

PRACTICE CONTACTS

- James Robertson Martin
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Zelle attorneys have represented classes of consumers, investors, and businesses and have also defended corporations in class actions in many areas of the law, including antitrust, securities fraud, financial services, consumer rights, unfair competition, unfair business practices, product liability, mass tort, property rights, and ERISA claims.

Our practice is unusual because we have a significant practice on both sides of the aisle. This experience gives us a unique perspective and insights on approaching cases. While a significant portion of our class action cases are part of multi-district litigation proceedings, we are also commonly involved in state court class actions across the country.

REPRESENTATIVE MATTERS

COVID-19 Insurance Coverage Class Actions (multiple U.S. federal courts).
Zelle currently represents several insurance companies in federal class actions filed by policyholders seeking business interruption insurance coverage for losses they claim have resulted from the COVID-19 pandemic and governmental orders taken in response.

Rozo v. Principal Life Insurance Co. (S.D. Iowa).

Zelle is Co-Lead Counsel for a certified class of retirement plan investors in the Principal Fixed Income Option. Plaintiffs allege that Principal violated ERISA by retaining excessive compensation that, as a fiduciary, it was not entitled to retain. *See Rozo v. Principal Life Ins. Co.*, 949 F.3d 1071 (8th Cir. 2020) (reversing grant of summary judgment and holding Principal is a fiduciary).

In re Vitamin C Antitrust Litigation (E.D.N.Y.).

Zelle represented multinational manufacturers and related entities in defense of direct and indirect purchaser class actions. The plaintiffs' allegations concerned price-fixing in the context of conduct implicating foreign sovereign compulsion and state action defenses. Zelle's representation and advocacy through trial resulted in successful pre-verdict resolution for our clients.

Fiber Optic Right-of-Way Cases (multiple state and U.S. federal courts).

In dozens of actions across the U.S., plaintiff class members alleged that defendant telecommunications companies installed fiber-optic cable along

Class Actions

railroad rights-of-way running through the class members' property without their consent, which constituted a trespass that unjustly enriched defendants. Zelle attorneys obtained certification of several plaintiff classes and achieved settlements for the benefit of class members totaling in the hundreds of millions of dollars.

Motor Fuel Temperature Sales Practices Litigation (D. Kan.).

Zelle defended a major integrated oil company in a case involving claimed violations of consumer protection statutes and various common law claims under the laws of 25 states. The core allegation was that it is deceptive to sell motor fuel at retail in uniform volumetric gallons without adjusting for the effect of temperature on the energy content of the fuel.

In re Trans Union Privacy Litigation (N.D. Ill.).

Zelle represented plaintiffs in this class action against Trans Union LLC alleging violation of federal privacy protection statutes in the sale of consumers' personal and financial information. The case settlement provided class members with six or nine months of Trans Union's credit monitoring, credit score and other credit-related services, and a possible cash payment. Trans Union was also required to pay \$75 million into a settlement fund to pay for, among other things, damage claims brought by individual class members against Trans Union and to cover certain donations to non-profit organizations.