



Kris Mayes
Attorney General

Office of the Attorney General
State of Arizona

WRITTEN DETERMINATION PURSUANT TO A.R.S. § 41-4802

This written determination is made by the Arizona Attorney General in accordance with A.R.S. § 41-4802. The Arizona Attorney General has determined that it would be cost-effective and in the public interest to engage a private law firm to assist with the investigation and litigation of alleged violations of the Arizona Consumer Fraud Act by Open AI Inc., Open AI Global LLC, and associated individuals and entities. Pursuant to § 41-4802(B), the Attorney General previously issued a request for proposals and hereby selects Cohen Milstein Sellers & Toll PLLC pursuant to standard consumer protection contingency fee contract, AG26-0026-006.

The Attorney General has determined that it is necessary and appropriate to retain Cohen Milstein Sellers & Toll PLLC on a contingency fee basis for the reasons that follow.

1. There currently do not exist sufficient and appropriate legal resources within the Attorney General's Office to handle the matter without additional assistance;
2. The time and labor required to perform the necessary legal tasks exceeds or likely soon will exceed the current capacity of the Attorney General's Office without additional assistance;
3. Individual attorneys within the Attorney General's Office possess the skill necessary to properly initiate and oversee this matter, but given the novelty, complexity, and difficulty of the issues and stakes currently pending litigation and possible future related litigation, the Office would greatly benefit from the expertise offered by Cohen Milstein Sellers & Toll PLLC;
4. The geographic area where the private attorney services are to be provided is primarily in the State of Arizona, although the conduct at issue involves in no small part other jurisdictions and will require signification out-of-state action related to other pending state and multi-district litigation and possible future related litigation;
5. The Attorney General has determined the attorneys of Cohen Milstein Sellers & Toll PLLC have substantial complex litigation experience and familiarity with high-stakes litigation, trial practice, and appellate litigation at the highest levels;
6. The primary purpose of this agreement will be to enforce all applicable legal authority for liability and remedies to the State, and obtain damages, costs of suit and investigation, attorney's fees, and any other appropriate and available remedies and relief.



Kris Mayes
Attorney General

10/9/2026

Date



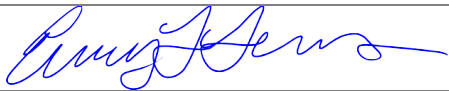
REQUEST FOR PROPOSAL (RFP)
SOLICITATION # BPM007588
OFFER AND ACCEPTANCE
ATTACHMENT I

State of Arizona
Office of the Attorney General
2005 N Central Ave
Phoenix, AZ 85004

COUNSEL'S OFFER

TO THE STATE OF ARIZONA:

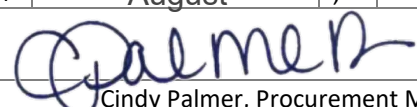
The Undersigned hereby offers and agrees to furnish the material, service, or construction in compliance with all terms, conditions, specifications, and amendments in the Solicitation and any written exceptions in the offer. Signature also certifies Small Business status.

Cohen Milstein Sellers & Toll LLP				
Company Name			Signature of Person Authorized to Sign Offer	
1100 New York Ave NW, 8 th Floor			Emmy L. Levens	
Company Address			Printed Name	
Washington	DC	20005	Chair, Partner	
City	State	Zip	Title	
Elevens@cohenmilstein.com			202-408-4600	202-408-4609
Contact Email Address			Phone Number	Fax Number

By signature in the Offer section above, the Offeror certifies:

- Will not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246, [Arizona] State Executive Orders 2023-09, 2023-01, 2009-09, or A.R.S. §§ 41-1461 through 41-1465;
- Has not given, offered to give, nor intends to give at any time hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or Service to a public servant in connection with the submitted offer. Failure to provide a valid signature affirming the stipulations required by this clause will result in rejection of the Offer. Signing the Offer with a false statement will void the Offer, any resulting contract, and may be subject to legal penalties under the law.
- Complies with A.R.S. § 18-132 when offering electronics or information technology products, Services, or maintenance;
- Has submitted this Offer as a firm offer for 180 days following the Solicitation due date and time per the Instructions to Offers. Any extensions to the Offer Acceptance Period shall be made in accordance with the A.A.C. R2-7-C310;
- Did not and will not involve collusion or other anti-competitive practices; and
- Is not debarred from, or otherwise prohibited from, participating in any contract awarded by federal, state, or local government.
- Does not participate in, and agrees not to participate in during the term of the contract, a boycott of Israel in accordance with A.R.S. § 35-393 et seq. (Unless exempt)
- Does not participate in the use of forced labor of ethnic Uyghurs as described in A.R.S. § 35-394. (Unless exempt)
 - By checking this box, Offeror is certifying that it is exempt from the requirements regarding the forced labor of ethnic Uyghurs and boycott of Israel because of one of the following: Contractor is a Sole proprietorship, has fewer than ten (10) employees, or is a non-profit organization. ☐
- Offeror certifies that the above-referenced organization ☐ IS/ ☒ IS NOT a small business with less than 100 employees or has gross revenues of \$4 million or less.

ACCEPTANCE OF OFFER

Your offer is hereby accepted: Counsel is now bound to sell the materials, services, or construction listed by the attached contract based upon the solicitation, including all terms, conditions, specifications, amendments, etc., and Counsel's offer as accepted by the Office of the Attorney General. Counsel is hereby cautioned not to commence any billable work or provide any material or service under this contract until Counsel receives a purchase order, contract release document or written notice to proceed.				
This Contract shall henceforth be referred to as Contract No.:		AG26-0026- 006		
The effective date of the Contract is:		August 28, 2026		
Awarded this		28th	Day of	August, 2026
State of Arizona Office of the Attorney General		 Cindy Palmer, Procurement Manager		



REQUEST FOR PROPOSAL (RFP)
SOLICITATION # BPM007588
BUSINESS QUESTIONNAIRE
ATTACHMENT I

State of Arizona
Office of the Attorney General
2005 N Central Ave
Phoenix, AZ 85004

Counsel Information

Cohen Milstein Sellers & Toll LLP				1969
Firm Name				Year Firm was Established
1100 New York Ave NW, 8 th Floor				
Firm Address				
Washington	DC	20005	202-408-4000	202-408-4609
City	State	Zip	Primary Phone Number	Contact Fax Number
Firm Identified in Proposal as: Parent Company: ☒ Branch or Subsidiary Office: ☐ Individual Contracted Counsel: ☐				
Name and location of Parent Company (if applicable)			Year Parent Company was Established (if applicable)	

Names of not more than two Principals to contact:

Emmy L. Levens	Chair, Partner	202-408-4600	Elevens@cohenmilstein.com
Name	Title	Phone Number	Email Address
Name	Title	Phone Number	Email Address

Number of Personnel by Discipline (count each person only once, by primary function):

39	20	36	48	0
Partners	Of Counsel	Associate	Paralegal/Legal Asst	Law Clerks
13		79		235
Other: Staff Attorney		Other:		Total Personnel

Has your firm ever held a contract with the State of Arizona? For how many years?:

Yes, Cohen Milstein has had several contracts with the State of Arizona, with both the Office of the Attorney General and the Arizona State Retirement System. The Public Client Practice was retained by the State of Arizona to prosecute consumer fraud in connection with mortgage servicing leading to the Financial Crisis (contract initiated in 2009), and a confidential Medicaid fraud investigation (contract initiated in 2014). The Public Client Practice had a general agreement for Consumer Fraud cases since 2018 (contract awarded under AG23-0009 expired December 2025), and was recently retained for a consumer protection matter related to the marketing and sale of products containing Kratom (contract initiated May 2026). The Securities Practice was retained in 2015 for ethics and fiduciary education work for the Arizona State Retirement System. The contract expired in 2019.



AG18-0013
BAR COMPLAINTS/MALPRACTICE QUESTIONNAIRE
ATTACHMENT I

**Office of the
Attorney General**

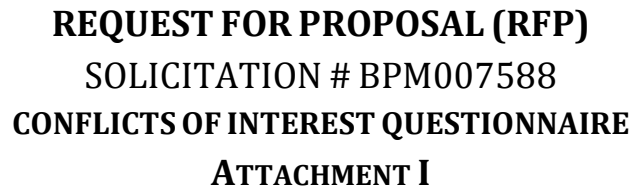
1275 W. Washington
Phoenix, AZ
85007-2926

Acceptance of Insurance Requirements:

Indicate that you have read, understand and will comply with the Insurance requirements specified in Section 8 & 9 of the Agreement. Check the appropriate response.

☒ **Yes, we will comply with the Insurance requirements**

☐ **No, we will not comply with the Insurance requirements**



Conflicts of Interest:

Note: The State of Arizona does not require counsel to obtain a waiver of conflict of interest when counsel undertakes representation of a defendant in a criminal case.

Specific Case/Matter Information:

[illegible]



REQUEST FOR PROPOSAL (RFP)
SOLICITATION # BPM007588
BAR COMPLAINT/MALPRACTICE QUESTIONNAIRE
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Disclosure of any State Bar Association Investigations and Malpractice Suits

Does any current member of your firm have any bar complaint currently being investigated and/or disciplinary action taken by the State Bar Association against them? Add additional pages if needed.

Check the appropriate response

☐ Yes

☒ No

If answer to the above is "Yes", use the space below to disclose details of any complaint(s):

Has your firm had any malpractice suit or claim for malpractice filed against it in the last 2 years?

Add additional pages if needed.

Check the appropriate response

☐ Yes

☒ No

If answer to the above is "Yes", use the space below to disclose details of any complaint(s):

Do you wish this information to be held confidential in accordance with A.A.C. R2-7-103?

Add additional pages if needed.

Check the appropriate response

☐ Yes

☒ No

If answer to the above is "Yes", use the space below to disclose details of any complaint(s):



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REFERENCES
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Rate Schedule

The contingency fee received by this state's private attorney shall not exceed fifty million dollars, except for reasonable costs and expenses and regardless of the number of lawsuits filed or the number of private attorneys retained to achieve the recovery. Rates below are the maximum allowed and may be negotiated on a case by case basis.

Item #	Description
1	Not to exceed Twenty-five per cent of the initial recovery of less than ten million dollars.
2	Not to exceed Twenty per cent of that portion of any recovery of ten million dollars or more but less than fifteen million dollars.
3	Not to exceed Fifteen per cent of that portion of any recovery of fifteen million dollars or more but less than twenty million dollars.
4	Not to exceed Ten per cent of that portion of any recovery of twenty million dollars or more but less than twenty-five million dollars.
5	Not to exceed Five per cent of any recovery of twenty-five million dollars or more.

Hourly Rate Schedule

The Hourly Rate Schedule shall be governed by the provisions of Paragraph 1.10 of the Request for Proposal.

