

PAYNTER — LAW —



Small Firm.
National Experience.

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Our firm was founded over ten years ago in Washington, DC by Stuart M. Paynter. The firm found nearly immediate success and national recognition, and within only a few years, Stuart had opened additional offices in North Carolina. Paynter Law provides the kind of accessible, personalized legal services often found with smaller firms, along with the diverse, in-depth, and high-level experience and knowledge of a national firm.

Paynter Law was founded in response to an identified need for quality, dedicated representation for consumers, businesses, and individuals. Our attorneys possess top-notch legal training, a diverse skill set, essential litigation experience, and are licensed in states across the U.S., including North Carolina, California, New York, the District of Columbia, New Mexico, and Tennessee.



"We believe in standing up for the underdog," says Stuart Paynter. "Unfortunately, legal action is often required to enforce the laws and protect consumers and citizens. When necessary, we are ready to respond with vigorous prosecution and customized legal support."

Driven by a dedication to excellence and a passion for justice.

"In fact, plaintiffs' counsel, through great persistence and just plain hard work for the class members, achieved what can only be regarded as an extraordinarily good result."

– U.S. District Court Judge Benjamin H. Settle



Areas of Practice

Consumer Protection – Consumers sometimes face economic and other losses as a result of fraud, unfair and deceptive trade practices, misrepresentation, false advertising, data breach/identity theft, and more. When corporations cheat thousands, or sometimes millions, of consumers out of relatively small sums of money, class actions are often the only realistic method by which consumers can be compensated and the defendants punished. We vigorously prosecute such cases on behalf of individual and business consumers, and have successfully pursued federal and state class actions resulting in tens of millions of dollars recovered for our clients.



Over \$500 Million in Verdicts & Settlements



Sports Law/Litigation – Paynter Law brought groundbreaking litigation on behalf of NCAA student-athletes whose likenesses were being used in videogames without their consent, and served as co-lead counsel in that litigation, *In re NCAA Student-Athlete Name & Likeness Licensing Litigation*. We have diverse experience in various areas of sports law including individual and class action litigation involving media and entertainment, collegiate scholarships, antitrust, and intellectual property.

Intellectual Property Law –

Paynter Law has provided innovative and vigorous representation for small businesses and independent software developers with copyright, trade secret, and other intellectual property claims against large corporations. In one instance, after replacing prior counsel, we were able to help our client recover approximately double the highest demand made by prior counsel and over twenty times defense counsel's last offer.

Antitrust – Antitrust laws are designed to promote and protect competition and fairness in the marketplace. When antitrust laws are violated, legal action is often required to enforce the laws and maintain fair competition for the benefit of consumers and businesses. Paynter Law has successfully represented consumers and businesses in a diverse array of antitrust matters including, but not limited to, price-fixing, market allocation agreements, and anti-competitive practices.

Personal Injury / Medical Malpractice

— Paynter Law handles a wide variety of personal injury cases, including auto accidents, nursing home abuse, pharmaceutical litigation, wrongful death, burn injuries, and medical malpractice. Some of our clients have suffered serious injuries that result in permanent disability and/or significant medical expenses; others have tragically lost loved ones because of someone else's negligence or misconduct. The firm seeks to hold people accountable for their actions, and to get compensation for the victims.



Products Liability — Companies who manufacture, distribute, or sell defective products should be held accountable when those products cause injury. Our firm litigates against manufacturers, distributors, and retailers on behalf of individuals who have suffered injury, death, or financial losses as a result of defective products—including drugs, medical devices, consumer products, and other faulty products that cause harm.



The firm is currently litigating against LG Chem—one of the world's largest manufacturers of lithium-ion batteries—related to injuries caused by exploding batteries. We have also sued one of the largest dialysis companies in the U.S. on behalf of patients who died as a result of the company's failure to heed warnings about the dangers of a key substance used in the dialysis procedure.

Commercial Litigation

— We have extensive experience handling complex commercial disputes and litigation, including contract disputes, on behalf of individuals and businesses. In such cases, we are able to utilize our diverse experiences, knowledge, and skills to uncover non-contractual legal theories that, in many cases, may lead to recoveries in excess of contractual damages.



