

Partner

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**Practice Areas**

Antitrust & Trade Regulation

Business & Commercial  
Litigation

Class Action Defense &  
Multi-District Litigation

Products Liability

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**Bar Admissions**

District of Columbia, 1991

Louisiana, 1982

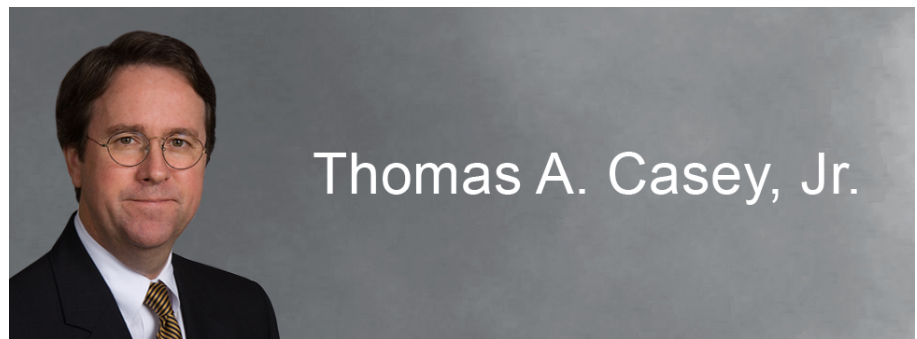
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**Education**

Tulane University Law  
School, J.D., 1982, *cum  
laude*; Chief Judge, Moot  
Court Board

Louisiana State University,  
B.S. in Finance, 1979;  
President, E. J. Ourso  
College of Business; Phi  
Kappa Phi; Omicron Delta  
Kappa

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Thomas Casey is a partner in the firm's Business & Commercial Litigation Practice Group. His practice focuses on class actions and multi-district litigation proceedings; business and commercial litigation; trade regulation; franchising; products liability; administrative proceedings; and arbitration (domestic and international). Mr. Casey has represented a variety of clients in the manufacturing, insurance, financial, and health care industries.

Before joining Jones Walker in 1983, Mr. Casey was a law clerk for the Honorable Adrian G. Duplantier, United States District Court for the Eastern District of Louisiana.

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**Noteworthy**

- Listed in *The Best Lawyers in America*® 2012 (Copyright 2011 by Woodward/White, Inc., Aiken, SC) in the area of Commercial Litigation (listed annually since 2008)
  - Listed in the 2012 edition of *Louisiana Super Lawyers* in the area of Class Action/Mass Torts (listed annually since 2007)
  - **AV® Peer Review Rating in Martindale-Hubbell**
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**Representative Matters**

- Mr. Casey co-lead a team of Jones Walker attorneys and paralegals from several offices in 2010 in defending a major motor vehicle manufacturer in 38 arbitrations. The arbitrations were brought by dealerships in five states (Arkansas, Florida, Louisiana, Mississippi and Tennessee). The arbitrations were conducted under specially-targeted Congressional legislation which allowed the dealerships a one-time opportunity to contest the scheduled terminations of their dealer agreements.