Item	Description	Maximum Rate	Hourly Rate Offered (Not to Exceed Maximum Rate)
1	Partner	\$400.00*	*
2	Associate	\$250.00	*
3	Paralegal	\$125.00	*

***Cohen Milstein proposes to work on a contingency basis. All costs will be documented in accordance with OAG's requirements, including attorney time.**



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QUALIFICATIONS OF KEY PERSONNEL
ATTACHMENT I

State of Arizona
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Qualifications and Experience of Key Personnel

Complete this section for the Key Personnel the Offeror is proposing. Key Personnel are the individuals showing the experience and expertise to do the work identified in this RFP. If an item is not applicable, indicate so by inserting "N/A". Please copy this form as needed.

Emmy L. Levens	Chair, Partner	
Name of Individual	Title	
Lead Counsel	Antitrust, Public Client, Environmental	
Proposed Project Role	Area(s) of Expertise	
6300340	Illinois	2009
Bar Registration No.	State of Issue	Year
997826	District of Columbia	2010
Bar Registration No.	State of Issue	Year
University of California Los Angeles Law School	J.D.	2007
Education	Degree	Year
University of Kansas	B.A.	2004
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Emmy L. Levens is the Chair of Cohen Milstein's Public Client Practice, and a Partner in the Antitrust and Environmental practice groups. Ms. Levens has extensive experience representing State Attorneys General in consumer fraud investigations and other enforcement actions, having served as counsel to the Attorneys General of the District of Columbia, Hawai'i, Maryland, New Hampshire, and New Jersey. She has significant expertise litigating large, high-profile cases across a broad range of substantive areas. For example, she helped secure settlements totaling more than \$650 million for the victims of the Flint Water Crisis and approximately \$500 million in a cutting-edge antitrust case alleging that several of the world's largest banks engaged in a group boycott to thwart modernization of the stock loan market.

Ms. Levens represents the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. and more than a dozen large landlords for allegedly agreeing to use an algorithm to set rents in violation of antitrust laws—actions seeking damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, for nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys' fees, while agreeing to reform their business practices.

She also represented the Hawai'i Office of Consumer Protection in its litigation against PayPal for deceptive and unfair practices on its PayPal and Venmo platforms—a suit that survived a motion to dismiss and resulted in a \$6 million settlement in December 2025. In a similar action, Mrs. Levens assisted the New Hampshire Attorney General in securing a settlement with PayPal that includes \$1.75 million and injunctive relief requiring significant platform changes, including removal of misleading language and enhanced privacy protections for consumers.

Ms. Levens has been repeatedly recognized for her stellar work, including as one of *Lawdragon's* 500 Leading Plaintiff Consumer Lawyers in 2025 and Leading Litigators in America for 2025 and 2026, and *Lawdragon's* 500 Leading Global Antitrust & Competition Lawyers for 2026.



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Christina D. Saler	Partner	
Name of Individual	Title	
Senior Attorney	Public Client, Securities Litigation & Investor Protection	
Proposed Project Role	Area(s) of Expertise	
92017	Pennsylvania	2003
Bar Registration No.	State of Issue	Year
22402003	New Jersey	2003
Bar Registration No.	State of Issue	Year
Rutgers University Law School	J.D., with honors	2003
Education	Degree	Year
Fairfield University	B.A.	1995
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Christina D. Saler is a Partner in Cohen Milstein's Public Client and Securities Litigation & Investor Protection practice groups. Ms. Saler represents State Attorneys General and other public clients in a broad range of Medicaid Fraud, complex litigation, securities, shareholder rights, and derivative actions.

Since 2019, Ms. Saler has worked with State Attorneys General throughout the United States to investigate whether state funded health plans, including state Medicaid programs, were being overcharged by their Pharmacy Benefit Managers ("PBMs"). These investigations uncovered systemic and elaborate schemes to overcharge the States enabling PBMs to unfairly profit. Leading her team, Ms. Saler's work with State enforcement offices has recovered more than \$1.25 billion from PBMs on behalf of overcharged state funded health plans.

Ms. Saler's work investigating and litigating against PBMs has resulted in significant recoveries and contract modifications that better protect state-funded health plans. She has also begun investigating potential antitrust violations by a health insurer and its captive PBM.

Ms. Saler serves as Special Counsel to the Ohio Attorney General in *Ohio Highway Patrol Retirement Systems (HPRS) v. Express Scripts, Inc.* (Franklin C.P., Ohio), breach of contract litigation alleging that Express Scripts overcharged HPRS on pharmaceutical claims and withheld rebate money that should have been passed through to the plan.

Ms. Saler also focuses on shareholder litigation, representing public pension funds and other institutional investors in federal securities fraud cases and shareholder derivative actions. In 2021, two of the securities class actions in which she represented investors settled: *In re Woodbridge Investments Litigation* (C.D. Cal.), for \$54.2 million, and *Eric Weiner v. Tivity Health, Inc.* (M.D. Tenn.), where she represented the Oklahoma Firefighters' Pension and Retirement System, which settled for \$7.5 million on the eve of trial.

Ms. Saler has been named in *Lawdragon's* "500 Leading Plaintiff Financial Lawyers" list since 2021.



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Douglas J. McNamara	Partner	
Name of Individual	Title	
Senior Attorney	Consumer Protection	
Proposed Project Role	Area(s) of Expertise	
2766830	New York	1996
Bar Registration No.	State of Issue	Year
494567	District of Columbia	2005
Bar Registration No.	State of Issue	Year
New York University School of Law	J.D.	1995
Education	Degree	Year
University at Albany – State University of New York	B.A., <i>summa cum laude</i>, with Departmental Honors	1992
Education	Degree	Year

Executive Summary describing this individual’s suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Douglas J. McNamara is a partner in Cohen Milstein’s Consumer Protection practice group. He litigates complex, multi-state class action lawsuits against manufacturers and consumer service providers such as banks, insurers, credit card companies, and others, with extensive experience in data breaches, defective consumer products, and deceptive business practices.

He represented consumers *Khoday et al. v. Sumantec Corp., et al.*, a nationwide class action involving deceptive marketing of Norton software services, which settled for \$60 million. He was appointed Co-Lead Interim Class Counsel in the consolidated data breach class action against MGM Resorts for failing to implement reasonable data security practices, which settled for \$45 million in July 2025.

Mr. McNamara is Co-Lead Counsel in the multidistrict litigation addressing the massive May 2023 MOVEit data breach, which impacted more than 2,500 organizations—including hospitals, banks, governments, and pension funds—and more than 67 million individuals worldwide. The court largely denied the motions to dismiss in two bellwether cases, holding that plaintiffs’ claims related to negligence, breach of contract, and state unfair business practices could move forward. Defendants have already agreed to pay \$7.65 million in settlements.

He leads Cohen Milstein’s case against Zillow for allegedly exploiting consumers through deceptive practices involving hidden fees and undisclosed kickbacks, in violation of RICO, RESPA, and state consumer laws.

Mr. McNamara was named a *Benchmark Litigation* Litigation Star in 2025 and to *Lawdragon’s* 500 Leading Plaintiff Consumer Lawyers since 2023.



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Robert A. Braun	Partner	
Name of Individual	Title	
Senior Attorney	Antitrust	
Proposed Project Role	Area(s) of Expertise	
33739	Louisiana	2011
Bar Registration No.	State of Issue	Year
5384748	New York	2015
Bar Registration No.	State of Issue	Year
1023352	District of Columbia	2016
Bar Registration No.	State of Issue	Year
Yale Law School	J.D.	2011
Education	Degree	Year
Princeton University	B.A., <i>summa cum laude</i>	2007
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Robert A. Braun is a Partner at Cohen Milstein and a member of the Antitrust practice, focusing on antitrust and class action litigation on behalf of individuals and businesses harmed by price-fixing and other illegal corporate behavior. He serves as the Firm's Ethics Partner.

Mr. Braun helped obtain more than \$50 million in settlements in *In re Resistors Antitrust Litigation*, and has played significant roles in LIBOR manipulation (\$187 million in settlements), price-fixing by manufacturers of metal pipes and fittings (\$47 million in settlements across two cases), and pharmaceutical "pay-for-delay" litigation limiting access to less expensive generic drugs.

He is Co-Lead Counsel in a certified class action in which home sellers allege that National Association of Realtors (NAR) and major real estate broker franchisors conspired to require sellers to pay inflated buyer broker fees. Cohen Milstein has helped achieve more than \$997.1 million in settlements, including \$418 million with NAR and \$250 million with HomeServices America.

He represents the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc., and more than a dozen landlords for allegedly using an algorithm to set rents in violation of antitrust laws. The actions seek damages, injunctive relief, and civil penalties. The DC and Maryland cases survived motions to dismiss, and several landlords have settled, paying nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys fees.

Mr. Braun named as one of *LawDragon's* 500 Leading Plaintiff Financial Lawyers, amongst other awards.



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Eric A. Kafka	Partner	
Name of Individual	Title	
Senior Attorney	Consumer Protection	
Proposed Project Role	Area(s) of Expertise	
67288	Missouri	2014
Bar Registration No.	State of Issue	Year
5361829	New York	2015
Bar Registration No.	State of Issue	Year
Columbia Law School	J.D.	2014
Education	Degree	Year
Yale University	B.A.	2008
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Eric A. Kafka is a partner in Cohen Milstein's Consumer Protection practice. He represents clients in privacy, false advertising, data breach, and product liability class actions, with deep experience litigating against large technology companies.

In three class actions against Meta, Mr. Kafka addresses industry-defining consumer protection issues:

- *LLE One v. Facebook* (N.D. Cal.): Consumers alleged Facebook inflated video advertising metrics by 150% to 900%. This high-profile false advertising class action settled for \$40 million.
- *DZ Reserve v. Meta Platforms* (N.D. Cal.): A certified class action alleging Facebook's "potential reach" metric is false and misleading.
- *In re Meta Pixel Healthcare Litigation* (N.D. Cal.): Consumers challenge Meta's alleged collection of sensitive health data from health provider websites.

Mr. Kafka was appointed sole Lead Counsel in *In re Prescott v. Reckitt Benckiser LLC*, a certified false advertising class action, which settled for more than \$3 million.

He is Interim Lead Counsel for *In re: TikTok, Inc., Minor Privacy Litigation*, filed on behalf of millions of American parents claiming TikTok collects children's personal information without parental notice or consent in violation of COPPA. In November 2025, the court denied TikTok's motion to stay and largely denied its motion to dismiss.

Mr. Kafka is widely respected for his leadership on expert issues in consumer class certification, economic damages, and computer source code analysis. He has been recognized by Law360 and *The National Law Journal* as a 2024 rising star and named to Lawdragon's 500 Leading Plaintiff Financial Lawyers in 2025.



