



ALLISON R. MCLAUGHLIN

Of Counsel & Professional Development Manager

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Allison McLaughlin is a member of WTO's class action defense team and is the primary author of numerous high-profile appellate briefs, including before the U.S. Supreme Court. She also has significant employment litigation experience.

EDUCATION

University of Pennsylvania 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 summary judgment against certified, seven-state class action alleging false labeling and breach of warranty.
- Successfully represented apartment owner Aimco in nationwide litigation alleging intentional torts against Airbnb, resulting in favorable settlement after jury selection. The result is changing how the short-term rental industry operates.
- Won Seventh Circuit victory in a fee dispute for Whirlpool and Sears relating to front-loading washing machine litigation.
- Won a defense jury verdict as co-trial counsel in a \$66 million federal certified class action in Ohio involving allegedly "moldy" washing machines.
- Obtained dismissal of toxic tort class action claims against Whirlpool in Ohio without any payment by WTO's client.
- 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.

INDUSTRIES

- Consumer Products & Services

PRACTICE AREAS

- Class Actions
- Appellate
- Commercial Litigation
- Employment

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BIOGRAPHY

Allison McLaughlin's legal practice focuses on consumer class actions, complex commercial litigation, product liability defense, and employment disputes at both the trial and appellate levels. Allison primarily writes appellate briefs, including for the U.S. Supreme Court, regarding class certification proceedings. She also handles all aspects of pretrial discovery and trial preparation.

As part of the national class action defense counsel team for Whirlpool Corporation, Allison has helped obtain numerous dismissals and non-class settlements, as well as defeated class certification, in cases alleging product defects, false advertising, and unfair consumer practices. In 2014, Allison was one of the lawyers who successfully defended Whirlpool in a class action trial involving allegedly "moldy" washing machines (*Glazer v. Whirlpool*). Following three weeks of trial in the Northern District of Ohio, the jury returned a complete defense verdict for Whirlpool.

In addition to WTO, Allison has served as an associate at the Denver office of Littler Mendelson, a large international labor and employment firm, where she gained extensive experience in federal and state courts litigating matters that involving alleged violations of Title VII, ADEA, ADA, FMLA, ERISA, non-competition agreements, and wrongful discharge. Allison began her legal career as a litigation associate in the New York City office of Paul, Weiss, Rifkind, Wharton & Garrison.

CASES

- *Dzielak v. Whirlpool* (D.N.J. 2019) - Won summary judgment against a certified, seven-state class action alleging false labeling and breach of warranty.
- 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. The closely watched litigation is changing how the short-term rental industry operates.
- *In re Sears, Roebuck & Co. Front-Loading Washer Products Liability Litigation* (7th Cir. 2017) - 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.
- *Glazer v. Whirlpool* (N.D. Ohio 2014) - 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.
- *Brown v. Whirlpool* (N.D. Ohio 2014) - 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.

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- 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*.
- *Tietsworth v. Sears* (N.D. Cal. 2013) - 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.
- *Ruppel v. CBS*, 701 F.3d 1176 (7th Cir. 2012) - 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.
- *Rush v. Whirlpool* (W.D. Ark. 2008) - Defeated certification of a multistate class action in Arkansas federal court involving claims that certain Whirlpool-made refrigerators were defective.
- 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. District Court, D. Colorado

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

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. Supreme Court

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LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Colorado Rising Stars

Class Action/Mass Torts, 2017-2020

ARTICLES & PRESENTATIONS

- "Third Circuit Confirms *Comcast* Still Has Teeth," *Law360* (September 1, 2016).
- Co-authored "Ninth Circuit's *Daniel v. Ford Motor Company* Decision Dents Defendants' Ability to Defend California Consumer Class Actions," *Washington Legal Foundation* (January 29, 2016).
- "ERISA Class Certification in The Wake of *Dukes* And *Amara*," *The Corporate Counselor*, (May 2012).