



DEREK LOESER

CONTACT INFO

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Seattle, WA 98101
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PRACTICE EMPHASIS

- Antitrust & Trade Regulation
- Appeals
- Class Action & Consumer Litigation
- Data Privacy Litigation
- Employee Benefits & Retirement Security
- Employment Law
- Environmental Litigation
- Financial Products & Services
- Governments and Municipalities
- Institutional Investors
- Mortgage Put-Back Litigation
- Securities Fraud
- Whistleblower

Derek is a senior partner in Keller Rohrback's nationally recognized Complex Litigation Group and a member of the firm's Executive Committee.

Derek's passion for holding large corporations accountable for wrongdoing has helped recover billions of dollars for consumers, retirees, governments and institutions. He has served in leadership roles in major complex cases across the country.

Currently, Derek is co-lead counsel in *In re Facebook, Inc. Consumer Privacy User Profile Litigation*, the MDL litigation against Facebook stemming from the Facebook Cambridge Analytica scandal. In the case, after years of hard-fought litigation, he and the team achieved an historic \$725 million settlement, the largest amount paid to date to resolve a privacy-based class action.

In addition to his class action work, Derek helps manage the Keller Rohrback team representing state and local government entities in a number of matters involving significant public health crises. For example, Derek leads the Keller Rohrback team litigating government cases against opioid manufacturers and distributors in *The National Prescription Opioid Litigation*. In the Opioid MDL, Derek serves on the Expert and Law & Briefing Committees and lead the litigation against a major opioid manufacturer. He also represents school districts and counties in litigation against the e-cigarette company, JUUL, for targeting and addicting youth, and in litigation against social media companies for causing a youth mental health epidemic. These cases are quintessential examples of the type of litigation Derek and the Keller Rohrback team fervently pursue: corporate fraud and malfeasance causing serious harm to the public.

Derek's other notable cases include the Wells Fargo unauthorized account consumer class action for which Derek served as lead counsel. In the Wells Fargo case, Derek and the Keller Rohrback team achieved a \$142 million settlement requiring the bank to refund all improper fees and provide first-of-its kind credit damage reimbursement, among other relief, to Wells Fargo customers; multi-billion dollar mortgage-backed securities cases on behalf of the Federal Home Loan Banks of Chicago, Indianapolis and Boston; ERISA class cases on behalf of employees whose retirement savings were decimated by corporate fraud and abuse on the part of Enron, WorldCom, Countrywide, and Washington Mutual, among others. He has also litigated fraud, RICO, and antitrust cases against drug manufacturers, pharmacy benefit managers, and insurance companies for conspiring to drive up the cost of life-saving medications such as insulin.

Many of Derek's cases have required coordinating with state and federal agencies involved in litigation that parallels cases pursued by Keller Rohrback, including state attorneys general, the Department of Justice, and the Department of Labor. In addition, Derek has extensive experience negotiating

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complex, multi-party settlements, and coordinating with the many parties and counsel necessary to accomplish this. He is frequently asked to speak at national conferences about class actions, public health litigation, ERISA, and other complex litigation topics.

In 2024, Derek was recognized by Law360 as a "Titan of the Plaintiffs Bar."

Before joining Keller Rohrback, Derek served as a law clerk for the Honorable Michael R. Hogan, U.S. District Court for the District of Oregon. He was also a trial attorney in the Employment Litigation Section of the Civil Rights Division of the U.S. Department of Justice in Washington, D.C. where he prosecuted discrimination cases on behalf of the United States.

