct Purchaser Antitrust Litigation* (nationwide price-fixing class action that resolved for \$2 billion), *NASDAQ Market-Makers Antitrust Litigation* (nationwide price-fixing class action that settled for \$1.027 billion), *Monosodium Glutamate Antitrust Litigation* (nationwide price-fixing class action that settled for \$130 million), *Methionine Antitrust Litigation* (nationwide price-fixing class action that settled for \$101 million), and *Sorbates Direct Purchaser Antitrust Litigation* (nationwide price-fixing class action that settled for \$94.5 million).

Mr. Karon chairs the ABA's National Institute on Class Actions. He is co-vice chair of the American Association of Justice's Class Action Litigation Group. He was an editorial board member and contributing author to the ABA Litigation Section's magazine *Class Actions Today—Jurisdiction to Resolution*. He was a member of the Ohio Association of Justice's Board of Trustees and served as an editorial board member for the OAJ's *Ohio Trial* magazine.

Mr. Karon writes a bimonthly column for *Law360*. He has published several law-review articles, bar-journal articles, and op-eds on class-action topics. He lectures nationally on class actions for the ABA and other bar associations.

Mr. Karon received his B.A. from Indiana University and his J.D. from the Ohio State University College of Law.

JULIANNA THOMAS MCCABE, ESQ.

BIOGRAPHY

Julianna Thomas McCabe, is a class action litigator and appellate lawyer at Carlton Fields, Miami, with national experience representing clients in the financial services industry. She has defended complex cases in high stakes litigation including punitive damage and bad faith lawsuits in Florida, Mississippi, Arkansas, Oklahoma, Texas, West Virginia, California and other venues. Julianna has prepared briefs filed in the United States Supreme Court, several U.S. courts of appeals, and in various state supreme courts and intermediate appellate courts.

Julianna has represented clients at arbitration, and has litigated the enforceability of contractual arbitration clauses under the Federal Arbitration Act. She has also mediated and settled numerous complex cases on behalf of the firm's financial services clients. Julianna is licensed to practice in all Florida state and federal courts and in the U.S. Courts of Appeal for the Fifth, Sixth, Ninth, and Eleventh Circuits.

Julianna is the national class actions practice group leader.

RECOGNITION

- Most Effective Lawyers Award, Appellate, Daily Business Review (2017)
- Outstanding Contributor Award, Lawyers for Civil Justice (2016)
- Pro Bono Service Award, Put Something Back Pro Bono Program, Dade County Bar Association (2009)
- Selected for Florida Rising Star, Florida Super Lawyers (2009)

EDUCATION

Boston University School of Law (J.D., magna cum laude, 2000)

University of Connecticut (M.A., 1995)

University of Akron (B.A., magna cum laude, 1993)

BAR ADMISSIONS

Florida

JACQUELINE K. SEIDEL, ESQ.

BIOGRAPHY

Jacqueline Seidel is a New York-based partner in King & Spalding's Trial & Global Disputes practice who defends multi-national companies in complex class and mass action litigation pending in both state and federal court. She frequently partners with clients at the outset of a matter to develop and implement all-inclusive exit strategies for large-scale bet-the-company litigation. Often, such strategies include liaising with clients and virtual law firms to plan a long term, systematic exit strategy and/or global resolution, structuring and implementing court-approved comprehensive settlement programs and successfully resolving large groups of cases. She has also successfully managed putative class, mass and individual actions alleging false advertising, unfair business practices, unfair and deceptive trade practices, consumer fraud, consumer protection, and a wide range of common law personal injury and property damage claims.

While Ms. Seidel has represented clients in a wide range of industries, including the automobile, pharmaceutical, medical device, consumer goods, insurance, reinsurance and media industries, recently her practice has centered on negotiating and executing resolutions of some of the largest and most complex litigations in the automotive industry.

In recognition of her work, Ms. Seidel has been named a New York "Rising Star" in class action and product liability defense by *Super Lawyers* for the past three consecutive years and a "Rising Star" for Product Liability by *Law360* in 2018.

ELLEN GUSIKOFF STEWART, ESQ.

BIOGRAPHY

Ellen Gusikoff Stewart is a partner in Robbins Geller Rudman & Dowd LLP's San Diego office, and is a member of the Firm's Summer Associate Hiring Committee. She currently practices in the Firm's settlement department, negotiating and documenting complex securities, merger, ERISA and derivative action settlements.

Notable settlements include: KBC Asset Management v. 3D Systems Corp. (D.S.C. 2018) (\$50 million); Luna v. Marvell Tech. Group (N.D. Cal. 2018) (\$72.5 million); Garden City Emps.' Ret. Sys. v. Psychiatric Solutions, Inc. (M.D. Tenn. 2015) (\$65 million); and City of Sterling Heights Gen. Emps.' Ret. Sys v. Hospira, Inc. (N.D. Ill. 2014) (\$60 million).

Ms. Stewart earned a Bachelor of Arts degree from Muhlenberg College and a Juris Doctor degree from Case Western Reserve University.

