

# Law Offices of Gregory P. Di Leo, A. P. L. C.

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## CURRICULUM VITAE OF GREGORY P. Di LEO

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## LEGAL EXPERIENCE

**Law Office of Gregory P. Di Leo, A.P.L.C. - New Orleans, Louisiana**

Self Employed, Managing Partner/Attorney - 1980 - Present

Mr. DiLeo has specialized in personal injury litigation since being admitted to practice in 1980. After Hurricane Katrina, in 2005, the firm's practice added first party insurance claims relating to Hurricane related property damage claims, Hurricane related wrongful death cases for failure of area nursing homes, hospices and hospitals to evacuate patients. Since 2005, and continuing to present, Mr. DiLeo has been active in several class actions/mass tort actions.

Significant early cases include cases involving the expansion of personal injury damages before the state appellate courts (Broome v. Gauthier, ((La. App., 4<sup>th</sup> Cir. 11/10/83) 443 So.2d 1127, (successfully extending mental anguish damages to uninjured victims, owners of property damages, who are present to see and experience the destruction of their property); and State Supreme Court (Jones v. Thomas, ((La. 1983)) 426 So.2d 609, holding that workmen's compensation tort immunity does not extend to and exclude all intentional acts).

Mr. DiLeo's involvement as lead counsel and executive committee member with Plaintiff's Steering Committees in class action and mass joinder cases has provided him with expertise in case management, fact and expert discovery, steering committee administration, the proof of claim process, class action/mass joinder trials, and the role, mechanism and operation of Plaintiff Steering Committees.

Mr. Di Leo maintains an AV rating with Martindale-Hubbell (Lawyers.com).

## RECENT JURY VERDICTS/SETTLEMENTS:

*Scott W. Tillman v. Joseph Lawrence, Schneider National Carriers, Inc., et al.*," docket no. 699-698 of the 24th Judicial District Court for the Parish of Jefferson. On August 24, 2016, Mr. DiLeo obtained a unanimous jury verdict in the amount of \$3.2 Million Dollars on behalf of a Metairie man injured in a motor vehicle collision, where \$2M was awarded for physical and mental pain and suffering.

*Erica Jones v. Kristi Sons, RPM Pizza, Inc and Tower Insurance Company,"* bearing #2012-6372 of the docket of the Civil District Court for the Parish of Orleans. Settlement with Domino's Pizza, for \$3.9 Million. The matter stemmed from the July 4, 2011 collision between Jones and a Domino's delivery driver at the intersection of Dwyer Road and Crowder Blvd. in New Orleans, LA. Jones was a freshman medical student in Tulane Medical School at the time and sustained a severe wrist fracture. Dr. Jones graduated from Tulane Medical School in 2014 and has been accepted into Emory University's Neurology residency program.

In 2014, Mr. DiLeo was lead counsel in several consolidated cases where he obtained a settlement in the amount of \$2.5M in the matter entitled, "*Urquhart v. Metropolitan Hospice,*" bearing no. 2006-3826 of the Civil District Court for the Parish of Orleans. This suit involved the deaths of several elderly patients of Metropolitan Hospice in New Orleans East, where the nursing staff, led by administrator Mona Bagot, R.N, who abandoned all of the patients in the aftermath of Hurricane Katrina, leaving them to die alone with only a minister, who had no medical training.

In 2010 , Mr. DiLeo was lead trial counsel in another Katrina related case, which settled during trial in the amount of \$1.5M in the matter entitled, "*Edwards v. UHS, Inc.,*" bearing no. 2006-9310 of the Civil District Court for the Parish of Orleans. This suit involved the death of the plaintiff's mother who perished at Methodist Hospital in New Orleans East, due to the failure of the hospital's administrators to evacuate its patients before Hurricane Katrina.