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Richard L. Trumka Jr.	Of Counsel	
Name of Individual	Title	
Senior Attorney	Public Client, Consumer Protection	
Proposed Project Role	Area(s) of Expertise	
1001210001	Maryland	2010
Bar Registration No.	State of Issue	Year
999344	District of Columbia	2011
Bar Registration No.	State of Issue	Year
Georgetown University Law Center	J.D., <i>cum laude</i>	2009
Education	Degree	Year
Cornell University	B.S.	2006
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Richard L. Trumka Jr. is Of Counsel in Cohen Milstein's Public Client practice group. He represents State Attorneys General and other public sector clients as outside counsel in investigations and lawsuits involving a wide range of claims including consumer protection, false claims, and fraudulent and deceptive trade practices.

Mr. Trumka represents the City of Chicago in its trailblazing lawsuits against DoorDash and Grubhub—the first comprehensive law enforcement actions against meal delivery companies in the U.S.—alleging deceptive practices involving misleading restaurant listings, hidden fees, and misallocation of driver tips. The DoorDash case resolved in November 2025 with an \$18 million settlement benefiting affected restaurants, consumers, and drivers. Mr. Trumka also represents the People of the State of California through Los Angeles County's Office of County Counsel in its Grubhub case for false advertising and violations of the California Unfair Competition Law.

Prior to joining Cohen Milstein, Mr. Trumka was Commissioner of the U.S. Consumer Product Safety Commission ("CPSC"), where he helped crack down on dangerous infant products and led efforts to accelerate implementation of CPSC's consumer safety rules.

Previously, Mr. Trumka served as General Counsel & Staff Director of the U.S. House Committee on Oversight and Reform's Subcommittee on Economic and Consumer Policy, where his consumer protection work focused on protecting children from toxic heavy metals in baby foods, mis-marketed car booster seats, e-cigarettes, and carcinogens in consumer talc products.

As an Assistant Attorney General in Maryland's Consumer Protection Division, he prosecuted consumer protection law violations and led multistate data breach investigations. He led or co-led data breach investigations including the Equifax Data Breach Multistate (\$600 million settlement affecting 147 million Americans) and the Uber Technologies Data Breach Multistate (\$148 million settlement with all 50 states and DC). His work for the Maryland Attorney General recovered more than \$1.2 billion for consumers.



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Amanda K. Chuzi	Associate	
Name of Individual	Title	
Junior Attorney	Public Client, Consumer Protection	
Proposed Project Role	Area(s) of Expertise	
1738545	District of Columbia	2021
Bar Registration No.	State of Issue	Year
Bar Registration No.	State of Issue	Year
Columbia Law School	J.D.	2020
Education	Degree	Year
Tufts University	B.A., <i>magna cum laude</i>	2012
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Amanda K. Chuzi is an Associate in Cohen Milstein's Public Client Practice. She represents State Attorneys General in investigations and lawsuits involving false claims and fraudulent and deceptive trade practices.

Ms. Chuzi works on behalf of the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. and more than a dozen large landlords for allegedly agreeing to use an algorithm to set rents in violation of antitrust laws. The actions—pending in three courts—seek damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, agreeing to reform their business practices and pay nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys' fees.

Prior to joining Cohen Milstein, Ms. Chuzi was an attorney-adviser at the Office of Legal Counsel at the U.S. Department of Justice ("DOJ"), where she advised the White House, DOJ leadership, and other Executive Branch agencies on issues related to constitutional law and statutory interpretation. Before that, she was a Trial Attorney at the Federal Programs Branch at DOJ, where she defended the federal government in cases that raised complex questions of constitutional, statutory, and administrative law. Among other things, Ms. Chuzi defended more than sixty federal defendants in a high-profile First Amendment suit that ultimately resulted in a Supreme Court victory for the government.

Before joining DOJ, Ms. Chuzi was a law clerk for the Hon. Randolph D. Moss of the U.S. District Court for the District of Columbia and the Hon. Michelle T. Friedland of the U.S. Court of Appeals for the Ninth Circuit.



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Phoenix, AZ 85004

Qualifications and Experience of Key Personnel

Complete this section for the Key Personnel the Offeror is proposing. Key Personnel are the individuals showing the experience and expertise to do the work identified in this RFP. If an item is not applicable, indicate so by inserting "N/A". Please copy this form as needed.

Diane Kee	Associate	
Name of Individual	Title	
Junior Attorney	Public Client, Consumer Protection	
Proposed Project Role	Area(s) of Expertise	
1779676	District of Columbia	2021
Bar Registration No.	State of Issue	Year
334702	Pennsylvania	2024
Bar Registration No.	State of Issue	Year
University of Michigan Law School	J.D., <i>cum laude</i>	2021
Education	Degree	Year
University of Wisconsin - Madison	B.A.	2015
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Diane Kee is an Associate at Cohen Milstein and a member of the Public Client Practice, focusing on the representation State Attorneys General and other public-sector clients in investigations and lawsuits involving false claims and fraudulent and deceptive practices.

Ms. Kee represents the State of Hawai'i's Office of Consumer Protection in its investigations and actions against fintech companies, alleging that Venmo and PayPal engaged in deceptive and unfair practices, including denying customers access to funds, employing dark patterns that violated customer privacy, and misrepresenting consumer protections. The suit survived a motion to dismiss and settled for \$6 million in December 2025. She also assisted the New Hampshire Attorney General in negotiating a \$1.75 million PayPal settlement that includes injunctive relief requiring significant platform changes, including removal of misleading language and privacy-default options during Venmo sign-up.

She is involved in Special Counsel representation of several State Attorneys General in investigations into the billing practices and fee structures of managed care organizations serving state-funded health plans. Cohen Milstein's work with State Attorneys General has resulted in more than \$1.2 billion in recoveries on behalf of state Medicaid programs.

Ms. Kee rejoined the Firm after clerking for the Honorable Lara E. Montecalvo of the United States Court of Appeals for the First Circuit and for the Honorable Terrence G. Berg of the United States District Court for the Eastern District of Michigan. Prior to her judicial clerkships, Ms. Kee was a fellow at Cohen Milstein, where she worked on litigation matters spanning the Firm's practices.



REQUEST FOR PROPOSAL (RFP)
SOLICITATION # BPM007588
QUALIFICATIONS OF KEY PERSONNEL
ATTACHMENT I

State of Arizona
Office of the Attorney General
2005 N Central Avenue
Phoenix, AZ 85004

Qualifications and Experience of Key Personnel

Complete this section for the Key Personnel the Offeror is proposing. Key Personnel are the individuals showing the experience and expertise to do the work identified in this RFP. If an item is not applicable, indicate so by inserting "N/A". Please copy this form as needed.

Leslie C. Greening	Staff Attorney	
Name of Individual	Title	
Junior Attorney	Public Client, Consumer Protection	
Proposed Project Role	Area(s) of Expertise	
1021409	District of Columbia	2014
Bar Registration No.	State of Issue	Year
290330	California, currently inactive	2013
Bar Registration No.	State of Issue	Year
Wake Forest University School of Law	J.D.	2012
Education	Degree	Year
Davidson College	B.A.	2008
Education	Degree	Year

Executive Summary describing this individual's suitability for a project of this nature. Include similar cases the individual was involved in and their role.

Leslie C. Greening is a staff attorney in Cohen Milstein's Public Client practice group. Ms. Greening brings over a decade of experience in investigations and discovery on behalf of State Attorneys General and other public sector clients. Her work is distinguished by a deep understanding of the unique interests and challenges facing the Firm's public clients.

Ms. Greening has played a critical role in several high-profile cases. For example, she conducted extensive affirmative and defensive document discovery, including deposition and trial preparation, for the City of Chicago, and a similar action brought by the County of Los Angeles on behalf of the People of California, in those offices' litigation against DoorDash and Grubhub. These cases addressed allegations of deceptive bait-and-switch pricing, the use of "dark patterns" to manipulate consumers, and exploitative practices targeting vulnerable restaurants during the COVID-19 pandemic.

She has also contributed to the Firm's representation of several states in litigation addressing significant public health and consumer protection issues. These include work in representing Indiana, New Jersey, and Vermont in lawsuits related to the opioid crisis and representing the State of New Mexico in litigation involving Medicaid fraud and deceptive practices by nursing facilities that failed to deliver promised care to vulnerable and elderly residents.



REQUEST FOR PROPOSAL (RFP)
SOLICITATION # BPM007588
QUALIFICATIONS OF KEY PERSONNEL
ATTACHMENT I

State of Arizona
Office of the Attorney General
2005 N Central Avenue
Phoenix, AZ 85004

References

Provide a minimum of three references to which you have provided similar services.

Reference #1

Company:	Office of Consumer Protection for the State of Hawai'i
Contact:	Thomas "Mana" Moriarty, Executive Director of Office of Consumer Protection
Street Address:	New Kaiko'o Building (Downtown Hilo, Bank of Hawaii Building) 120 Pauahi Street, Suite 212
City, State, Zip:	Hilo, Hawaii 96720
Telephone #:	(808) 586-2636
E-Mail:	Mana.moriarty@hawaii.gov
Service Provided:	Unfair or deceptive trade practices involving peer-to-peer fintech companies.

Reference #2

Company:	Office of the Attorney General for the State of New Hampshire
Contact:	Brandon Garod, Head of Consumer
Street Address:	1 Granite Pl South
City, State, Zip:	Concord, NH 03301
Telephone #:	(603) 271-1217
E-Mail:	Brandon.h.garod@doj.nh.gov
Service Provided:	Unfair or deceptive trade practices involving peer-to-peer fintech companies.

Reference #3

Company:	Office of the Attorney General for District of Columbia
Contact:	Adam Gitlin, Chief of Antitrust and Non-Profits
Street Address:	400 6th St NW
City, State, Zip:	Washington, DC 20001
Telephone #:	(202) 442-9864
E-Mail:	Adam.gitlin@dc.gov
Service Provided:	Antitrust action against landlords and property management software company illegally increasing rents.

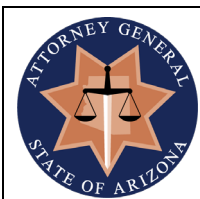


REQUEST FOR PROPOSAL (RFP)
SOLICITATION # BPM007588
QUALIFICATIONS OF KEY PERSONNEL
ATTACHMENT I

State of Arizona
Office of the Attorney General
2005 N Central Avenue
Phoenix, AZ 85004

Reference #4

Company:	Office of the Attorney General for the State of Arizona
Contact:	Alyse Meislik
Street Address:	2005 N. Central Avenue
City, State, Zip:	Phoenix, AZ 85004
Telephone #:	(602) 542-5025
E-Mail:	Alyse.Meislik@azag.gov
Service Provided:	Confidential Investigation



Request for Proposal
Solicitation No. BPM007588
Outside Counsel - Consumer Fraud Contingency Fee

State of Arizona
Office of the Attorney General
2005 N Central Avenue
Phoenix, AZ 85004

Attachment II: Confidential Information Designation

All materials submitted as part of a response to a solicitation are subject to Arizona public records law and will be disclosed if there is an appropriate public records request at the time of or after the award of the contract. Recognizing there may be materials included in a solicitation response that are proprietary or a trade secret, a process is set out in A.A.C. R2-7-103 (copy attached) that will allow qualifying materials to be designated as confidential and excluded from disclosure. For purposes of this process the definition of "trade secret" will be the same as that set out in A.A.C. R2-7-101(51).