EDUCATION

Middlebury College

B.A., *summa cum laude*, 1989, American Literature (highest department honors), Stolley-Ryan American Literature Prize, Phi Beta Kappa

University of Washington School of Law

J.D., *with honors*, 1994

BAR & COURT ADMISSIONS

1994, Washington

1998, U.S. District Court for the Western District of Washington

1998, U.S. District Court for the Eastern District of Washington

1998, U.S. Court of Appeals for the Ninth Circuit

2002, U.S. District Court for the Eastern District of Michigan

2004, U.S. District Court for the Northern District of Illinois

2006, U.S. Court of Appeals for the Eleventh Circuit

2009, U.S. Court of Appeals for the Eighth Circuit

2010, United States Supreme Court

2010, U.S. Court of Appeals for the Fourth Circuit

2012, U.S. Court of Appeals for the Third Circuit

2013, U.S. Court of Appeals for the Second Circuit

2014, U.S. Court of Appeals for the First Circuit

2017, New York

HONORS & AWARDS

The Best Lawyers in America®, Litigation - ERISA, Seattle, Washington, 2025 (Recognized since 2024)

Law360 Titans of The Plaintiffs Bar honoree, 2024

Forbes inaugural list of America's Top 200 Lawyers, recipient, 2024

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023-2024

Listed as Lawdragon 500 Leading Lawyers in America 2018, 2022-2025

Selected to Super Lawyers list in *Super Lawyers - Washington*, 2007-2012, 2014-2024

AV®, Peer Review Top-Rated by Martindale-Hubbell

Recipient of the 2010 Burton Award for Legal Achievement for the article, *The Continuing Applicability of Rule 23(b)(1) to ERISA Actions for Breach of Fiduciary Duty, Pension & Benefits Reporter*, Bureau of National Affairs, Inc. (Sept. 1, 2009)

Selected to Rising Stars list in *Super Lawyers - Washington*, 2005-2007

U.S. Department of Justice Award for Public Service, 1996

U.S. Department of Justice Achievement Award, 1996

U.S. Department of Justice Honors Program Hire, 1994

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PROFESSIONAL & CIVIC INVOLVEMENT

King County Bar Association, *Member*

Washington State Bar Association, *Member*

American Bar Association, *Member; Employment Benefits Committee Member*

National Employment Lawyers Association, *Member*

American Civil Liberties Union of Washington, *Cooperating counsel*

PUBLICATIONS & PRESENTATIONS

Panelist, *MDL Is There a Better Way*, Trial Lawyers of Mass Torts Bench & Bar Conference, Cabo San Lucas, MX (November 19, 2024).

Panelist, *Big Class, Big Data, Big Fraud*, Angeion Group Mega Summit, Miami, FL (April 25, 2024).

Panelist, *Maximizing Claim Rates*, Angeion Group Mega Summit, Miami, FL (April 25, 2024).

Panelist, *Consumer Class Actions*, Western Alliance Bank Class Action Forum, San Diego, CA (March 13, 2024).

Panelist, *Trends in Privacy and Cybersecurity Litigation: From Damages Modeling to Daubert*, American Association for Justice Annual Convention, Seattle, WA (July 18, 2022).

Guest Lecturer, *MDL Mass Tort and Class Action Cases*, Seattle University School of Law, Seattle, WA (March 8, 2022).

Guest Lecturer, *MDL Mass Tort and Class Action Cases*, Seattle University School of Law, Seattle, WA (March 8, 2021).

Panelist, *Class certification issues for human health impacts vs. financial impacts on government entities*, Law Seminars International - Health Care Class Actions: The Role of Class Actions as a Path to Recovery of Damages Related to the Opioid Crisis (November, 2020).

Panelist, *JUUL, E-Cigarettes & Vaping Litigation – An Overview of JUUL Legal Landscape: Case Filings, Judicial Rulings and MDL Submissions*, HarrisMartin's MDL Conference: JUUL and Capital One Data Breach Litigation Beverly Hills, CA, (September, 2019).

Panelist, *Litigating Class Actions, Consumer Protection and the Opioid Crisis*, Law Seminars International, Seattle, WA (May 9, 2019).

Panelist, *Opioid Litigation Landscape: Venues, Jurisdictional Hurdles, Defenses and Cause of Action*, HarrisMartin's MDL Conference: Opioid, Equifax & Talcum Powder, St. Louis, MO (November, 2017).

