

TOP WOMEN Lawyers 2021

Megan O'Neill



O'Neill defends complex class actions and does so from a boutique owned entirely by women and persons of color.

"We want to be a player for the most complex cases. And we want to prove the business case for diversity," she said.

And for herself, O'Neill added, "a woman can be at the top, and she doesn't need a big firm behind her."

She has several big class actions in court, including one where she manages a trio of matters in Alabama, New Jersey and Los Angeles that accuse Honda Motor Co. Ltd. of using defective fuel pumps. One is stayed, and two were combined last year. *Oliver v. Honda Motor Co. Ltd.*, 5:20-cv-00666 (M.D. Ala., consolidated Dec. 23, 2020).

"We haven't even moved to dismiss because it's been nine or ten months of that procedural wrangling," she said.

O'Neill and partner William A. Delgado represent Costco Wholesale Corp. in a false advertising class action over ginkgo biloba now on its second trip to the 9th U.S. Circuit Court of Appeals. They

initially obtained a summary judgment, but then the law in the circuit changed. Their second summary judgment victory is back up on appeal. *Korolshteyn v. Costco Wholesale Corp.*, 19-55739 (9th Cir., filed June 6, 2019).

That case is the only one of theirs in which a class has been certified. "We've never done a class-wide settlement on any of our class actions," O'Neill said. "We've always been able to prevail or settle the case on an individual basis."

For instance, in February a judge approved an individual settlement of what began three months earlier as a false advertising class action against Target Corp. *Hernandez v. Target Corp.*, 20STCV42678 (L.A. Super. Ct., filed Nov. 5, 2020).

As O'Neill sees things, her courtroom success is important beyond the clients and the firm because it gives her a platform to advocate for diversity in the legal system. "It gives me a greater chance to speak on these issues, and I see that as a win-win," she said.

— Don DeBenedictis

DTO LAW
SAN FRANCISCO
AND LOS ANGELES

Practice Type:
Litigation