Complete this form and return it with your Offer **along with the appropriate supporting information** to assist the State in making its determination as to whether any of the materials submitted as part of your Offer should be designated confidential because the material is proprietary or a trade secret and therefore not subject to disclosure.

STATE WILL NOT CONSIDER ANY MATERIAL IN YOUR OFFER "CONFIDENTIAL" UNLESS DESIGNATED ON THIS FORM.

Check one of the following – if neither is checked, State will assume that it is equivalent to "DOES NOT":

☒	This response DOES NOT contain proprietary or trade secret information. I understand that my entire response will become public record in accordance with A.A.C. R2-7-C317.
☐	This response DOES contain trade secret information because it contains information that: 1. Is a formula, pattern, compilation, program, device, method, technique or process; 2. Derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; AND 3. Is the subject of efforts by myself or my organization that are reasonable under the circumstances to maintain its secrecy.

NOTE: Failure to attach an explanation may result in a determination that the information does not meet the statutory trade secret definition. All information that does not meet the definition of trade secret as defined by A.A.C. R2-7-101(51) will become public in accordance with A.A.C. R2-7-C317. State may make its own determination on materials in accordance with A.A.C. R2-7-103.

If State agrees with Offeror's designation of trade secret or confidentiality and the determination is challenged, the undersigned hereby agrees to cooperate and support the defense of the determination with all interested parties, including legal counsel or other necessary assistance.

By submitting this response, Offeror agrees that the entire Offer, including confidential, trade secret and proprietary information may be shared with an evaluation committee and technical advisors during the evaluation process. Offeror agrees to indemnify and hold State, its agents and employees, harmless from any claims or causes of action relating to State's withholding of information based upon reliance on the above representations, including the payment of all costs and attorney fees incurred by State in defending such an action.

Cohen Milstein Sellers & Toll LLP

Company name

Signature of person authorized to sign

1100 New York Ave NW, 8th Floor

Emmy L. Levens, Chair, Partner

Address

Printed name and title

Washington, DC 20007

Elevens@cohenmilstein.com

202-408-4600

City, State, ZIP

Contact email address

Contact phone number



Request for Proposal
Solicitation No. BPM007588
Outside Counsel - Consumer Fraud Contingency Fee

State of Arizona
Office of the Attorney General
2005 N Central Avenue
Phoenix, AZ 85004

Attachment: Confidential Information Designation (for reference only)

A.A.C. R2-7-103 [Confidential Information] as was current at time of Solicitation issuance

- A. *If a person wants to assert that a person's offer, specification, or protest contains a trade secret or other proprietary information, a person shall include with the submission a statement supporting this assertion. A person shall clearly designate any trade secret and other proprietary information, using the term "confidential". Contract terms and conditions, pricing, and information generally available to the public are not considered confidential information under this Section.*
- B. *Until a final determination is made under subsection (C), an agency chief procurement officer shall not disclose information designated as confidential under subsection (A) except to those individuals deemed by an agency chief procurement officer to have a legitimate state interest.*
- C. *Upon receipt of a submission, an agency chief procurement officer shall make one of the following written determinations:*
- 1. The designated information is confidential and the agency chief procurement officer shall not disclose the information except to those individuals deemed by the agency chief procurement officer to have a legitimate state interest;*
 - 2. The designated information is not confidential; or*
 - 3. Additional information is required before a final confidentiality determination can be made.*
- D. *If an agency chief procurement officer determines that information submitted is not confidential, a person who made the submission shall be notified in writing. The notice shall include a time period for requesting a review of the determination by the state procurement administrator.*
- E. *An agency chief procurement officer may release information designated as confidential under subsection (A) if:*
- 1. A request for review is not received by the state procurement administrator within the time period specified in the notice; or*
 - 2. The state procurement administrator, after review, makes a written determination that the designated information is not confidential.*

- - -

August 14, 2026

VIA ELECTRONIC MAIL

Cindy Palmer
State of Arizona
Office of the Attorney General
2005 N. Central Ave
Phoenix, Arizona 85004

Re: Proposal to Provide Supplemental Outside Counsel Services – Consumer Fraud
and Related Civil Actions (RFP AG26-0026)

Dear Ms. Palmer:

Attached please find the Proposal of Cohen Milstein Sellers & Toll LLP (“Cohen Milstein” or the “Firm”) through the Office of the Arizona Attorney General (“OAG” or the “State”).

Cohen Milstein welcomes the opportunity to continue to provide outside counsel legal services for the State. Our Proposal demonstrates Cohen Milstein’s expertise in various types of consumer fraud investigations and litigation. If chosen to continue with the OAG, Cohen Milstein will provide the services of skilled litigators that excel in handling complex, high-stakes litigation as required by this solicitation.

Cohen Milstein is exceptionally qualified to provide consumer fraud outside counsel legal services for the State of Arizona. *The National Law Journal* awarded Cohen Milstein as the Plaintiff Law Firm of the Year— a testament to the unique talent of the Firm and a recognition of the challenging cases we take on and win in pursuit of justice for the common good. Our Public Client practice has served as special counsel to Attorneys General in more than twenty states, including Arizona, securing billions of dollars in recoveries through complex consumer protection investigations and enforcement actions. The proposed team includes experienced partners and associates who have represented clients, including public clients, in high-stakes matters involving pharmacy benefit manager fraud, deceptive fintech practices, algorithmic pricing manipulation, and other matters with a demonstrated ability to develop and execute sophisticated litigation strategies to deliver results that protect consumers and advance the public interest.

Thank you for considering this Proposal. If you have any questions, please do not hesitate to contact me.

Sincerely,



Emmy L. Levens

August 14, 2026

Cohen Milstein's Response to Office of the Attorney General for the State of Arizona Request for Proposals: Outside Counsel for Consumer Fraud and Related Litigation

Submitted by

Cohen Milstein Sellers & Toll LLP
1100 New York Ave, NW, 8th Floor
Washington, DC 20005

Emmy Levens
eleven@cohenmilstein.com

T 202.408.4600

F 202.408.4699

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Proposal Summary

Cohen Milstein Sellers & Toll LLP (“Cohen Milstein” or the “Firm”) values the opportunity to serve as Outside Counsel for the State of Arizona (the “State”) through the Office of the Attorney General (“OAG”) to meet the Office’s consumer fraud and related civil litigation needs.

Cohen Milstein was founded in 1969.¹ The Firm stands apart as one of the nation’s most well-resourced and experienced firms specializing in affirmative litigation, with more than 120 lawyers and 70 staff in eight offices.²

Cohen Milstein has extensive complex litigation experience, spanning numerous industries, including those listed in this SFP. Likewise, the breadth of the Firm’s expertise spans multiple practice areas rendering us well-equipped to represent Arizona’s interests in any complex investigation or enforcement action that arises. Specifically, we have extensive experience and dedicated practice groups in the following areas:

- Public Client (representing State Attorneys General and other governmental entities)
- Antitrust Litigation
- Civil Rights & Employment Litigation
- Complex Tort Litigation
- Consumer Protection
- Employee Benefits / ERISA
- Ethics and Fiduciary Counseling
- Securities Litigation & Investor Protection
- Whistleblower

¹ Prior to 1986, Cohen Milstein was the Washington, D.C. office of the law firm currently known as Kohn, Swift & Graf, P.C.

² Cohen Milstein currently has offices in Boston, Chicago, Minneapolis, New York, Palm Beach Gardens, Philadelphia, Raleigh, and Washington, D.C.

The Firm's case recommendations and legal analysis, particularly on behalf of public clients like the State, set us apart from our competitors. As we evaluate and investigate potential litigation, Cohen Milstein's attorneys carefully vet claims and likely defenses, approaching issues with not only a strong legal basis but also with creativity to avoid pitfalls that may allow bad actors to escape accountability. Working together with the Attorney General, we are confident in delivering legal services to reign in harmful conduct and provide considerable relief to Arizonans.

Experience and Expertise

Cohen Milstein has been recognized nationally for its excellence and innovation in complex litigation. The National Law Journal named Cohen Milstein the 2025 Plaintiff Law Firm of the Year, and the Firm was named a finalist for the 2026 Elite Trial Lawyer Practice of the Year awards for Antitrust, Securities Litigation and Shareholder Rights, Discrimination, and Employment Rights. Chambers USA and Legal 500 consistently rank Cohen Milstein as a "Top Tier" and "Leading Firm" across multiple practice areas. Our attorneys are likewise regularly recognized individually by Benchmark Litigation, Global Competition Review, Lawdragon, Law360, The American Lawyer, and The National Law Journal as leaders in their fields.

With specialized experience and substantial resources, Cohen Milstein stands ready to represent the State of Arizona in any complex consumer fraud litigation matter, providing sophisticated legal strategy, efficient case management, and unwavering commitment to the public interest.

The Firm is perennially recognized for its excellence – for example, Cohen Milstein was recently ranked among the best in the country by multiple publications, including the following:

- *National Law Journal* awarded Cohen Milstein Plaintiff Law Firm of the Year in 2025, as well as Practice of the Year – Discrimination (including Employment). Cohen Milstein also won 2024 Elite Trial Lawyers Practice of the Year for Securities and Mass Torts.

- The Firm's Public Client Practice was awarded the 2022 *National Law Journal's* Consumer Protection Award for its opioid-related litigation on behalf of state clients, and the practice won this same award in 2018 for its work on behalf of Mississippi in the Moody's litigation.
- *Legal 500* "Leading Lawyers" in affirmative, plaintiff-side litigation in four practice areas: Antitrust, Product Liability, Securities, and Mass Tort & Class Action.
- *Chambers USA* "Leading Firm" in four practice areas: Antitrust, Employment, ERISA, Securities, and Product Liability & Mass Torts.
- *Law360* Practice Group of the Year in four practice areas: Benefits (2022), Competition (2022, 2024), Employment (2025), and Securities (2020, 2022, 2023, 2025).

