

## PLAINTIFFS' HOT LIST | A SPECIAL REPORT

The NLJ shines a spotlight on 12 firms that scored big recoveries for plaintiffs in 2015 and early 2016. These firms tapped their deep benches for high-stakes litigation battles in courts across the country. They fought for whistleblowers, consumers, institutional investors and college athletes—among many other clients—in multimillion-dollar suits. In one case, litigators convinced a judge to open up a song to the world that probably sounds familiar—“Happy Birthday to You.” These are their stories.

### Siprut

Concussions have been a big concern for football, but Joseph Siprut scored a victory for collegiate players when a \$75 million settlement with the National Collegiate Athletic Association was preliminarily approved by a federal court in Chicago Jan. 26.

Siprut served as co-lead counsel of *In re National Collegiate Athletic Association Student-Athlete Concussion Injury Litigation* with Steve Berman, Elizabeth Fegan, Daniel Kurowski and Thomas Ahlering of Hagens Berman Sobol Shapiro.

The development came after a four-year legal battle with the NCAA over the alleged failure to protect college athletes against head injuries. The deal requires implementation of a medical monitoring program and return-to-play guidelines.

After U.S. District Judge John Lee of the U.S. District Court for the Northern District of Illinois declined to approve an earlier version of the settlement in December 2014, Siprut and opposing counsel spent months restructuring the deal and submit-

ted a revised version for approval in April 2015.

The settlement, which awaits final approval, calls for “guidelines that all member schools must put into place with a uniform consistent standard, and a \$75 million fund for a medical monitoring program intended to alert players that they have a concussion injury,” Siprut said. “This is incredibly important, because if an initial concussion is not properly diagnosed, players could be in greater danger when returning to play. If the symptoms of the first concussion have not abated and a second concussion occurs, it will lead to exponentially worse injuries.”

Latham & Watkins partner Mark Mester was opposing counsel. “Although a formidable opponent, Joe is also practical and doesn’t pick fights for the sake of picking fights,” Mester said. “He is very results-oriented and gets very good results for his clients without unnecessarily prolonging matters or driving up costs if that can be avoided.” —RICH ACELLO



JOSEPH SIPRUT

#### FIRM FACTS:

- **Founded:** 2011
- **Based:** Chicago
- **Total number of attorneys:** 14
- **Partners:** 5
- **Associates:** 9

#### TRIAL TIPS:

- Aside from the obvious platitudes like knowing your case and being prepared, I think the key to success before a jury is to be yourself. Be

authentic. And be honest. Jurors can detect trial lawyers who appear inauthentic and it makes those lawyers seem dishonest, or at least less credible. If you can come straight down the

middle, discuss the facts fairly and accurately, and argue persuasively and passionately about why your inferences are more reasonable, the jury will follow you. —JOE SIPRUT