

\$3 Million Settlement
Approved Benefiting
Hundreds of Alabamians

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The Mobile County Circuit Court approved a \$3 million class action settlement negotiated by attorneys from the law firms of Cunningham Bounds, LLC and Holston, Vaughan, and Rosenthal, LLC. The settlement resolves the claims of hundreds of Alabama residents related to contracts they entered with Oasis Legal Finance, LLC.

This class litigation arose from uniform contracts pursuant to which Oasis advanced sums to customers for which it claimed to obtain a "Purchased Interest," which Oasis defined as the right to receive an amount to be determined by formula from the proceeds that customers receive "as a result of [a] legal claim." Oasis explicitly claimed to "own a portion of the potential proceeds from the legal claim[s]" of Class Members, all of whom have or had claims under the Alabama Workers' Compensation Act. Plaintiffs asserted that the Oasis Purchase Agreements were void *ab initio* because they were against public policy as it is stated in the Alabama Workers' Compensation Act, which generally prohibits retaining an interest in the amount to be collected from a workers' compensation claim. Oasis denied the claims.

After a class was certified by the Mobile County Circuit Court in January 2019, the parties entered into a Stipulation of Settlement that has four primary components. First, Oasis must pay the sum of \$2 million into a Settlement Fund out of which class members who already repaid Oasis will receive an allocated share. Second, Oasis was prohibited from accepting any amounts due under Oasis Purchase Agreements from any member of the class who had not yet repaid (this relief was valued at over \$1 million). Third, an injunction entered by the Court prohibits Oasis from accepting any payment from any person pursuant to any Purchase Agreement for which the Legal Claim, as defined in the Purchase Agreement, is an Alabama workers' compensation claim. This injunction shall remain in effect so long as Alabama law prohibits the seizure or garnishment of workers' compensation claims for the payment of any debt or liability. Finally, all attorneys' fees and expenses were paid by Oasis in addition to the \$3 million class recovery, so no class members had to come out of pocket to pay for their representation.

"This was a complex case that was litigated in the Mobile County Circuit Court, the United States District Court for the Southern District of Alabama, the Eleventh Circuit Court of Appeals, and the Alabama Supreme Court. We are proud that our hard work and persistence restored millions of dollars to more than 700 deserving Alabamians," said Lucy Tufts, an attorney with Cunningham Bounds.

Lucy Tufts of Cunningham Bounds, LLC and Ian Rosenthal of Holston, Rosenthal, and Vaughan, LLC were appointed by the Court as Class Counsel.

Founded in 1958, Cunningham Bounds has been representing plaintiffs for over 60 years. We have a long and successful history of helping people who have been injured or harmed by the wrongdoing of others. Our firm was born out of the desire to create change and improve lives. We thoroughly prepare each case. We leave no stone unturned, no evidence untouched, and no detail unexamined. This precision and focus ensures that we present each client's very best case to the jury. Today, our goal remains as it was in 1958 - to achieve the best possible result for each client by holding people and companies accountable for their wrongdoing.

Welcome to the Firm!



Aaron N. Maples joined Cunningham Bounds as an Associate in June. He is a graduate of the University of South Alabama and Loyola University of New Orleans College of Law. Aaron began practicing law in New Orleans, Louisiana, where he developed substantial trial and appellate experience. In 2017, Aaron obtained a \$4.4 million settlement for the children of a man who was killed in an industrial accident involving a Bobcat Skid Steer forklift. The case was turned down by three attorneys before Aaron agreed to take it on. His practice is focused on cases involving catastrophic injuries, car and trucking accidents, industrial accidents, and wrongful death.



Jennifer B. Jayjohn joined the firm in August after graduating from Cumberland School of Law at Samford University. While in law school, Jenna won the 2017 National Civil Trial Competition held in Los Angeles, California and the 2018 National Trial Competition Regional Tournament in Tuscaloosa, Alabama. She also served as the associate editor of the Cumberland Law Review, a Judge Abraham Caruthers Teaching Fellow, a senior member of the Trial Advocacy Board, and Vice President of the Student Bar Association. She earned her undergraduate degree summa cum laude from Troy University. Jenna was recently licensed to practice in Alabama.