With a record of outstanding results for our clients, Cohen Milstein is well qualified to represent the State's interest. Clients, judges, co-counsel, and opposing counsel all have spoken highly of Cohen Milstein's work. A few examples from cases include:

- In his order approving the \$974 million settlement in *In re: Urethanes Antitrust Litigation*, U.S. District Judge John W. Lungstrum commended Cohen Milstein: "Hundreds of millions were at stake here, and counsel achieved incredible success on the merits of the claims ... Liability on these claims was far from certain, and thus the case presented a great deal of risk ... Counsel achieved this verdict and judgment without the benefit of a government investigation or prosecution of members of the alleged antitrust conspiracy. The subject matter was complex and not easily digestible by a lay jury, and there were no personal injuries to heighten sympathy. In almost 25 years of service on the bench, this Court has not experienced a more remarkable result."
- California Superior Court Judge Brian C. Walsh praised the 2020 settlement in *In re Alphabet Shareholder Derivative Litigation*, which included a \$310 million funding commitment and sweeping workplace and corporate governance reforms, as a "groundbreaking"

agreement that codified a “best in class approach.” Commending counsel, he said achieving such a settlement was a “credit to what ... your profession can do to solve a problem.”

- In *In re BP Securities Litigation*, for which Cohen Milstein served as Co-Lead Counsel, U.S. District Court Judge Keith P. Ellison offered this assessment as the litigation drew to a close: “I want to reiterate how fortunate I feel to have ... worked with such able lawyers on both sides. It’s been one of the highlights of my career as a judge. We had difficult issues and even some novel issues, and through it all you provided me with the highest standards of both scholarship and of advocacy and I am grateful.”

Cohen Milstein has considerable experience litigating complex cases—including on behalf of public clients—across many industries including harmful products, automotive and trucking, data protection software, financial services, insurance, social media, telecommunications, and others. The Firm has challenged a wide array of deceptive and unfair business practices including:

- Bait-and-switch and “negative option marketing schemes;”
- False advertising and mislabeling claims, including claims regulated by the USDA, FDA, and EPA;
- Hidden, inflated or excessive fees;
- Algorithmic inflation / Inflated metrics;
- Social media bots and deceptive online marketing; and
- Dark patterns.

Some examples of this work on behalf of public clients include the following cases:

- *RealPage Inc.*: The Public Client and Antitrust Practices represent the Attorneys General of the District of Columbia (“the District”), Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. (RealPage), and more than a dozen residential landlords for

allegedly agreeing to use an algorithm to set rents in violation of antitrust laws. The actions—pending in three courts—seek damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, agreeing to reform their business practices and pay more than \$2.5 million in civil penalties, restitution to affected residents, and attorneys' fees.

- *Pharmacy Benefit Managers (PBM) Investigations & Litigation:* We serve or served as special counsel to 19 state Attorneys General in their respective investigations of the PBMs that provide pharmacy benefits and services to state funded health plans including state Medicaid programs. The PBMs under investigation are CVS Caremark, Express Scripts, and OptumRx who collectively process nearly 80% of all U.S. prescription drug claims. Since 2021, we have secured close to \$1.25 billion in settlements with PBMs for our state Attorney General clients, including: Arkansas, California, Illinois, Mississippi, New Mexico, and Ohio.
- *Fintech Companies:* The Public Client practice, with its co-counsel, represented the states of Hawai'i and New Hampshire in their investigations and actions against fintech companies. On December 20, 2022, the State of Hawai'i filed a complaint against Venmo and PayPal alleging that companies engaged in deceptive and unfair business practices that denied customers access to their funds, employed dark patterns that violated customer privacy, and misrepresented consumer protections on their platforms, among other things. On August 2, 2023, the circuit court denied the companies' motion to dismiss, and in December 2025, the companies agreed to pay \$6 million to the Hawai'i Department of Commerce and Consumer Affairs Office of Consumer Protection to resolve the lawsuit. Also in December 2025, the State of New Hampshire announced a settlement with PayPal that includes injunctive relief requiring the PayPal to make significant changes to the Venmo and PayPal platforms, as well as a monetary payment of \$1.75 million.

- *Meal Delivery Apps:* The Public Client practice and our client, the City of Chicago, have received extensive media attention for our enforcement actions against DoorDash and Grubhub. The cases allege pervasively deceptive and unfair business practices that take advantage of restaurants, consumers, and drivers. The City's case against DoorDash survived a motion to dismiss, and resolved in November 2025 with an \$18 million settlement that includes money for affected Chicago restaurants, consumers, and drivers. On December 13, 2022, the Circuit Court of Cook County denied Grubhub's motion to dismiss Chicago's complaint. The City of Chicago, also with our representation, settled with Uber Technologies, Inc., after a similar investigation. Cohen Milstein has also been retained by Los Angeles County Office of County Counsel's Affirmative Litigation and Consumer Protection Division in its case against Grubhub, on behalf of the People of the State of California, for false advertising and violations of the California Unfair Competition Law.

With unrivaled experience leading complex consumer protection matters and representing the interests of public entities like the State of Utah, Cohen Milstein is more than ready to represent the State in any complex consumer litigation matter it may wish to pursue.

Cohen Milstein's attorneys, and our proposed team members in particular, regularly advise and litigate on behalf of public institutions. These matters span multiple industries and have returned cash and in-kind relief valued at more than \$2 billion. The Firm's public clients have included the Office of the Attorney General in Arizona, Arkansas, California, Hawai'i, Illinois, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Mississippi, New Jersey, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, Ohio, Oregon, Pennsylvania, South Carolina, Texas, and Washington. In addition, we have been engaged to provide litigation and legal services to state entities in Colorado, Connecticut, Maryland, Oklahoma, New York, Vermont, Wisconsin, and Wyoming.

In addition to the ongoing consumer litigation on behalf of public clients against meal delivery apps and fintech companies noted above:

- Cohen Milstein served as counsel to Arizona and Nevada in their consumer fraud lawsuits against Bank of America over the servicing of huge volumes of mortgages, and the Firm's work for those states secured financial payments, commitments to mortgage modifications, and other relief valued at more than \$1 billion.
- We served as counsel to Mississippi in the landmark consumer fraud lawsuit against Standard & Poor's over the misrepresentation of its business model responsible for rating mortgage-backed securities, which resulted in a \$1.375 billion global settlement with Moody's.
- Cohen Milstein also served as counsel to New Mexico in Medicaid and consumer protection investigations and litigation against certain long-term skilled nursing facilities that misrepresented their services to consumers and to the State, which paid for services that were not provided.

Additionally, Cohen Milstein has served at the forefront of some of the most significant defective product cases in the country including securing a \$500 million settlement fund for consumers in *In re Apple Inc. Device Performance Litigation*. Likewise, Cohen Milstein also has significant experience bringing consumer claims related to cybersecurity, privacy, and data breaches, securing millions for injured consumers.

Additionally, the Firm represents families and young adults in personal injury, wrongful death, and product liability mass tort lawsuits against major social media platforms, including Instagram, Snapchat, TikTok, and others for knowingly and recklessly creating addictive platforms that can be harmful to users, and failing to warn minor users and their parents about the risks of addiction and resulting harm. These lawsuits, consolidated before the Los Angeles Superior Court, are part of a growing national movement. They allege that these social media companies engaged in deceptive, unfair, and unconscionable acts by intentionally designing their products to maximize

engagement, knowing it would lead to addiction and serious harm, particularly to vulnerable minors. These platforms have been designed to keep users, especially minors, “hooked,” with features such as infinite scrolling, algorithms that tailor content, and social reinforcement through likes and comments, making it difficult for young users to disengage. These design elements, while profitable for the companies, come at a devastating cost to the mental health of minors who are more vulnerable to addiction and harm.

Cohen Milstein also serves as counsel in several high-profile environmental matters. The Firm has extensive experience working with state and federal agencies to address toxins in drinking water, ground water, soil, and air including as Co-Lead Class Counsel in the *Flint Water Litigation* and *DuPont/Chemours Cape Fear River Water Contamination Litigation*. More information about these cases can be found on our website or provided on request.

Cohen Milstein frequently represents public entities in matters at the intersection of law, technology, and consumer protection—areas that often evolve faster than existing statutory or regulatory frameworks. In these cases, creativity is not about breaking new ground for its own sake but about anchoring innovative arguments in established legal principles and accepted expert methodologies.

A recent example involves litigation challenging deceptive design and algorithmic practices in online platforms. Because the conduct at issue involved digital interfaces, we recognized early that an expert experienced only in the deceptive components of advertising would not fully capture how these systems misled consumers or distorted market outcomes. To bridge that gap, we engaged a user-experience (UX) design expert to explain how the *structure and design* of an app—not merely the words on a screen—were engineered to steer user behavior in deceptive ways. This testimony provided a tangible, evidence-based way to show how consumers were misled even when the literal text complied with disclosure requirements.

In another matter involving algorithmic pricing, we assembled a cross-disciplinary team that combined a computer scientist specializing in

algorithms with an economist experienced in competition and market modeling. Working collaboratively, these experts demonstrated both how the algorithm operated (by analyzing the underlying code and data inputs) and the real-world economic impact it produced—showing that the algorithm’s structure predictably raised prices across competitors’ listings.

This integrated approach allowed us to translate novel technological mechanisms into legal theories familiar to courts—such as deception, unfairness, and anticompetitive coordination—grounding complex facts in clear, legally cognizable harm. These examples reflect the Firm’s broader philosophy: in fast-moving areas like technology and AI, creativity means combining rigorous, conventional legal reasoning with fresh, interdisciplinary tools to tell a compelling, comprehensible story to courts and factfinders.

The following is a non-exhaustive list of some of the most significant results from Cohen Milstein representing clients in litigation including several notable consumer protection matters.

Case Name	Cohen Milstein’s Role	Legal Services	Settlement or Judgment Amount³
<i>In re Equifax, Inc., Customer Data Security Breach Litigation</i> 1:17-md-02800-TWT (N.D. Ga.)	Served on plaintiffs’ Steering Committee and Co-Chair of Expert Committee	Consumer or Unfair Practices Litigation	\$1.5 billion
<i>Standard & Poor’s—State Attorneys General and DOJ Investigation and Civil Charges</i>	Counsel for Co-Lead State Mississippi	Consumer or Unfair Practices Litigation	\$1.375 billion
<i>In re Vitamins Antitrust Litigation, MDL No. 1285</i> (D.D.C.)	Co-Lead Counsel for two classes of businesses	Antitrust and Pharmaceutical Litigation	\$1.1 billion
<i>State Attorneys General PBM Investigations & Litigation</i>	Special Counsel to more than a dozen State Attorneys	Pharmaceutical Litigation	\$1.2 billion

³ In cash or cash plus the value of other relief.