- *Cole v. General Motors Corp.*, 484 F.3d 717 (5th Cir. 2007). Mr. Casey served as primary counsel for the defendant in this nationwide class action brought on behalf of 225,000 purchasers of products in every state in the nation. The United States Court of Appeals issued an opinion upholding the defendant's position that a nationwide class action would be contrary to law. Mr. Casey argued the appeal. The case has been dismissed.
- *Knoth v. General Motors Corp.*, 08-80001 (S.D. Fla.). Mr. Casey served as primary counsel for the defendant in a putative class action brought on behalf of Florida consumers who purchased certain vehicles manufactured at a plant in Mexico. The allegation was that the vehicles were damaged by storms while the vehicles were in port in Veracruz, Mexico, awaiting shipment to the United States. The matter has been dismissed.
- *Maldonado v. Ochsner Clinic Foundation*, 493 F.3d 521 (5th Cir. 2007). Mr. Casey, along with other Jones Walker lawyers, defended a not-for-profit hospital in litigation where plaintiffs contended that the hospital overcharged uninsured patients for services rendered over a ten year period. The firm successfully defeated class certification in the district court, and the appellate court affirmed. There were approximately 50 similar class actions on the same issue against other hospitals around the country, but this was the first favorable ruling on certification for any hospital.
- *Atlas Roofing Corporation* class actions (E.D. La.). Mr. Casey served as primary counsel for Atlas Roofing, a major manufacturer of roofing shingles, in a series of three class actions brought against the company. The suits alleged the defective manufacture of shingles. All of the cases were removed to federal court, and subsequently transferred before one federal district judge. In the first matter, we defeated class certification of a Rule 23(b)(2) class (the rule pertaining to an injunctive class). *See Hilton v. Atlas Roofing Corp.*, 2006 U.S. Dist. LEXIS 88290 (E.D. La. Dec. 5, 2006). In the second class action, we were successful in having the class claims dismissed inasmuch as plaintiff did not timely move for class certification. *See Sewell v. Atlas Roofing Corp.*, 2007 WL 1198921 (E.D. La. Apr. 20, 2007). In the third class action, plaintiff's request for certification under Rule 23(b)(3) (a damages class) was also denied. *See Welch v. Atlas Roofing Corp.*, 2007 U.S. Dist. LEXIS 81563 (E.D. La. Nov. 2, 2007).

- *Massey v. ICF Emergency Services*, 07-462 (M.D. La.). We represented the contractor managing the State of Louisiana's multi-billion-dollar "Road Home" program (for victims of Hurricanes Katrina and Rita) in a class action brought on behalf of program applicants. We filed a motion to dismiss (argued by Mr. Casey) which was granted at the outset of the case.
- *In re The Western and Southern Life Insurance Co. Industrial Life Insurance Litigation*, MDL No. 1395 (E. D. La.). Mr. Casey served as Lead and Liaison Counsel in an MDL on behalf of a defendant insurer. The MDL was made up of eight nationwide class actions alleging discriminatory pricing over a 60 year period by 80 companies acquired by the client. The cases were filed in four different states by a group of about 25 law firms. The case received press attention at various stages in publications such as *The Wall Street Journal*. In 2001 and 2002, we successfully removed all cases to federal court and obtained the formation of the MDL over plaintiffs' counsel's opposition. We also represented the client in the class certification proceedings. The district judge denied certification. *In re Industrial Life Ins. Litig.*, 208 F.R.D. 571 (E.D. La., 2002). In August of 2003 the United States Court of Appeal for the Fifth Circuit, by a 2-1 vote, reversed the district court's legal analysis without deciding whether a class should be certified. *In re Monumental Life Ins. Co., Industrial Life Ins. Litig.*, 365 F.3d 408 (5th Cir. 2004). However, on remand, the district court again denied certification. The matter was settled on an individual basis thereafter, and all cases were dismissed in 2007.
- *Laflour v. General Motors Corp.*, 584-992 (La. 24th JDC). This was a products liability class action brought against the client in 2002. We were successful in 2003 in having the class allegations dismissed.

#### **Federal Court Decisions**

- *Cole v. General Motors Corp.*, 484 F.3d 717 (5th Cir. 2007).
- *Maldonado v. Ochsner Clinic Foundation*, 493 F.3d 521 (5th Cir. 2007).
- *In re Monumental Life Ins. Co., Industrial Life Ins. Litig.*, 365 F.3d 408 (5th Cir. 2004).
- *Hilton v. Atlas Roofing Corp.*, 2006 U.S. Dist. LEXIS 88290 (E.D. La. Dec. 5, 2006).
- *Sewell v. Atlas Roofing Corp.*, 2007 WL 1198921 (E.D. La. Apr. 20, 2007).

