



## GALEN D. BELLAMY

### Partner

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**Galen Bellamy represents major manufacturers in consumer class action and product liability litigation. His clients include sophisticated companies such as Whirlpool and Toyota. Galen's appellate experience includes successful petitions and amicus briefs to the U.S. Supreme Court and petitions and briefs in over half a dozen U.S. Circuit Courts of Appeal.**

### EDUCATION

University of Florida - Levin College of Law, J.D., 1999, with high honors,

Order of the Coif

*Florida Law Review*, Board Member

University of Florida, B.A., 1996,

Major in English; Minor in

Philosophy, with honors

### GOVERNMENT SERVICE

Judicial Law Clerk to The Honorable Edward E. Carnes, U.S. Court of Appeals for the Eleventh Circuit

### OTHER EXPERIENCE

Skadden, Arps, Slate, Meagher & Flom LLP

### ADMISSIONS

California

Colorado

District of Columbia

### HIGHLIGHTS

- Defeated class certification for Electrolux in class action involving millions of oven ranges.
- Won final approval of class settlement and *vacatur* of a \$15 million attorneys' fee award from the Ninth Circuit in a consumer class action for Whirlpool.
- Defeated class certification for Electrolux involving millions of dishwashers.
- Represent a major automotive supplier in consumer class actions involving alleged failure to adhere to safety requirements.
- Won summary judgment against certified, seven-state class action alleging false labeling and breach of warranty.
- Authored amicus brief on a question certified from the Second Circuit urging New York's highest court not to adopt cross-jurisdictional class action tolling.
- Authored amicus brief for the Product Liability Advisory Council urging affirmance of holding that state law consumer fraud claims against drug manufacturer were preempted under the Supreme Court's impossibility preemption principles.

### INDUSTRIES

- Consumer Products & Services
- Automotive
- Financial Services

### PRACTICE AREAS

- Product Liability
- Class Actions
- Appellate
- Commercial Litigation
- Investigations & Compliance

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## BIOGRAPHY

Galen Bellamy represents major manufacturers in consumer class action and product liability litigation and appeals. His clients include sophisticated companies such as Whirlpool and Toyota. Galen's appellate experience includes successful petitions and amicus briefs to the U.S. Supreme Court and petitions and briefs in over half a dozen U.S. Circuit Courts of Appeal.

Galen has represented both international and domestic clients in state and federal courts across the U.S. He excels in developing creative strategies and building strong legal foundations to resolve complex commercial disputes and consumer class actions. He has also represented corporate clients in connection with investigations by the U.S. Securities and Exchange Commission, and has helped conduct internal compliance investigations.

Galen's civil litigation clients have included institutions from accounting, automotive, consumer goods, insurance, and manufacturing industries.

Before joining WTO, Galen was an associate with Skadden, Arps, Slate, Meagher & Flom LLP in the firm's Washington D.C. and San Francisco offices. Galen also clerked for The Honorable Edward E. Carnes, U.S. Court of Appeals for the Eleventh Circuit.

## CASES

### Class Actions

- Defeated class certification for Electrolux in class action involving millions of oven ranges.
- Won final approval of class settlement and *vacatur* of a \$15 million attorneys' fee award from the Ninth Circuit in a consumer class action for Whirlpool.
- Defeated class certification for Electrolux in a consolidated putative class action in Illinois involving millions of the company's dishwashers.
- Represent a major automotive supplier in consumer class actions involving alleged failure to adhere to safety requirements.
- Won summary judgment against a certified, seven-state class action alleging false labeling and breach of warranty.
- Defeated class certification in a bellwether case alleging false advertising of innovative self-cleaning ovens. The plaintiffs sought certification of a six-state class in the lead case and filed related actions for consumers in many other states. The court's certification ruling paved the way for a non-class settlement and dismissal of all actions less than a month before the first trial.