Case Name	Cohen Milstein's Role	Legal Services	Settlement or Judgment Amount ³
	General, including in Arkansas, California, Illinois, Mississippi, New Mexico, Ohio, and Texas		
<i>Moehrl v. National Association of Realtors, et al.</i> , 1:19-cv-016101/4:19-cv-00332, Northern District of Illinois	Initiated Original Investigation, Co-Lead Counsel	Antitrust Litigation	Close to \$1 billion
<i>Moody's Corp – State Attorneys General and DOJ Investigation and Civil Charges</i>	Counsel for the Co-Lead state, Mississippi, and the state of New Jersey	Consumer or Unfair Practices Litigation	\$864 million
<i>Flint Water Crisis Class Action Litigation</i> , 16-cv-10444, U.S. District Court, Eastern District of Michigan	Co-Counsel, Interim Co-Lead Counsel	Environmental Toxic Torts, Complex Tort Litigation	\$626.25 million
<i>In re Apple Inc. Device Performance Litigation</i> , 19CV341522, Superior Court of the State of California, County of Santa Clara	Co-Lead Counsel	Shareholder Derivative Lawsuit	\$500 million
<i>In re Anthem Data Breach Litigation</i> , 15-MD-02617-LHK, Northern District of California	Co-Lead Counsel	Consumer Data Breach Litigation	\$115 million
<i>Khoday et al. v. Symantec Corp. et al.</i> , 0:11-cv-00180-JRT-TNL, District of Minnesota	Lead Class Counsel	Consumer or Unfair Practices Litigation	\$60 million
<i>In re MGM Resorts International Data Breach Litigation</i> , 2:20-cv-00376, District of Nevada	Co-Lead Interim Class Counsel	Consumer Data Breach Litigation	\$45 million

Case Name	Cohen Milstein's Role	Legal Services	Settlement or Judgment Amount ³
<i>LLE One, LLC v. Facebook</i> , 4:16-cv-06232-JSW, N.D.C.A.	Co-Class Counsel	Consumer or Unfair Practices Litigation	\$40 million
<i>Ariza v. Luxottica Retail North America (LensCrafters)</i> , 1:17-cv-05216-PKC-RLM, E.D.N.Y.	Lead Counsel	False Advertising, Consumer Protection	\$39 million

Relationship with OAG

The Firm has represented governmental entities in dozens of cases and matters within the past six years. Many have repeatedly selected us as litigation counsel, a testament to our commitment to meet their needs while safeguarding their interests and reputations as zealously as we do our own.

Cohen Milstein understands that as outside counsel, the Firm will work under the direction of the OAG and that OAG must approve all key decisions in a case. Ms. Levens will serve as the primary point of contact and will work promptly with the State at all stages of investigation and litigation. Through regular communications, discussion of key issues, review of all pleadings and major filings, and other methods, Cohen Milstein receives real-time direction from our public clients in developing and implementing strategy for investigation, litigation, and settlement. The Firm typically works with our clients to set a timeline for providing drafts well in advance of deadlines to ensure that our approach and legal arguments are consistent with what OAG would do in its own filings.

The Firm will provide regular investigation and litigation status reports to clients which include key developments, upcoming dates, and any outstanding issues of note. This process also allows us to proactively identify and address any concerns about the timing or method of the legal services performed.

Cohen Milstein is well-versed in addressing or avoiding the special issues that State Attorneys General face in litigating cases—from the propriety of hiring

outside counsel, to the powers and duties of the Attorneys General, to preemption, removal, and remand. We are experts at navigating all aspects of our cases—legal and administrative—to deliver results that matter for clients in the public sector. Our legal services are designed to promote efficiency and with an eye toward containing costs.

We also understand the importance of communication and responsiveness for our governmental entities. We are well-versed in addressing the special issues that public clients face including the importance of directing the approach to any news about ongoing litigation, key decisions in the case, as well as any time-sensitive, significant, or controversial matters. Accordingly, we set a plan in place well before any such issues arise so there is a regular practice of communication to ensure our clients are well-informed and prepared to serve as the ultimate decision-maker on all major issues in the case. For example, we will typically have a standing weekly or bi-weekly call with each of our public clients and the Cohen Milstein team working on a particular matter.

Cohen Milstein has experienced attorneys who have worked for state and federal agencies, to whom we regularly turn to for input about how to minimize any burden on our clients. We pride ourselves on providing services that respond to our clients' needs and, correspondingly, meet and exceed their expectations.

Litigation Team

The Firm's greatest resource is the quality of the team we provide to our clients. Cohen Milstein has been able to attract and hire some of the most talented attorneys from state and federal government and major firms across the United States. Our litigators are exceptionally accomplished, having significant experience working for the U.S. Department of Justice, the Securities and Exchange Commission, the Consumer Product Safety Commission, State Attorneys General Offices, the District of Columbia, judges in U.S. Circuit Courts of Appeal and U.S. District Courts, and major law firms (both defense and plaintiffs' side). With impeccable credentials and impressive advocacy that

leads to significant recoveries, Cohen Milstein attorneys have garnered individual recognition in their fields, including the individual attorneys proposed to provide services to the State of Arizona in connection with this RFP.

Cohen Milstein's proposed Litigation Team has vast experience in a wide range of cases, including consumer fraud matters. The Firm would tailor the exact litigation team to your needs to ensure the matter is efficiently managed with the appropriate mix of experience. Generally, Lead Counsel provides overarching strategic guidance and experience and other Senior Attorneys would manage the day-to-day needs of the matter including editing all briefs and correspondence, establishing a discovery strategy for the matter, taking key interviews/depositions, and most major court appearances. A mix of junior attorneys would handle the remaining investigative and litigation tasks including initial drafts of briefs, drafting discovery and investigative demands, and document review.

Staffing decisions can be modified throughout the litigation to allow for the best representation. In light of the contingent fee nature of our work, we are wholly vested in ensuring that the services we provide are always the highest level and efficient so that we can obtain the best result for the State.

In terms of separating assignments per team member and their roles with respect to work in areas such as research, litigation, and support, the proposed team covers each, including Lead Counsel, Public Client Practice Chair and partner Emmy L. Levens. Work will be allocated based upon the nature of the assignment and which team member is best situated to handle it at a particular time during the pendency of the matter.

Resumes



Emmy L. Levens, Washington, D.C., is the Chair of Cohen Milstein's Public Client Practice, and a Partner in the Antitrust and Environmental practice groups. Ms. Levens has significant expertise litigating large, high-profile cases across a broad range of substantive areas. For example, she helped secure settlements totaling more than \$650 million for the victims of the Flint Water Crisis and approximately \$500 million in a cutting-edge antitrust case

alleging that several of the world's largest banks engaged in a group boycott to thwart modernization of the stock loan market.

In addition to representing government clients in confidential investigations, Ms. Levens represents the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. and more than a dozen large landlords for allegedly agreeing to use an algorithm to set rents in violation of antitrust laws. The actions—pending in three courts—seek damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, agreeing to reform their business practices and pay nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys' fees.

She also represented the Hawai'i Office of Consumer Protection in its litigation against PayPal for deceptive and unfair practices in connection with its PayPal and Venmo platforms, including violating customer privacy. The suit survived a motion to dismiss, and in December 2025, the companies agreed to pay \$6 million to the Hawai'i Department of Commerce and Consumer Affairs Office of Consumer Protection to resolve the lawsuit. In a similar case, Ms. Levens assisted the Office of the Attorney General for the State of New Hampshire in negotiating a settlement with PayPal that includes injunctive relief requiring

PayPal to make significant changes to its platforms, including removal of misleading language and the ability to choose privacy as a default setting during Venmo sign-up, as well as a monetary payment of \$1.75 million.

Ms. Levens has repeatedly been recognized by the legal industry for her exceptional work, including being named to *The National Law Journal's* 2021 "Elite Women of the Plaintiffs Bar," recognizing the top female litigators in the U.S. who have "demonstrated repeated success in cutting-edge work on behalf of plaintiffs," as well as *Bloomberg Law's* 2021 "They've Got Next: The 40 Under 40 – Mass Torts" and *Law360's* 2020 "Rising Stars – Class Action." Ms. Levens was also recognized by Super Lawyers from 2018–2023, and was named to *Lawdragon's* 500 Leading Plaintiff Financial Lawyers from 2019–2024, *Lawdragon's* 500 Leading Plaintiff Consumer Lawyers in 2025 and Leading Litigators in America for 2025 and 2026, and *Lawdragon's* 500 Leading Global Antitrust & Competition Lawyers for 2026.

Ms. Levens earned her J.D. from the University of California Los Angeles Law School, earning the Order of the Coif, in 2007; and graduated with her B.A. from the University of Kansas, with honors, in 2004. Prior to joining Cohen Milstein, Ms. Levens served as a staff law clerk for the Seventh Circuit Court of Appeals.

She is licensed in Illinois and the District of Columbia, and is eligible for *pro hac vice* admission in other courts, as needed.



Christina D. Saler, Philadelphia, is a Partner in Cohen Milstein's Public Client and Securities Litigation & Investor Protection practice groups. Ms. Saler represents State Attorneys General and other public clients in a broad range of Medicaid Fraud, complex litigation, securities, shareholder rights, and derivative actions.

Since 2019, Ms. Saler has worked with State Attorneys General throughout the United States to investigate whether state funded

health plans, including state Medicaid programs, were being overcharged by their Pharmacy Benefit Managers (“PBMs”). These investigations uncovered systemic and elaborate schemes to overcharge the States enabling PBMs to unfairly profit. Leading her team, Ms. Saler’s work with State enforcement offices has recovered more than \$1.25 billion from PBMs on behalf of overcharged state funded health plans.

Ms. Saler’s investigations are also marked by successful coordination with State Attorneys General offices who trust her counsel and tempered approach. Her work with State Attorneys General investigating and litigating against PBMs has put intense pressure on those that take advantage of patients and taxpayers, resulting in significant recoveries and contract modifications that better protect state-funded health plans. Ms. Saler has also begun investigating potential antitrust violations by a health insurer and its captive PBM.

Ms. Saler also focuses on shareholder litigation, representing public pension funds and other institutional investors in federal securities fraud cases and shareholder derivative actions. In 2021, two of the securities class actions in which she represented investors settled: *In re Woodbridge Investments Litigation* (C.D. Cal.), for \$54.2 million, and *Eric Weiner v. Tivity Health, Inc.* (M.D. Tenn.), where she represented the Oklahoma Firefighters’ Pension and Retirement System, which settled for \$7.5 million on the eve of trial. Additionally, Ms. Saler represents lead plaintiffs and class representatives the Government of Guam Retirement Fund, Cambridge (MA) Retirement System, the Northeast Carpenters Annuity Fund, and the Northeast Carpenters Pension Fund in their certified securities class action for which a \$167.5 million all cash settlement was granted preliminary approval in July 2025. U.S. District Judge Robert Colville gave final approval in November 2025, noting that there had been no objections and only 10 opt-outs after the settlement administrator notified 121,654 potential shareholder class members. This settlement is notable as it is (by far) the largest securities class action recovery ever in the history of the Western District Court of Pennsylvania and the 14th largest in the history of the Third Circuit.