Accolades

The 2020 edition of **Best Lawyers in America®** includes **all the partners** of Cunningham Bounds. The Best Lawyers lists are compiled based on an exhaustive peer-review evaluation. The lawyers awarded this distinction are: **Billy Bonner, Greg Breedlove, Buddy Brown, Toby Brown, David Cain, Brian Duncan, Skip Finkbohner, Robert Mitchell, Steve Nicholas, Steve Olen, Lucy Tufts** and **David Wirtes**.

In addition, Best Lawyers in America® named **Greg Breedlove** Mobile, Alabama's 2020 **"Lawyer of the Year" for Personal Injury Litigation – Plaintiffs**. "Lawyer of the Year" recognitions are awarded to individual attorneys with the highest overall peer-feedback for a specific practice area and geographic location. Only one lawyer is recognized as the "Lawyer of the Year" for each specialty and location.

Lawdragon recently published its 2019 guide to the **500 Leading Plaintiff Consumer Lawyers** based on nationwide research of the top verdicts and settlements and featuring the best of the U.S. plaintiffs' bar. Cunningham Bounds was well represented, with six attorneys included in the list: **Greg Breedlove, Buddy Brown, Toby Brown, Robert Cunningham, Skip Finkbohner, and Lucy Tufts**.

LEGALUPDATE
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Greg Breedlove - "Lawyer of the Year" for Personal Injury Litigation – Plaintiffs.

Use of Roundup® Linked to Blood Cancers



Roundup® was introduced in 1974 by Monsanto and is now the most popular and widely used herbicide in the world. Monsanto's Roundup® product succeeded and achieved its reputation because it was marketed as a safe way to kill weeds. Due to its popularity, the term "roundup" is now synonymous with any type weed killer or herbicide.

In the past few years, information concerning the chemical formula of Roundup®, and the interaction among chemicals in that formula, has challenged Monsanto's claims of its herbicide's safety. In 2015, the World Health Organization's International Agency for Research on Cancer presented its concerns about the safety of glyphosate, one of the many chemicals in Roundup®, by classifying the chemical as "possibly carcinogenic to humans." Other scientific studies have resulted in similar conclusions.

An increasing amount of scientific data has linked Roundup® exposure to a variety of blood cancers, such as:

- Non-Hodgkin's Lymphoma
- Diffuse Large B Cell Lymphoma
- T Cell Lymphoma
- Small Lymphocytic Lymphoma
- Chronic Lymphocytic Lymphoma
- Acute Lymphoblastic Leukemia
- Hairy Cell Lymphoma
- Mantle Cell Lymphoma
- Multiple Myeloma

These blood cancers are diagnosed more frequently in people who work in industries that use large amounts of Roundup®. These industries include:

- Farming
- Landscaping
- Forestry
- Railroad Vegetation Management
- Utility Right-of-Way Maintenance

Our attorneys are actively pursuing claims against Monsanto for clients that have been diagnosed with a blood cancer following Roundup® exposure. To date, more than 18,000 lawsuits have been filed by victims of Roundup® exposure.



The law firm of Cunningham Bounds, LLC focuses on helping those who have been injured or killed by the wrongdoing of others. Call us for a free consultation regarding your specific situation and to learn about your legal options.



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The following language is required by Alabama Rules of Professional Conduct:
"No representation is made that the quality of the legal services to be performed is greater than the quality of legal services performed by other lawyers."

In Our Community

Save the Dates!

This time of year, many civic and community organizations in our area are holding annual awareness events and fundraisers. A few of the events our firm is either sponsoring or participating in are noted below, and we thought you might be interested in helping, too:



October 19

The Mobile Bar Foundation's "Tri-the-Gulf" triathlon - supports programs that improve the legal system and the administration of justice



October 26

The American Cancer Society's "Making Strides Against Breast Cancer" walk - raises awareness and funds to save lives from breast cancer



November 7

Our Sisters' Closet's "PurseWithPurpose" fundraiser - helps provide job training and work attire for those in our community who cannot otherwise afford it