



## PETER W. HERZOG III

### Partner

pherzog@wtotrial.com | P 303.244.0117 | F 303.244.1879

**Peter Herzog has defended two certified class actions at trial and has won dismissal or defeated certification more than 100 times. His practice is focused on defending corporations from consumer class actions and complex commercial litigation.**

### EDUCATION

Washington University School of Law, J.D., 1985

Washington University at St. Louis, B.A., 1982

### OTHER EXPERIENCE

Bryan Cave LLP

### ADMISSIONS

Massachusetts  
Missouri

### HIGHLIGHTS

- Obtained dismissal of a putative class action lawsuit against Volvo involving alleged misrepresentation and false labeling related to safety features.
- Won affirmance of summary judgment for a Michelin subsidiary in a fraud case before the Second Circuit.
- Representing two tire manufacturers against class action claims brought by more than 100 plaintiffs alleging groundwater contamination in Oklahoma.
- Successfully resolved a putative class action against Yahoo! involving alleged violations of the Illinois Eavesdropping Statute.
- Obtained dismissal of two putative class action lawsuits for Yahoo! in Ohio state court alleging that daily fantasy sports contests on the website amounted to illegal gambling.
- Won a precedential class action opinion for Volvo in the Third Circuit.
- Won Fifth Circuit affirmance for Michelin in an antitrust and unfair competition lawsuit.

### INDUSTRIES

- Automotive
- Consumer Products & Services

### PRACTICE AREAS

- Class Actions
- Commercial Litigation
- Antitrust & Competition
- Appellate