Ms. Saler also advises clients on regulatory trends and legal decisions that may impact the management of their funds. She is Editor of Cohen Milstein’s

Shareholder Advocate, a quarterly publication focused specifically on legal issues relevant to public retirement systems, has been annually named in *Lawdragon's* 500 Leading Plaintiff Financial Lawyers list since 2021 and recognized during the early years of her career by *Law & Politics* and the publishers of *Philadelphia Magazine* as a Rising Star.

Ms. Saler also is currently working and has worked on the following high-profile matters:

- *In re EQT Corporation Securities Litigation* (W.D. Pa.): Cohen Milstein is Co-Lead Counsel to Eastern Atlantic States Carpenters' Pension and Annuity Funds in this securities class action, in which Plaintiffs alleged that EQT misrepresented the "substantial synergies" that were expected to arise from a planned merger with rival natural gas producer Rice Energy due to "the contiguous and complementary nature of Rice's asset base with EQT's." On November 4, 2025, the court granted final approval of a \$167.5 million all cash settlement, which is notable as the largest securities class action recovery ever in the history of this district and the 14th largest in the history of the Third Circuit.
- *In re Silvergate Capital Corporation Securities Litigation*: Cohen Milstein is Co-Lead Counsel in this securities class action against Silvergate Capital Corporation and successfully navigated the substantial bankruptcy risks posed by the company by securing a \$37.5 million settlement that preserves meaningful recovery for the class despite Silvergate's Chapter 11 proceedings. Recognizing the significant limitations on the company's ability to pay—due to the automatic bankruptcy stay, the subordination of securities claims under 11 U.S.C. § 510(b), and dwindling directors' and officers' insurance—we pursued a multifaceted strategy. This included protracted arm's-length negotiations facilitated by an experienced mediator and ultimately led to a three-part recovery: nearly all remaining \$27.5 million in D&O insurance, a rare \$5.32 million contribution diverted from preferred equity holders' bankruptcy estate distributions, and \$4.68 million from the underwriter

defendants. By coordinating with the bankruptcy court to lift the automatic stay and obtain approval under Rule 9019, plaintiffs avoided years of uncertain litigation and the risk of receiving no recovery at all, instead securing a favorable, near-term resolution for the class.

- *Ohio Highway Patrol Retirement Systems (HPRS) v. Express Scripts, Inc.* (Franklin C.P., Ohio): Ms. Saler serves as Special Counsel to the Ohio Attorney General in this breach of contract litigation alleging that Express Scripts, Inc. overcharged HPRS on the pharmaceutical claims and withheld rebate money that should have been passed through to the plan.

Ms. Saler has been annually named in *Lawdragon's* "500 Leading Plaintiff Financial Lawyers" list since 2021 and recognized during the early years of her career by *Law & Politics* and the publishers of *Philadelphia Magazine* as a Rising Star.

Ms. Saler earned her J.D. with honors from Rutgers University Law School in 2003, and her B.A. from Fairfield University in 1995. She is licensed in New Jersey and Pennsylvania, and is eligible for *pro hac vice* admission in other courts, as needed.



Douglas J. McNamara, Washington, D.C., is a partner in Cohen Milstein's Consumer Protection practice group. He litigates complex, multi-state class action lawsuits against manufacturers and consumer service providers such as banks, insurers, credit card companies, and others. As a tireless advocate for consumers, he has worked on numerous cases involving data breaches, dangerous pharmaceuticals and medical devices, light cigarettes, defective consumer products, and environmental torts.

Mr. McNamara has been involved in precedent-setting cases that tackled issues of preemption, choice of law, and class certification. He is a hands-on litigator who takes pleasure in the details, facts, and documents of each case.

Mr. McNamara represented consumers in a nationwide class action, *Khoday et al. v. Sumantec Corp., et al.*, involving the marketing to consumers of a re-download service in conjunction with the sale of Norton software which settled for \$60 million. Additionally, Mr. McNamara was appointed Co-Lead Interim Class Counsel in the consolidated data breach class action against MGM Resorts for failing to implement reasonable data security practices, thereby allowing the personal information of between 10.6 million and 142 million MGM hotel guests and customers to be stolen on or about July 7, 2019. In July 2025, the court granted final approval of a \$45 million global settlement against MGM Resorts.

Mr. McNamara is also involved in the representation at Cohen Milstein as one of five court-appointed Co-Lead Counsel overseeing the multidistrict litigation addressing the massive May 2023 data breach involving Progress Software Corp.'s file-sharing software, MOVEit Transfer, which impacted more than 2,500 organizations, including hospitals, banks, businesses, governments, pension funds, universities, among others, and more than 67 million individuals worldwide. In July 2025, the Honorable Allison D. Burroughs of the U.S. District Court for the District of Massachusetts largely denied the motions to dismiss in two bellwether cases against Progress Software Corporation and other defendants, holding that plaintiffs' claims related to negligence, breach of contract, unjust enrichment, and many of the state-related unfair business practices and breach of consumer protection claims could move forward. One of the defendants recently agreed to pay \$2.4 million to resolve its part in the incident; another reached a \$5.25 million deal to end negligence claims it faced in the MDL.

Mr. McNamara currently is one of the Firm's leaders in a case that addresses Zillow's alleged exploitation of consumers in the purchase of a home by misleading prospective buyers into an elaborate scheme involving Zillow

agents, Zillow Home Loans, Zillow Preferred Partners, and hidden fees, in violation of RICO, RESPA, and state consumer laws. Plaintiffs allege that Zillow's ability to monetize its market dominance in online real estate listings is based on deceptive and illegal conduct. When potential buyers are on Zillow's website, Zillow tricks them into signing up with a Zillow agent. If the agent is part of Zillow's "Flex" program, Zillow gets 40% of the agent's commission – a payment on the back end that is undisclosed to all parties involved. Through an integrated system, Zillow links its advertising, agent-referral, and lending operations so that the same consumer is captured and monetized at multiple stages of the transaction.

Mr. McNamara was named a *Benchmark Litigation* "Litigation Star" in 2025, and annually to *Lawdragon's* 500 Leading Plaintiff Consumer Lawyers since 2023.

Mr. McNamara earned his J.D. from New York University School of Law in 1995; and his B.A., *summa cum laude*, with Departmental Honors, from University at Albany – State University of New York, in 1992.

He is licensed to practice in the District of Columbia and New York, and is eligible for *pro hac vice* admission in other courts, as needed.



Robert A. Braun, Washington, D.C., is a Partner at Cohen Milstein and a member of the Antitrust Practice. He focuses on cutting-edge, industry-changing antitrust and class action litigation on behalf of individuals and businesses harmed by price-fixing and other illegal corporate behavior. He serves as the Firm's Ethics Partner.

Mr. Braun helped obtain more than \$50 million in settlements in *In re Resistors Antitrust Litigation*, and has played significant roles in suits involving anticompetitive behavior in the real estate services industry, LIBOR manipulation (\$187 million in settlements), price-fixing by manufacturers of metal pipes and fittings (\$47 million in settlements across two

cases), and “pay-for-delay” and other practices by pharmaceutical companies to limit access to less expensive generic drugs.

Mr. Braun is also experienced in international claims litigation. He has represented victims of state-sponsored terrorism in suits amounting to over \$1 billion in judgments.

Mr. Braun is involved in Cohen Milstein’s representation as Co-Lead Counsel in a certified class action in which home sellers allege that National Association of Realtors (NAR) and many of the nation’s largest real estate broker franchisors of conspiring to require home sellers to pay home buyers’ brokers fees – and at an inflated rate. Plaintiffs alleged that the conspiracy revolves around NAR’s mandatory requirement that sellers make a broker commission offer when listing their home on a multiple listing service. Cohen Milstein and co-counsel have helped home sellers achieve more than \$997.1 million in settlements thus far, of which, more than \$876.5 million has been granted final approval by the courts, including a \$418 million settlement with NAR and a \$250 million settlement with HomeServices America, which was granted final approval in November 2024.

Mr. Braun is currently involved in Cohen Milstein’s representation of the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. and more than a dozen large landlords for allegedly agreeing to use an algorithm to set rents in violation of antitrust laws. The actions—pending in three courts—seek damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, agreeing to reform their business practices and pay nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys’ fees.

Mr. Braun has been named a *Law360* Rising Star (2024), received *The National Law Journal* Elite Trial Lawyers Rising Stars Award (2024), named *Lawdragon*’s 500 Leading Plaintiff Financial Lawyers (2024, 2025), and named *Super Lawyers*

Washington, D.C., Rising Star – Antitrust Litigation; Class Action/Mass Torts (2018–2021).

Mr. Braun earned his J.D. from Yale Law School in 2011; and his B.A., *summa cum laude*, from Princeton University in 2007. He is licensed in the District of Columbia, Louisiana, and New York, and is eligible for *pro hac vice* admission in other courts, as needed.



Eric A. Kafka, New York, is a partner in Cohen Milstein’s Consumer Protection practice. Mr. Kafka represents clients in a wide range of consumer class actions, including privacy, false advertising, data breach, and product liability class actions.

Mr. Kafka has particularly deep experience litigating class actions against large technology companies and privacy class actions. For example, in three class actions against Meta, he is addressing industry-defining issues:

- *LLE One v. Facebook* (N.D. Cal.), consumers alleged that Facebook miscalculated and inflated video advertising metrics by as much as 150% to 900%. This high-profile false advertising class action settled for \$40 million.
- *DZ Reserve v. Meta Platforms* (N.D. Cal.), a certified class action, consumers allege that Facebook’s “potential reach” metric is false and misleading.
- *In re Meta Pixel Healthcare Litigation* (N.D. Cal.), consumers are challenging Meta’s alleged collection of sensitive health data from health provider websites.

Mr. Kafka was also appointed as sole Lead Counsel in *In re Prescott v. Reckitt Benckiser LLC*, a certified false advertising class action, which settled for more than \$3 million.

Mr. Kafka was also recently appointed Interim Lead Counsel for the multidistrict litigation now named *In re: TikTok, Inc., Minor Privacy Litigation*, by Judge George H. Wu for the U.S. District Court for the Northern District of California. The case was filed by Cohen Milstein on behalf of millions of American parents of children, who are minors, who claim that TikTok collects and uses their young children's personal information without providing direct notice to parents or gaining parents' verifiable consent in violation of the Children's Online Privacy Protection Act of 1998 ("COPPA") and the COPPA Rule. Plaintiffs seek to hold TikTok accountable for repeatedly violating the rights of American children and to ensure that TikTok's misconduct is finally stopped. In November 2025, Judge Wu dismissed TikTok's motion to stay and largely dismissed TikTok's motion to dismiss.

