



ALLISON R. MCLAUGHLIN

Of Counsel

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Allison McLaughlin is an experienced advocate who helps clients in complex, high-stakes litigation and appeals. Her legal practice focuses on consumer and employment class actions, commercial litigation, and wage and hour litigation.

EDUCATION

University of Pennsylvania Carey Law School, J.D., 2006, *cum laude*, *Journal of Constitutional Law*, Articles Editor

University of Florida, B.S., 2002, *summa cum laude*, Advertising, Minor in Art History

OTHER EXPERIENCE

Littler Mendelson, P.C.
Paul, Weiss, Rifkind, Wharton & Garrison, LLP

ADMISSIONS

Colorado
New York

HIGHLIGHTS

- Won asylum for two Congolese refugees fleeing ethnic violence.
- Won case-ending summary judgment for an international shipping company in a multi-plaintiff, putative joint employment case in state court in California. The plaintiffs sought overtime, meal and rest breaks, minimum wage, and other damages.
- Defeated certification of a putative class of California claimants alleging WTO's client was a joint employer, seeking compensation for purported "off-the-clock" work. The California state trial court judge agreed with WTO's arguments that the plaintiff's "common" evidence did not show joint employment under California law.
- Won motion to strike California Labor Code Private Attorneys General Act ("PAGA") representative claim in federal court for alleged meal break violations where WTO's client was a purported joint employer.
- Defeated class certification in 20,000 claimant "joint employer" case in California.
- 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.
- Won summary judgment against certified, seven-state class action alleging false labeling and breach of warranty.

INDUSTRIES

- Consumer Products & Services

PRACTICE AREAS

- Class Actions
- Employment
- Appellate
- Commercial Litigation

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BIOGRAPHY

Allison McLaughlin is an experienced advocate who helps clients in complex, high-stakes litigation and appeals. Her legal practice focuses on consumer and employment class actions, commercial litigation, and wage and hour litigation.

Allison excels in developing creative strategies to resolve complex disputes and serves as the lead drafter on significant briefs. She is especially valuable when handling complex and novel issues that require significant preparation and detailed analysis.

She also devotes significant time to coaching WTO's up-and-coming attorneys on developing and mastering the skills and habits necessary to build a thriving litigation practice.

Allison serves on the firm's pro bono committee, building connections within the community and promoting pro bono opportunities to attorneys.

CASES

- Won U.S. asylum in a pro bono victory for two Congolese refugees who were targets of extreme ethnic violence in their home country.
- Won case-ending summary judgment for an international shipping company in a multi-plaintiff, putative joint employment case in state court in California. The plaintiffs sought overtime, meal and rest breaks, minimum wage, and other damages.
- Defeated certification of a putative class of California claimants alleging WTO's client was a joint employer, seeking compensation for purported "off-the-clock" work. The California state trial court judge agreed with WTO's arguments that the plaintiff's "common" evidence did not show joint employment under California law.
- Won motion to strike California Labor Code Private Attorneys General Act ("PAGA") representative claim in federal court for alleged meal break violations where WTO's client was a purported joint employer.
- Defeated certification of a putative class of 20,000 California claimants alleging that WTO's client was a "joint employer" and was liable for unpaid overtime and other wage-and-hour violations.
- 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.
- Won summary judgment against a certified, seven-state class action alleging false labeling and breach of warranty.
- Serve as national coordinating counsel to a major transportation company in FLSA collective action and individual and class wage and hour claims.

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- Successfully represented Aimco, one of the largest apartment owners in the U.S., in nationwide litigation alleging intentional torts against Airbnb. After jury selection in the first trial, Airbnb settled all litigation on terms allowing Aimco to control short-term rental activity consistent with its contract and property rights.
- Won unanimous Seventh Circuit victory in a fee dispute for Whirlpool and Sears arising out of a certified federal class action lawsuit that WTO favorably settled after winning a defense verdict in the bellwether trial of related claims.
- Won a complete defense jury verdict for Whirlpool as co-trial counsel in a \$66 million certified class action trial in Ohio involving allegedly "moldy" washing machines.
- Obtained dismissal of class action allegations and 15 of 17 claims against Whirlpool in an environmental toxic tort case. Plaintiffs voluntarily dismissed their remaining claims after the court's ruling.
- Successfully obtained a class settlement for Pilot Flying J as national resolution counsel in diesel rebate litigation.
- Represent Electrolux, a global leader in household and commercial appliances, in certain consumer class actions nationwide and in product liability matters filed in Colorado.
- 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*.
- 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.
- Drafted an amicus curiae brief for the U.S. Chamber of Commerce in an appeal urging the U.S. Court of Appeals for the Seventh Circuit to correct the district court's improper application of the federal officer removal statute. The Seventh Circuit reversed the remand order from the Southern District of Illinois.
- Obtained summary judgment for a national healthcare food services company in a case alleging wrongful discharge and hostile work environment in violation of Title VII of the Civil Rights Act.
- Defeated certification of a multistate class action in Arkansas federal court involving claims that certain Whirlpool-made refrigerators were defective.

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- Obtained dismissal of ERISA claims in a case alleging that one of Colorado's leading wine and spirits distributors improperly refused to pay medical bills on the ground that the plaintiff lacked standing to sue, a decision that was upheld by the Tenth Circuit Court of Appeals.
- Obtained a temporary restraining order in Denver District Court against a retailer and its owner in a brand-protection case WTO handled for a well-known appliance manufacturing company.

BAR & COURT ADMISSIONS

- Colorado
New York
U.S. Supreme Court
U.S. Court of Appeals, 10th Circuit
U.S. Court of Appeals, 11th 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, D. Colorado
U.S. District Court, N.D. Illinois

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

- VOLTA Certified Lawyer Coach (ICF Accredited)
Colorado Rising Stars
Class Action/Mass Torts, 2017-2020
Law School...Yes We Can!
Mentor, 2022-Current