



# Robert L. Ciotti

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## Overview

Bob Ciotti practices primarily in the areas of major commercial litigation, including private class actions and regulatory agency investigations. For more than two decades, the vast majority of Bob's matters have involved opposition to efforts by plaintiffs to certify classes in federal and state courts, as well as in an arbitration. His experience in this area cuts across a wide variety of substantive claims including antitrust and trade regulation, environmental, including claims for property damage, personal injuries, and medical monitoring stemming from alleged exposure to on- and off-site contaminants, product liability, and construction defect and misrepresentation claims. Bob also has his MBA and often uses his training in this discipline in analyzing expert economic or damage reports, and in deposing expert witnesses.

## Experience

### Antitrust & Trade Regulation Cases

- *Nitro Leisure Prods., LLC v. Acushnet Co.*, No. 2:02-cv-14008 (S.D. Fla.) (represented golf ball manufacturer accused of monopolizing market).
- *Execu-Tech Bus. Sys., Inc. v. Appleton Papers Inc.*, 743 So. 2d 19 (Fla. 4th DCA 1999) (affirming denial of class action certification after four-day evidentiary hearing in alleged price-fixing action under Florida's Deceptive and Unfair Trade Practices Act).
- *State ex rel. Atty. Gen. Morales v. Zeneca, Inc.*, No. 3:97-cv-01526 (N.D. Tex. 1997) (entering consent decree negotiated with the National Association of Attorneys General in connection with coordinated investigation by 48 states, the District of Columbia, and Puerto Rico of alleged price fixing).

### Environmental Contamination Cases

- *Moore v. Agrico Chem. Co.*, No. G99-2794 (Fla. Cir. Ct. Aug. 7, 2001) (resolving putative class action for alleged off-site property damage and medical monitoring for exposure from a Superfund site).
- *Mills v. Stauffer Chem. Co.*, No. 8:97-cv-01197 (M.D. Fla. May 12, 1999) (denying class certification for alleged off-site personal injuries, property

damage, and medical monitoring for exposure from a Superfund site).

### **Class Action Cases (see also those above)**

- *Lam v. Gen. Mills, Inc.*, 859 F. Supp. 2d 1097 (N.D. Cal. 2012) (dismissing in part consumer protection claims challenging labeling of defendant's fruit snack products; case subsequently resolved with no class certified).
- *Addleman v. Ryland Grp., Inc.*, No. 11 181 01524 05 (American Arbitration Association) (putative class arbitration regarding alleged construction defects).
- *Hoyte v. Stauffer Chem. Co.*, No. 98-3024-CI-7, 2002 WL 31892830 (Fla. Cir. Ct. Nov. 6, 2002) (denying certification, after four-day evidentiary hearing, of a putative class of former workers seeking medical monitoring for alleged exposure at a Superfund site).

### **All Insights**

03.21.2016 2016 Class Action Survey: Best Practices in Reducing Cost and Managing Risk in Class Action Litigation

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03.16.2015 2015 Class Action Survey: Best Practices in Reducing Cost and Managing Risk in Class Action Litigation

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04.14.2014 2014 Class Action Survey: Best Practices in Reducing Cost and Managing Risk in Class Action Litigation

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09.08.2013 Square Pegs in Round Holes: Class Certification in GMO Food Products Cases

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05.03.2013 2013 Class Action Survey: Best Practices in Reducing Cost and Managing Risk in Class Action Litigation

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03.31.2012 2012 Class Action Survey: Best Practices in Reducing Cost and Managing Risk in Class Action Litigation

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09.27.2011 Supreme Court Decisions Swing in Defendants' Favor in Class Actions

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12.10.2002 State Antitrust Practice and Statutes

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12.10.2002 The Treble Damages Remedy

### **Recognition**

- AV Rated by Martindale-Hubbell
- Florida Super Lawyers, *Super Lawyers Magazine* (2010–2016)

### **Professional & Community Involvement**

- American Bar Association
  - Former Vice Chair, State Action and Noerr Doctrine Committee of the Section of Antitrust Law
- The Florida Bar
  - Chair, Antitrust and Trade Regulation Law Certification Committee
  - Present Member, Thirteenth Circuit Grievance Committee "D"
  - Former Chair, Thirteenth Circuit Grievance Committee "C"

## Speaking Engagements

- "Proven Strategies for Defending Class Actions," Carlton Fields Class Action Symposium, New York, NY (June 2013)

## Credentials

### EDUCATION

- Boston College Law School (J.D., 1981)
- Northeastern University (MBA, 1977)
- Northeastern University (B.S., 1975)

### BAR ADMISSIONS

- Florida

### COURT ADMISSIONS

- U.S. Supreme Court
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Southern District of Florida
- Florida State Courts

## Areas of Focus

### PRACTICES

- Antitrust and Trade Regulation
- Class Actions
- Consumer Finance
- Energy and Utilities
- Litigation and Trials
- Mass Tort and Product Liability
- Pharmaceuticals and Medical Devices