Mr. Kafka is widely respected in the plaintiffs' bar for his leadership role with experts, addressing consumer class certification, economic damages, computer source code, and chemistry. For his work, Mr. Kafka has been recognized by *Law360* and *The National Law Journal* as a 2024 rising star. Additionally, he has been named one of *Lawdragon's* 500 Leading Plaintiff Financial Lawyers in 2025, and perennially named to *Best Lawyers: Ones to Watch*, Class Actions from 2023-2026, and Super Lawyers from 2021-2025.

Mr. Kafka also serves as Vice Chair of the American Association for Justice's Class Section.

Mr. Kafka earned his J.D. from Columbia Law School in 2014; and his B.A. from Yale University in 2008. He is licensed in Missouri and New York and is eligible for *pro hac vice* admission, as necessary.



Richard L. Trumka Jr., Washington, D.C., is Of Counsel in Cohen Milstein's Public Client practice group. He represents State Attorneys General and other public sector clients as outside counsel in investigations and lawsuits involving a wide range of claims including consumer protection, false claims, and fraudulent deceptive trade practices and other forms of consumer fraud.

Mr. Trumka currently represents the City of Chicago in its trailblazing lawsuit against Grubhub, the first comprehensive law enforcement actions against meal delivery companies in the United States, alleging that the meal delivery companies deceive customers – and unfairly harm restaurants and drivers – with misleading restaurant listings, fees, menu prices, and allocation of driver tips. The suit aims to establish a fairer and more transparent marketplace for meal delivery in the city. Mr. Trumka also represented the City of Chicago in its similar suit against DoorDash, which was resolved in November 2025 with an \$18 million settlement that includes money for affected Chicago restaurants, consumers, and drivers. Cohen Milstein has also been retained by Los Angeles County Office of County Counsel's Affirmative Litigation and Consumer Protection Division in its case against Grubhub, on behalf of the People of the State of California, for false advertising and violations of the California Unfair Competition Law.

Prior to joining Cohen Milstein, Mr. Trumka was Commissioner of the U.S. Consumer Product Safety Commission ("CPSC"). During his tenure, Mr. Trumka stood up for consumers and delivered results to make consumers safer from hidden hazards and corporate misconduct. He helped the Commission crack down on infant products that were putting babies' lives at risk. He led efforts to speed up the safety benefits of CPSC's life-saving rules. He also joined colleagues in declaring Amazon accountable for recalls of hazardous products sold on its platform.

Prior to joining the CPSC, Mr. Trumka served as General Counsel & Staff Director of the United States House Committee on Oversight and Reform's Subcommittee on Economic and Consumer Policy. During his tenure, he focused his consumer protection and public health work on protecting children, including from toxic heavy metals in baby foods, mis-marketed car booster seats, e-cigarettes, and carcinogens in consumer talc products. He also helped uncover wasteful government contracts leading to over \$400 million in taxpayer savings.

In his prior service as an Assistant Attorney General in the Consumer Protection Division of the Maryland Office of the Attorney General, Mr. Trumka prosecuted companies and their executives for violations of Maryland's consumer protection laws. He secured substantial judgments for Maryland consumers. He also helped lead multistate data breach investigations affecting consumers nationwide. For example, Mr. Trumka co-led the Equifax Data Breach Multistate that led to a \$600 million settlement, resolving a massive 2017 cybersecurity failure that exposed the personal data of roughly 147 million Americans⁴. He also co-led the Uber Technologies Data Breach Multistate that led to a \$148 million settlement with all 50 states and the District of Columbia over a massive 2016 data breach that exposed the personal information of approximately 57 million riders and 600,000 drivers worldwide. His work for the Maryland Office of the Attorney General, including his data breach matters, recovered more than \$1.2 billion dollars for consumers, as well as injunctive relief.

Mr. Trumka began his career clerking for the Hon. Berle M. Schiller of the U.S. District Court for the Eastern District of Pennsylvania. He then went into private practice, focusing on complex litigation.

Mr. Trumka earned his J.D., *cum laude*, from Georgetown University Law Center in 2009; and his B.S. from Cornell University in 2006. He is licensed in the District of Columbia and Maryland and is eligible for *pro hac vice* admission in other courts, as needed.

⁴ Separately, Cohen Milstein partner Andrew N. Friedman was court-appointed to the Consumer Plaintiffs' Steering Committee and Co-Chair of the Expert Committee, with the Firm represented consumers in the consolidated nationwide class-action lawsuit in a total settlement valued at over \$1.5 billion.



Amanda K. Chuzi, Washington, D.C., is an Associate in Cohen Milstein's Public Client Practice. She represents State Attorneys General in investigations and lawsuits involving false claims and fraudulent and deceptive trade practices.

Ms. Chuzi works on behalf of the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. and more than

a dozen large landlords for allegedly agreeing to use an algorithm to set rents in violation of antitrust laws. The actions—pending in three courts—seek damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, agreeing to reform their business practices and pay nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys' fees.

Prior to joining Cohen Milstein, Ms. Chuzi was an attorney-adviser at the Office of Legal Counsel at the U.S. Department of Justice ("DOJ"), where she advised the White House, DOJ leadership, and other Executive Branch agencies on issues related to constitutional law and statutory interpretation. Before that, she was a Trial Attorney at the Federal Programs Branch at DOJ, where she defended the federal government in cases that raised complex questions of constitutional, statutory, and administrative law. Among other things, Ms. Chuzi defended more than sixty federal defendants in a high-profile First Amendment suit that ultimately resulted in a Supreme Court victory for the government.

Before joining DOJ, Ms. Chuzi was a law clerk for the Hon. Randolph D. Moss of the U.S. District Court for the District of Columbia and the Hon. Michelle T. Friedland of the U.S. Court of Appeals for the Ninth Circuit.

Ms. Chuzi earned her J.D. from Columbia Law School, J.D. in 2020; and her B.A., *magna cum laude*, from Tufts University in 2012. She is licensed in the District of Columbia, and eligible for *pro hac vice* admission to other courts, as needed.



Diane Kee, Philadelphia, is an Associate at Cohen Milstein and a member of the Public Client Practice, where she focuses on the representation of State Attorneys General and other public-sector clients in investigations and lawsuits involving false claims and fraudulent and deceptive practices.

Ms. Kee currently represents the State of Hawai'i's Office of Consumer Protection in its investigations and actions against fintech companies, alleging that Venmo and PayPal engaged in deceptive and unfair practices that denied customers access to their funds, employed dark patterns that violated customer privacy, and misrepresented consumer protections on their platforms, among other conduct. The suit survived a motion to dismiss, and in December 2025, the companies agreed to pay \$6 million to the Hawai'i Department of Commerce and Consumer Affairs Office of Consumer Protection to resolve the lawsuit. In a similar case, Ms. Kee was involved in assisting the Office of the Attorney General for the State of New Hampshire in negotiating a settlement with PayPal that includes injunctive relief requiring PayPal to make significant changes to its platforms, including removal of misleading language and the ability to choose privacy as a default setting during Venmo sign-up, as well as a monetary payment of \$1.75 million.

Ms. Kee is also involved in the Special Counsel representation of several State Attorneys General throughout the United States in their investigations into the billing practices and fee structures of managed care organizations in their delivery of services to state-funded health plans. To date, Cohen Milstein's work with State Attorneys General has resulted in more than \$1.2 billion in recoveries on behalf of state Medicaid programs.

Ms. Kee also works on behalf of the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. and more than a dozen large landlords for allegedly agreeing to use an algorithm to set rents in violation of antitrust laws. The actions—pending in three courts—seek damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, agreeing to reform their business practices and pay nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys’ fees.

Ms. Kee rejoined the Firm after clerking for the Honorable Lara E. Montecalvo of the United States Court of Appeals for the First Circuit and for the Honorable Terrence G. Berg of the United States District Court for the Eastern District of Michigan. Prior to her judicial clerkships, Ms. Kee was a fellow at Cohen Milstein, where she worked on litigation matters spanning the Firm’s practices.

Prior to law school, Ms. Kee was an aide to the Chambers of Justice Elena Kagan for the Supreme Court of the United States for two years.

Ms. Kee earned her J.D., *cum laude*, from University of Michigan Law School in 2021; and her B.A. from University of Wisconsin – Madison in 2015. She is licensed in the District of Columbia and Pennsylvania, and is eligible for *pro hac vice* admission to other courts, as needed.



Leslie C. Greening is a staff attorney in Cohen Milstein’s Public Client practice group. Ms. Greening brings over a decade of experience in investigations and discovery on behalf of State Attorneys General and other public sector clients. Her work is distinguished by a deep understanding of the unique interests and challenges facing the Firm’s public clients.

Ms. Greening has played a critical role in several high-profile cases. For example, she conducted extensive affirmative and defensive document discovery, including

deposition and trial preparation, for the City of Chicago, and a similar action brought by the County of Los Angeles on behalf of the People of California, in those offices' litigation against DoorDash and Grubhub. These cases addressed allegations of deceptive bait-and-switch pricing, the use of "dark patterns" to manipulate consumers, and exploitative practices targeting vulnerable restaurants during the COVID-19 pandemic.

She has also contributed to the Firm's representation of several states in litigation addressing significant public health and consumer protection issues. These include work in representing Indiana, New Jersey, and Vermont in lawsuits related to the opioid crisis and representing the State of New Mexico in litigation involving Medicaid fraud and deceptive practices by nursing facilities that failed to deliver promised care to vulnerable and elderly residents.

Ms. Greening is involved in the Firm's matters on behalf of the Attorneys General of the District of Columbia, Maryland, and New Jersey in coordinated antitrust litigation against RealPage, Inc. and more than a dozen large landlords for allegedly agreeing to use an algorithm to set rents in violation of antitrust laws. The actions—pending in three courts—seek damages, injunctive relief, and civil penalties. The cases in the District of Columbia and Maryland have survived motions to dismiss, and several defendant landlords have already settled with the District, agreeing to reform their business practices and pay nearly \$2.5 million in civil penalties, restitution to affected residents, and attorneys' fees.

Ms. Greening earned her J.D. from Wake Forest University in 2012; and her B.A. from Davidson College in 2008. She is licensed in the District of Columbia.

James Melvin would also assist in this matter. Mr. Melvin is a paralegal in the Firm's Public Client practice group. He has assisted with Cohen Milstein's representation of State Attorneys General and other government entities in for many years, as well as other law firms on both plaintiff and defense sides prior to Cohen Milstein performing case management, legal and investigative research, and court filings.

Mr. Melvin earned his B.S. from Radford University.