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- Successfully defended and achieved favorable settlement for a telecommunications company in federal and state putative class actions arising out of an alleged data breach.
- Defeated a motion to certify a nationwide breach of warranty class in a case alleging that certain Kenmore washing machines contained defective electronic control boards that caused the machines to malfunction.
- Secured dismissal with prejudice of a putative nationwide class action complaint alleging that certain Whirlpool washing machines were "misabeled" with the Energy Star logo.
- Won denial of certification of a putative nationwide class action complaint alleging that certain Whirlpool washing machines contained defective electronic control boards that caused the machines to malfunction and could potentially cause them to "explode."
- Obtained dismissal of putative state consumer protection claims alleging that Sears failed to disclose that certain Whirlpool-manufactured washing machines contained defective electronic control boards and a design defect that caused them to develop moldy odors.
- Represented large multinational consumer goods manufacturer and large retailer in multiple class actions regarding allegedly defective products.
- Represented large healthcare and medical supply company in one of the largest securities class actions in U.S. history.

## Appeals

- Authored amicus brief on a question certified from the Second Circuit urging New York's highest court not to adopt cross-jurisdictional class action tolling.
- Authored amicus brief for the Product Liability Advisory Council urging affirmance of holding that state law consumer fraud claims against drug manufacturer were preempted under the Supreme Court's impossibility preemption principles.
- Authored Rule 23(f) petition for interlocutory review from order partially granting class certification.
- Authored petition for permission to appeal under 28 U.S.C. § 1292(b) concerning two important and unsettled questions of class action tolling.
- Authored Rule 23(f) petition for interlocutory review following order partially granting class certification.

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- Authored an amicus brief for interested parties including the U.S. Chamber of Commerce and the National Association of Manufacturers to highlight issues involving the dangers of certifying classes of predominantly uninjured consumers.
- Authored petitions for writs of certiorari in the high-profile appeals of class certification in *Glazer v. Whirlpool* and *Butler v. Sears*, which the Supreme Court granted, vacated, and remanded to the Sixth and Seventh Circuits for reconsideration in light of the Court's decision in *Comcast v. Behrend*.
- Helped draft amicus brief for the Product Liability Advisory Council in connection with challenge to punitive damages award related to the Exxon Valdez oil spill.

## Commercial Litigation

- Won a multimillion-dollar arbitration award for an energy company, recovering more than 15 times the last settlement offer made before trial.
- Represented large multinational document services company and large accounting firm in connection with investigations by the U.S. Securities and Exchange Commission regarding alleged accounting irregularities.
- Conducted internal investigations of international private equity firm and large semiconductor manufacturer.

## BAR & COURT ADMISSIONS

California

Colorado

District of Columbia

U.S. Supreme Court

U.S. Court of Appeals, 10th Circuit

U.S. Court of Appeals, 11th Circuit

U.S. Court of Appeals, 2nd Circuit

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. District Court, C.D. California

U.S. District Court, D. Colorado

U.S. District Court, E.D. California

U.S. District Court, E.D. Michigan

U.S. District Court, E.D. Wisconsin

U.S. District Court, N.D. California

U.S. District Court, N.D. Illinois

U.S. District Court, N.D. Ohio

# GALEN D. BELLAMY

U.S. District Court, S.D. California

U.S. District Court, S.D. Indiana

U.S. District Court, W.D. Michigan

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Product Liability Advisory Council, Member

Colorado Rising Stars

Class Action/Mass Torts, 2010-2013

Business Litigation, 2009

The Best Lawyers in America

Product Liability Litigation - Defendants, 2022-2026

American Bar Association, Member

## ARTICLES & PRESENTATIONS

- Presenter, "The Evolving Impact of *Comcast* on Proposed Class Damages Models, *Opposing Class Certification*," Strafford Publications, (December 20, 2016).
- "Third Circuit Confirms *Comcast* Still Has Teeth," Law360, (September 1, 2016).
- Presenter, "Using *Comcast* and *Daubert* to Attack Plaintiffs' Expert's Damage Models at Class Certification, *Defeating Class Certification*," Strafford Publications, (December 22, 2015).
- Presenter, "Primer on *Comcast Corp. v. Behrend*," FDLI Food Advertising & Litigation Conference, (September 24, 2015).
- Presenter, "Resolving a Case: Damages Models, *Comcast* Implications," FDLI Food Advertising & Litigation Conference, (September 24, 2015).
- "A Look at The Latest Damages Model in Food Litigation," Law360 Expert Analysis, (March 19, 2015).
- Presenter, "Green Building in Colorado: Know the Risks!," Wheeler Trigg O'Donnell, (November 2009).