

## Line begins to form for lead counsel committee in Toyota MDL

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Dan Becnel Jr. became the first plaintiffs' attorney to apply for the coveted lead counsel status in the multidistrict litigation (MDL) against Toyota Motor Corp.

In a court document filed on April 22, Becnel said: "I do not believe anyone in the country has as much experience that I have in MDLs over the past 25 years."

Becnel, of Becnel Law Firm in Reserve, La., has filed several lawsuits against Toyota over unintended acceleration. He applied on April 22 to be co-lead counsel or a member of the MDL's economic loss lead counsel committee, which would be in charge of most of the class actions filed on behalf of consumers seeking monetary damages for the reduced value of their recalled vehicles. Attorneys have until April 30 to apply for a seat on that committee, or on two other potential committees dealing with core discovery issues or the personal injury cases. A hearing on those appointments is scheduled for May 13.

Becnel said in his application that he has spoken about U.S. product liability law to executives of numerous automotive companies in Japan, including Toyota.

"Not many people get invited and paid by Toyota to come help them understand MDLs and product liability," he said in a telephone interview.

In the court document, Becnel added that he already has contacted six experts for the Toyota litigation.

He cited numerous MDL proceedings in which he was involved that addressed automotive safety defects. Additional MDL cases that he worked on, sometimes on the plaintiffs' steering committees or as lead counsel, involved Viagra, Ortho Evra, Yasmin and Yaz, and Chinese drywall.

Another qualification: "My wife, Judge Mary Hotard Becnel, has been on the state bench for 17 years. My first wife, Deonne Du Barry, still works for my firm. So, if getting along with people is an issue, I do not think anyone in the country can question that this is a testament to my ability to work well with others," he wrote.

While advocating for himself, Becnel praised several other attorneys with suits against Toyota:

- Joseph Cotchett of Burlingame, Calif.'s Cotchett, Pitre & McCarthy.
- Paul Rheingold and Hunter Schkolnik, both partners at Rheingold, Valet, Rheingold, Shkolnik & McCartney in New York.
- Camilo Salas of Salas LC in New Orleans.
- Dianne Nast, senior shareholder of RodaNast in Lancaster, Pa.
- Brian Panish, a partner at Los Angeles-based Panish, Shea & Boyle.
- Scott Weinstein of Morgan & Morgan in Orlando, Fla.
- Jerrold Parker of New York's Parker Waichman Alonso.
- Stanley Chesley, president of Cincinnati's Waite, Schneider, Bayless & Chesley.

- Wylie Aitken, founding partner of Aitken \* Aitken \* Cohn in Santa Ana, Calif.
- John Climaco, founder of Cleveland's Climaco, Lefkowitz, Peca, Wilcox & Garofoli.
- Richard Arsenault, partner at Neblett, Beard & Arsenault in Alexandria, La.
- Mark Robinson, senior partner at Robinson, Calcagnie & Robinson in Newport Beach, Calif.

Earlier this month, U.S. District Judge James V. Selna of the Central District of California appointed three plaintiffs' lawyers to serve as temporary lead counsel in the MDL litigation: Steve Berman, managing partner of Seattle's Hagens Berman Sobol Shapiro; Elizabeth Cabraser, a partner at San Francisco's Lieff Cabraser Heimann & Bernstein; and Marc Seltzer, a partner in the Los Angeles office of Houston's Susman Godfrey.

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