Panelist, *Current Landscape of Opioid Litigation*, HarrisMartin's National Opioid Litigation Conference, Chicago, IL (October, 2017).

Speaker, *Trends in Auto Defect Litigation*, Seattle, WA, May, 2017.

Panelist, *VW Diesel Emissions Litigation: A Case Study of the Interplay Between Government Regulatory Activity and Consumer Fraud Class Actions*, Law Seminars International, (May, 2016).

Speaker, *Class Action & Data Breach Litigation*, Santa Barbara, CA (March, 2016).

Speaker, *Fiduciary Challenges in a Low Return Environment*, Seattle, WA (December, 2014).

Speaker, *Post-Certification Motion Practice in Class Actions*, Seattle, WA (June, 2014).

Speaker, *Investment Litigation: Fees & Investments in Defined Contribution Plans*, ERISA Litigation, Washington, D.C. (2012).

Speaker, *Post-Certification: Motion Issues in Class Actions*, Litigating Class Actions, Seattle, WA (2012).

Derek W. Loeser, Erin M. Riley & Benjamin B. Gould, 2010 *ERISA Employer Stock Cases: The Good, the Bad, and the In Between-Plaintiffs' Perspective*, Pension & Benefits Daily, Bureau of National Affairs, Inc. (January 28, 2011).

Derek W. Loeser & Erin M. Riley, *The Case Against the Presumption of Prudence*, Pension & Benefits Daily, Bureau of National Affairs, Inc. (September 10, 2010).

Speaker, ABA Mid-Winter Meeting, San Antonio, TX (2010).

Speaker, 22nd Annual ERISA Litigation Conference - New York, NY (November 2009).

Speaker, 22nd Annual ERISA Litigation Conference - Las Vegas, NV (October 2009).

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Derek W. Loeser & Benjamin B. Gould, *The Continuing Applicability of Rule 23(b)(1) to ERISA Actions for Breach of Fiduciary Duty*, Pension & Benefits Reporter, Bureau of National Affairs, Inc. (September 1, 2009).

Panelist, HarrisMartin's National Opioid Litigation Conference - *Current Landscape of Opioid Litigation*, Chicago, IL (October 2017).

Speaker, *Trends in Auto Defect Litigation*, Seattle, WA (May, 2017).

Panelist, Law Seminars International - *VW Diesel Emissions Litigation: A Case Study of the Interplay Between Government Regulatory Activity and Consumer Fraud Class Actions* (May, 2016).

Speaker, *Class Action & Data Breach Litigation*, Santa Barbara, CA (March, 2016).

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Speaker, *Post-Certification: Motion Issues in Class Actions, Litigating Class Actions*, Seattle, WA (2012).

Derek W. Loeser, Erin M. Riley & Benjamin B. Gould, 2010 *ERISA Employer Stock Cases: The Good, the Bad, and the In Between-Plaintiffs' Perspective*, Pension & Benefits Daily, Bureau of National Affairs, Inc. (January 28, 2011).

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Speaker, ABA Mid-Winter Meeting, San Antonio, TX (2010).

Speaker, 22nd Annual ERISA Litigation Conference - New York, NY (November 2009).

Speaker, 22nd Annual ERISA Litigation Conference - Las Vegas, NV (October 2009).

Co-author with Benjamin B. Gould, *The Continuing Applicability of Rule 23(b)(1) to ERISA Actions for Breach of Fiduciary Duty*, Pension & Benefits Reporter, Bureau of National Affairs, Inc. (September 1, 2009).

Co-Author with Benjamin B. Gould, *Point/Counterpoint: Is Rule 23(b)(1) Still Applicable to ERISA Class Actions?*, ERISA Compliance and Enforcement Library of the Bureau of National Affairs, Inc. (May 1, 2009).

Author, *The Legal, Ethical, and Practical Implications of Noncompetition Clauses: What Physicians Should Know Before They Sign*, J.L. Med. & Ethics, Vol. 31:2 (2003).