Value

Paynter Law represents clients solely on a contingency fee basis, even with our complex litigation matters. Additionally, we understand that litigation can be expensive, especially when it comes to expert costs as well as discovery and trial expenses. We advance those costs on behalf of our clients, unlike many other firms that require the clients to pay for costs up front or retain expensive litigation financing. We are also willing to discuss alternative fee arrangements as we understand that our clients have unique needs and that each case requires a customized approach. Our goal is to work with our clients to identify their legal and financial needs. We then develop and implement effective solutions to achieve the best result possible for our clients by efficiently utilizing our diverse experience and flexibility.

Paynter Law has successfully represented clients across the United States in groundbreaking litigation.

Technology



We have extensive experience working with complex, document-intensive cases. To manage these cases, we utilize innovative software that increases our effectiveness and efficiency when it comes to document review, e-discovery, productions, metadata analysis, and coding. Additionally, we have experience working with forensic and IT experts when needed to identify, recover, and analyze documents and information stored on protected devices such as encrypted servers and hard drives.

“Paynter Law found materials throughout discovery that I thought were gone. They use the most impressive software and have extremely diligent people reviewing materials in hours that I would have thought to take months.”

– Copyright Litigation Client

Representative Cases

White et al. v. DaVita Healthcare Partners, Inc., No. 15-cv-2106 (D. Colo.). The firm obtained a \$383.5 million jury verdict against one of the top dialysis providers in the country, with over 2,000 centers nationwide. The firm represented three plaintiffs alleging negligent administration of dialysis services in this complex litigation, for which the firm retained nationally renowned cardiologists and nephrologists, in addition to an industrial engineering expert. The jury reached its verdict after hearing evidence that the defendant corporation did little to heed warnings about the adverse effects of a key substance used in the dialysis procedure.

Rajagopalan et al. v. Fidelity & Deposit Co. of Maryland, et al., No. 2:15-cv-00957-BHS (W.D. Wash.). Paynter Law was appointed class counsel on behalf of a class of consumers allegedly defrauded by a payment processing company, which worked with a network of for-profit debt relief companies to charge illegal fees. The firm certified a class and obtained a \$1.4 billion judgment against the payment processor, but the company had by that time gone out of business, leaving no assets with which to satisfy the judgment. In a novel nationwide action, the firm sued the surety companies who had issued licensing bonds on the payment processor's behalf in 45 states. The sureties ultimately agreed to tender over \$15 million to class members, representing 85%–90% of the face value of their bonds.

Pecover v. Electronic Arts, No. 4:08-cv-02820 (N.D. Cal.). Paynter Law served as co-class counsel for a certified nationwide class of consumers in an antitrust action against the leading producer of football videogames. The class sought damages and other relief as a result of anticompetitive conduct in the pricing of football videogames, and ultimately reached a \$27 million settlement.

In re NCAA Player Name and Likeness Licensing Litigation, No. 4:09-cv-1967 CW (N.D. Cal.). Paynter Law represented a class of NCAA student-athletes against the NCAA and Electronic Arts, alleging that those entities had unlawfully used the names and likenesses of NCAA student athletes in sports videogames distributed by Electronic Arts. The class reached a \$60 million combined settlement with the NCAA and Electronic Arts.

Nemet v. Volkswagen Group of America et al., No. 3:17-cv-04372 (N.D. Cal.). Paynter Law represents a putative nationwide class of purchasers of purported "clean diesel" vehicles in which Volkswagen installed software allowing the vehicles to cheat on emissions tests. The putative class consists of consumers who paid a premium for their vehicles but were excluded from prior settlements.

Miller v. LG Chem, Ltd. et al., No. 19-CV-001721 (N.C. Super. Ct.). The firm represents a North Carolina man who was severely injured when a lithium-ion battery spontaneously exploded in his pants pocket, causing severe burns to his leg and hand. The battery was sold for use in a vaping device (or "electronic cigarette"). The lawsuit alleges that LG Chem negligently manufactured the battery, knew that there was an unreasonable likelihood that it could suffer an internal short circuit and spontaneously explode, and failed to warn consumers of the dangers of fire and explosion, as well as the fact that the batteries were fundamentally inappropriate for use with vaping devices.

Bubble Pony, Inc. v. Facepunch Studios Ltd., No. 15-cv-00601 (D. Minn.). Paynter Law represented a software developer in an action against a videogame company, alleging that the developer was entitled to a share of profits from a popular videogame. The parties reached a confidential settlement.

Levaquin / Fluoroquinolone Litigation. The widespread marketing of Levaquin and other fluoroquinolones, despite known side effects, resulted in severe injury to thousands of patients. Paynter Law has represented and continues to represent individuals affected by manufacturers' unlawful marketing activities.

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