

CULLIN O'BRIEN

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EDUCATION: **Harvard Law School**, Cambridge, MA
J.D., 2002

Tufts University, Medford, MA

B.A. *cum laude* in philosophy, 1999

Tufts in Chile, coursework in philosophy at the University of Chile in Santiago, Chile during the fall of 1997.

ADMISSIONS: **Florida Bar** 10/2002, (Bar number 0597341)

- Admitted to practice in the Southern, Middle, and Northern Federal District Courts of Florida
- Admitted to practice in the U.S. Supreme Court, the U.S. Court of Appeals for the 11th Circuit, 8th Circuit, and the 3rd Circuit

**EXEMPLARY
CASES:**

Johnson v. General Mills, Inc., No.: SACV 10-00061-CJC(ANx), 2013 U.S. Dist. LEXIS 90338, at *1 (C.D. Cal. June 17, 2013)

- \$8.5 Million Class Settlement Regarding False Advertising of Yogurt Products
- “Further, experienced class counsel believe that the results achieved by the settlement are fair and reasonable. ***Mr. O'Brien*** . . . believes the settlement is an excellent result, which provides Settlement claimants with greater than full compensation for their purchases with little to no burden, has symbolic value, and serves the general goals of the false advertising statutes. ***Mr. O'Brien [is] experienced in consumer class action litigation and he is well-equipped to evaluate the settlement.***” *Id.* at *1.

In re Gardner Denver, Inc. Shareholder Litigation, No. 8505-VCN (Del. Ch. 2014)

- \$29 Million Class Settlement Regarding Corporate Merger

In re American Greetings Corp. Shareholder Litigation, Lead Case No. CV 12 792421 (Ohio Ct. Common Pleas Cuyahoga, Cnty., 2013)

- Shareholder Class Settlement Resulting in \$23 Million in Additional Merger Consideration

In re Winn-Dixie Stores, Inc. Shareholder Litigation, No. 16-2011-CA-010616 (Fla. Cir. Ct. 4th Jud. Cir., Duval, Cnty., 2014)

- Shareholder Class Settlement Regarding Challenge to Corporate Merger Resulting in Agreement to Provide \$11.85 Million in Total Outlay

Smith v. Wrigley, 663 F. Supp. 1336 (S.D. Fla. 2009) (order denying motion to dismiss)

- \$7 Million Class Settlement for Alleged False Advertising of Chewing Gum
- ***Smith v. Wrigley***, No. 10-15698 (11th Cir. Mar. 16, 2011) (defeated appeal by objector to settlement)

**EXEMPLARY
CASES [Cont.]:**

All Family Clinic of Daytona Beach, Inc. v. State Farm Mut. Auto. Ins. Co., 448 Fed. Appx. 906 (11th Cir. Fla. 2011)

- Briefed and argued
- Affirming District Court Summary Judgment Order in “No Fault” Insurance Case

Velazquez v. City of Hialeah, 484 F.3d 1340 (11th Cir. Fla. 2007)

- Briefed and argued
- Reversing District Court Summary Judgment Order in Police Officer Excessive Force Case

Fitzpatrick v. General Mills, 635 F.3d 1279 (11th Cir. 2011)

- Briefed
- Approving Class Certification of False Advertising Case

Ehrlich v. Phase Forward, 80 Mass. App. Ct. 671 (Mass. Ct. App. 2011)

- Briefed and argued
- Breach of Fiduciary Duties in Corporate Merger

Kaiser-Flores v. Lowe’s, No. 5:08cv45, 2009 WL 4724243, at *1 (W.D.N.C. Dec. 2, 2009); *Frankle v. Best Buy*, 609 F. Supp. 2d 841 (D. Minn. 2009)

- Defeated Motions to Dismiss Novel Contract Claims Regarding Appliance Installation

Haney v. Miami-Dade County, Nos. 04–20516 *et al.*, (S.D. Fla. 2005)

- \$6.25 million settlement regarding alleged unlawful strip searches of female arrestees