## **COMPLEX LITIGATION/CLASS ACTION EXPERIENCE**

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### **July 2009-Present:**

#### Toxic Tort Class Action Litigation:

Approved as executive member of the Plaintiffs' Steering Committee in *Sheila Guidry et. al. vs. The Dow Chemical Company et. al.*, Civil District Court for the Parish of Orleans, State of Louisiana, Docket No. 2009-7832. The *Guidry et. al.*, matter arises out of a chemical leak by various Defendants, in which Gregory P. Di Leo and co-counsel currently represent several thousand claimants. Gregory P. Di Leo in 1 of 5 attorneys appointed to the steering committee and is actively participating in all facets of the litigation, including lead trial counsel at the class certification hearing of this matter on May 16, 2011. The matter is presently on appeal, after the plaintiffs successfully defeated Dow Chemical's Motion to Decertify the Class.

#### Toxic Tort Class Action Litigation:

*Raymond v. Chalmette Refining, LLC*, 2010-9397 c/w *Caruso v. Chalmette Refining* (34<sup>th</sup> JDC for the Parish of St. Bernard), Ongoing class action for unauthorized chemical discharge. Class Certification was achieved, and trial on the merits was successfully conducted in 2015. The parties are presently discussing settlement while the trial judgment is being appealed by defendants.

### **May 2009-Present:**

Pharmaceutical Tort Class Action Litigation:

Initially enrolled as class counsel in *Enjoli et. al. vs. Iovate Health Sciences, U.S.A*, USDC, EDLA No. 09-3533, Division "R", Magistrate "3". Hydroxycut Marketing and Sales Practice Litigation, MDL No. 2087. The *Enjoli et. al.* matter seeks to address alleged deceptive sales practices against the Defendants, *Iovate et. al.*

Chinese Drywall Products Liability Cases:

Enrolled as counsel in *Wiltz et. al vs. Knauf Gips KG, et. al.*, USDC, EDLA No. 09-3488, Division "S." This matter is currently consolidated with several other lawsuits alleging the same causes of action in the Eastern District of Louisiana, *IN RE: Chinese-manufactured Drywall Products Liability Litigation, MDL No. 2047*. Gregory P. Di Leo is co-lead counsel in several individual state court cases for victims of Chinese Drywall, has actively participated in all aspects of the state court litigation, including the constitutional challenges to the New Home Warranty Act.

**March 2009-2012:**

Consumer Anti-Trust Violation Class Action:

Co-Class counsel in *Gerald Paul Bodet et. al. vs. Charter Communications*, USDC, EDLA No. 093068, Division "F", Magistrate "1." The *Bodet* matter sought to address alleged antitrust allegations against the Defendants, Charter Communications et. al. Gregory P. Di Leo along with co-counsel Jeffery Berniard, filed the first petition for damages against Charter for the alleged Sherman Act Antitrust violations. Gregory P. Di Leo served as Co-Lead Counsel in this putative class action, which recently settled.

**February 2009-Present:**

Consumer Anti-Trust Violation Class Action:

Enrolled as class counsel and on the executive committee in the matter, *Henry Holmes et. al. vs. Cox Communications*, USDC, EDLA No. 09-2996, Division "S", Magistrate "4". Transferred by the JPML to the Western District of Oklahoma, *IN RE: Cox Enterprises, Inc., Set-top Cable Television Box Antitrust Litigation*, MDL No. 2048. The *Holmes* consolidated matter seeks to address alleged antitrust allegations against the Defendants, Cox Communications et. al.. Gregory P. Di Leo has been appointed a member of the Executive Committee of the PSC. He, along with co-counsel, filed the first petition for damages against Cox for the alleged Sherman Act Antitrust violations. Gregory P. Di Leo currently working along with co-counsel from around the county of the subsequently 15 filed causes of action alleging similar transgressions by the Defendants in this putative class action. The matter is presently on appeal.

