



DEREK LOESER

PARTNER

Seattle Office

dloeser@kellerrohrback.com

(206) 623-1900



PRACTICE EMPHASIS

- ◆ Antitrust & Trade Regulation
- ◆ Appeals
- ◆ Asset Backed Securities Litigation
- ◆ Automotive Litigation
- ◆ Class Action & Complex Litigation
- ◆ Employee Benefits & Retirement Security (ERISA)
- ◆ Environmental Litigation
- ◆ Financial Products & Services
- ◆ Litigation on Behalf of State & Local Governments
- ◆ Institutional Investors
- ◆ Mortgage Put-Back Litigation
- ◆ Opioid Litigation
- ◆ Securities
- ◆ Technology & Data Privacy
- ◆ Whistleblower

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

**KELLER
ROHRBACK**
LAW OFFICES ♦ L.L.P.

Derek is a 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 multidistrict litigation and major complex cases across the country.

Derek currently serves as co-lead counsel in *In Re: TikTok, Inc, Minor Privacy Litigation*, the MDL in which Plaintiffs allege that TikTok unlawfully collects and uses the personal information of children under the age of 13. He also 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 a historic \$725 million settlement, the largest amount paid to date to resolve a privacy-based class action.

Other notable class action cases in which Derek serves as lead or co-lead counsel include: *In re Wells Fargo COVID Forbearance Litigation*, a consumer class action against Wells Fargo for putting mortgage customers into unauthorized loan forbearances. On February 15, 2025, the court granted final approval of a \$185 million settlement for a class of over 200,000 borrowers; *Jabbari, et al. v. Wells Fargo & Company and Wells Fargo Bank, N.A.*, the consumer class action arising out of Wells Fargo's notorious unauthorized account scandal. In this 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.

Derek also served as lead counsel in 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.

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 led the litigation against a major opioid manufacturer, Mallinckrodt. He also represented school districts and counties in litigation against the e-cigarette company, JUUL, for targeting and addicting youth. These cases are quintessential examples of the type of litigation Derek and the Keller Rohrback team passionately pursue – corporate fraud and malfeasance causing serious harm to the public.

www.kellerrohrback.com

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

Derek has been included on the Super Lawyers® "Top 100: Washington Super Lawyers" list from 2022 through 2026, and he was recognized by Law360 as a "Titan of the Plaintiffs Bar" in 2024, Forbes inaugural list of America's Top 200 Lawyers in 2024, Lawdragon 500 Leading Lawyers in America 2018, 2022-2027, along with a variety of other prestigious recognitions.

Before joining Keller Rohrbach, 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.

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 State Supreme Court

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

2012, 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

Forbes, *America's Best-In-State Lawyers*, 2025

Lawdragon, 500 Leading Plaintiff Financial Lawyers, 2023-2026

The Best Lawyers in America®, Seattle, Washington, 2027
(Recognized since 2024)

- Litigation - ERISA
- Mass Tort Litigation / Class Actions - Plaintiffs

Law360 Titans of The Plaintiffs Bar honoree, 2024

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

Listed as Lawdragon 500 Leading Lawyers in America 2018, 2022-2027

Selected to Super Lawyers list in *Super Lawyers - Washington*, 2007-2012, 2014-2026

Named to *Top 100: Washington Super Lawyers*, 2022-2026

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

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

Guest Lecturer, *Litigating MDLs*, Harvard Law School (February 19, 2025).

Guest Lecturer, *Latest Developments in Nuance Law*, Harvard Law School, (November 1, 2023).

Guest Lecturer, *Litigating MDLs*, Stanford Law School (March 2, 2023).

Emory Institute for Complex Litigation Conference on MDL Rules and Innovation, Miami (March 9-10, 2022).

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

Author, *Mental Health on College Campuses Amid Covid*, Letter to the Editor in The New York Times (January 4, 2022).

Guest Lecturer, *Complex Litigation, MDL Experience, and Bellwether Trials*, Seattle University School of Law (September 23, 2021).

Presenter, *Statewide Opioid Litigation Update*, Colorado County

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).

PUBLICATIONS & PRESENTATIONS

(Continued)

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).

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).

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).

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).