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Trio Of Plaintiffs' Firms Picked To Lead Daily Fantasy MDL

By **Pete Brush**

Law360, New York (March 31, 2016, 3:55 PM ET) -- The Boston federal judge handling some 86 suits including class actions accusing daily fantasy sports giants DraftKings and FanDuel of fraud and other illegal conduct picked attorneys from Jones Ward PLC, Napoli Shkolnik PLLC and Stull Stull & Brody on Thursday as co-lead counsel tasked with coordinating a slew of pretrial matters.

The task falls to Jasper D. Ward of Jones Ward PLC, Hunter Jay Shkolnik of Napoli Shkolnik PLLC and Melissa R. Emert of Stull Stull & Brody, according to an order from U.S. District Judge George A. O'Toole Jr., who **picked up** the multidistrict case Feb. 4.

"This slate of attorneys also appears to have broad support among the plaintiffs' attorneys as a whole, further supporting a conclusion that they will fairly and adequately represent the interests of any plaintiff class," the judge wrote.

The group will handle matters including discovery on a wide range of cases with differing theories of liability.

There are "insider trading" cases claiming the companies allowed their employees to gain an unfair advantage in competitors' fantasy contests by using inside information, "illegal gambling" cases accusing the companies of violating various anti-gambling laws and "bonus fraud" cases over an allegedly misleading promotional program used by DraftKings.

A competing motion to appoint John Roddy of Bailey & Glasser LLP, Brendan Glackin of Lief Cabraser Heimann & Bernstein LLP and Amy Williams-Derry of Keller Rohrback LLP as co-lead counsel was denied.

The co-leads said they were honored to have been appointed.

"We have a very committed group who are dedicated to pursuing this case," Emert said.

Christopher Weld Jr. of Todd & Weld was selected as liaison counsel.

An executive committee, to be chaired by the three co-leads, will be comprised of attorneys John A. Yanchunis of Morgan & Morgan, Jennifer L. Duffy, D. Todd Mathews of Gori Julian & Associates PC, W. Lewis Garrison Jr. of Heninger Garrison & Davis LLC, Kevin S. Hannon, Robert K. Shelquist of Lockridge Grindal Nauen & Holstein, Michael J. Flannery of Cuneo Gilbert & LaDuca LLP, Alan Carl Milstein of Sherman Silverstein Kohl Rose & Podolsky, and Richard S. Cornfeld, according to Judge O'Toole.

Two other applications, one filed by Guy M. Burns of Johnson Pope Bokor Ruppel & Burns LLP and one filed by Frank L. Watson III of Watson Burns PLLC, were also denied. Burns had

sought a co-lead spot or a spot on an attorney executive committee, and Watson had sought a spot on the executive committee.

DraftKings is represented by James P. Fogelman of Gibson Dunn. FanDuel is represented by Rebekah Kaufman, David F. McDowell, Kai S. Bartolomeo and Benjamin David Williams of Morrison & Foerster LLP.

The case is In re: Daily Fantasy Sports Litigation, case number 2677, in the U.S. District Court for the District of Massachusetts.

--Editing by Catherine Sum.

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