**October 2008-Present:**

Insurance Bad Faith Practices Class Action:

Mr. DiLeo was approved by Judge Kern Reese as one of four (4) lead class counsel in *Toni Swain Orrill, et. al. v. AIG, Inc., et. al.*, CDC Docket Number 2005-11720, Division "L", Section

6. Mr. DiLeo was also class counsel in the companion class action of the *Chalona et. al.* matter pending in the 34<sup>th</sup> Judicial District Court for the Parish of St. Bernard. In this matter a class of 70,000 members was seeking bad faith penalties pursuant to former La. R.S. 22:1892 (formerly La. R.S. 22:658) for the alleged tardiness in payments during Hurricanes Katrina and Rita by the insurance company of last resort in Louisiana, Louisiana Citizens Property Insurance Corp. The *Chalona* and *Orrill* matters were joined for purposes of settlement. A settlement of \$35 million dollars was successfully negotiated along with two other lead class counsels for this matter. Gregory P. Di Leo also actively participated in a five day Fairness Hearing in *Orrill* which resulted in a judgment upholding the settlement on March 19, 2009. The settlement was later vacated and the matter remanded back to district court for trial. The matter has again settled, this time for \$20 Million, approved at a Fairness Hearing on December 17, 2012.

### **Other noteworthy cases**

*Landry v. Chalmette Refining, LLC*, 116-574 (34<sup>th</sup> Judicial District Court - St. Bernard Parish), Ongoing mass tort through unauthorized chemical discharge. Representation of several hundred claimants.

*Patrick Joseph Turner, et al. v. Murphy Oil USA, Inc.*, C/A No.: 05-4206 (USDC - EDLA) Special Counsel to the Plaintiffs' Steering Committee for doing common benefit work.

*Berry L. Buxton, Sr., et al. v. La. Citizens Property Insurance Corp.*, C/A No.: 2006-8341 (Civil District Court - Orleans Parish, State of Louisiana) as interim class counsel before class certification was denied.

*Alonzo A. Booth, Sr., et al. v. La. Citizens Property Insurance Corp.*, C/A No.: 635-122, Division "E" (24th Judicial District Court - Jefferson Parish, State of Louisiana) as interim class counsel before the matter was voluntarily dismissed to coincide with the settlement in *Orrill, supra*.

*Bernard L. Charbonnet, Jr., et al. v. certain Underwriters at Lloyd's London, et al.*; C/A No.: 06-6570 (Civil District Court - Orleans Parish) which settled prior to certification.

*Calvin L. Gordon, Sr., et al. v. La. Citizens Property Insurance Corp.*, C/A No.: 2006-13816, which settled prior to certification (Civil District Court - Orleans Parish);

*Irving J. Henry, et al. v. Allstate Insurance Company, et al.*, C/A No.: 06-11217 (USDC - EDLA); and,

*George Barasich, et al. v. Columbia Gulf Transmission Co., et al.*; C/A No.: 05-4161 (USDC - EDLA).

Mr. DiLeo assisted class counsel in the representation of clients in the Dow-Corning Breast Implant Litigation; Mr. DiLeo has also been lead counsel in putative class actions; he was special counsel to the Plaintiffs' Steering Committee, approved for doing common benefit work,

and lead counsel/class counsel.

## **SECONDARY EDUCATION**

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Louisiana State University School of Law, (*Paul M. Hebert School of Law*) *Juris Doctorate Degree*, 1980. *Moot Court Board*, Advisor, 1980.

## **PROFESSIONAL MEMBERSHIPS**

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Louisiana State Bar Association  
American Bar Association  
Federal Bar Association  
Louisiana Association for Justice, Board of Governors  
New Orleans Bar Association  
American Association for Justice  
A. P. Tureaud American Inn of Court, Executive Committee, Co-Chair, Professionalism Committee

## **CONTINUING LEGAL EDUCATION SEMINAR PRESENTATIONS**

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Mr. Di Leo has lectured and was approved Presenter Credit in the following:

“Mediation and Professional Services, Inc.” (2008).  
“Effective Mediation Techniques and Presentations” for the Louisiana Association of Justice (2009).  
“Litigating Bad Faith Insurance Claims,” “Plaintiffs Side Negotiation and Litigation Tactics,” National Business Institute. (2011).  
“Public Perception,” Professionalism Presentation, A. P. Tureaud American Inn of Court. (2011).  
“Everything I Really Need to Know About Practicing Law I Learned in Kindergarten,” Ethics Presentation, A. P. Tureaud American Inn of Court. (2011).  
“Top Property Insurance Bad Faith Claims,” “Bad Faith Insurance Class Actions in Louisiana,” National Business Institute (2012).

*Updated September 16, 2016*