- *Welch v. Atlas Roofing Corp.*, 2007 U.S. Dist. LEXIS 81563 (E.D. La. Nov. 2, 2007).
- *In re Air Bag Products Liability Litigation*, 7 F.Supp.2d 792 (E.D. La. 1998).
- *Trapp Chevrolet-Oldsmobile-Cadillac, Inc. v. General Motors Corp.*, 2002 U.S. Dist. LEXIS 10412 (E.D. La. 2002).
- *Ashker v. Horizon Offshore Contractors, Inc.*, 2000 U.S. Dist. LEXIS 5752 (E.D. La. 2002).
- *Monumental Life Insurance Co. v. R.A.J. Holdings, Inc.*, 1999 U.S. Dist. LEXIS 13035 (E.D. La. 1999).
- *Marsh Buggies, Inc. v. Weems Geophysical, Inc.*, 1999 U.S. Dist. LEXIS 13043 (E.D. La. 1999).
- *General Motors Corp. v. Pamela Equities Corp.*, 146 F.3d 242 (5th Cir. 1998).
- *Fernandez v. McDaniel Controls, Inc.*, 999 F.Supp. 1365 (D. Hawaii 1998).
- *McDermott International v. Lloyds Underwriters of London*, 120 F.3d 583 (5th Cir. 1997).
- *FBT Bancshares v. Mutual Fire, Marine & Inland Ins. Co.*, 1995 U.S. Dist. LEXIS 15029 (E.D. La. 1995).
- *FBT Bancshares v. Mutual Fire, Marine & Inland Ins. Co.*, 1995 U.S. Dist. LEXIS 11490 (E.D. La. 1995).
- *Jastram v. Phillips Petroleum Co.*, 844 F.Supp. 1139 (E.D. La. 1994).
- *Southern Constructors Group v. Dynalectric Co.*, 2 F.3d 606 (5th Cir. 1993).
- *Isquith for and on behalf of Isquith v. Middle South Utilities, Inc.*, 847 F.2d 186 (5th Cir. 1988).

#### **State Court Decisions**

- *White v. General Motors Corp.*, 775 So.2d 492 (La. App. 1st Cir. 2001).
- *White v. General Motors Corp.*, 808 So.2d 722 (La. App. 1st Cir. 2001).
- *Cacamo v. Liberty Mutual Fire Insurance Co.*, 764 So.2d 41 (La. 2000).
- *Tramonte v. DaimlerChrysler Corp.*, 760 So.2d 1192 (La. App. 5th Cir. 2000).

- *In re Gas WaterHeater Products Liability Litigation*, 711 So.2d 264 (La. 1998).
- *de Nunez v. Valencia Bartels*, 727 So.2d 463 (La. App. 1st Cir. 1998).
- *de Nunez v. Valencia Bartels*, 684 So.2d 1001 and 1008 (La. App. 1st Cir. 1996)
- *American Suzuki Motor Corp. v. Louisiana Motor Vehicle Commission*, 572 So.2d 753 (La. App. 4th Cir. 1991)

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### Memberships

- American Bar Association
  - Section of Litigation (Corporate Counsel and Class Action Committees)
  - Section of International Law (International Arbitration Committee)
  - Forum on Franchising
- Federal Bar Association
- District of Columbia Bar
- Louisiana Association of Defense Counsel
- Louisiana Bar Foundation (Member, Board of Directors, 2004–2007)
- Louisiana Center for Law Civic Education (Past President)
- Louisiana State Bar Association (Member, House of Delegates, 1989 to present; Past Chair, Access to Justice Committee)
- New Orleans Bar Association
- The *Pro Bono* Project (Past Chair, Board of Directors)

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### Court Admissions

U.S. Supreme Court, 1985

5th Cir., 1985

8th Cir., 1999

11th Cir., 2004

W.D. Ark., 2009

S.D. Fla., 2008

E.D. La., 1983

M.D. La., 1984

W.D. La., 1987

S.D. Miss., 1985

S.D. N.Y., 2010

