

JOHN A. YANCHUNIS

Born Columbus, Ohio. Admitted to Florida Bar, 1980, Texas; 1981

EDUCATION

University of Florida, B.A., 1976. Major in political science. Member, Florida Blue Key, Omicron Delta Kappa, Sigma Alpha Epsilon.

South Texas College of Law - J.D., magna cum laude, 1980. Member, Order of the Lytae, Associate Editor-in-Chief and Technical Editor of the South Texas Law Journal, Phi Alpha Delta.

PROFESSIONAL ACTIVITIES

The Florida Board of Bar Examiners	Member, 1997 to 2002 Presently an Emeritus Member
<u>Subcommittees:</u>	
Committee on Character and Fitness	Chair, 2000 to 2003 Member, 1998 to 2000
Committee on Petitions	Chair, 1999 to 2000 Member, 1998 to 1999
Committee on Budget	Member, 1999 to 2003
Committee on Questions	Member, 1998 to 2003
Committee on Abstracts of Practice	Chair, 2000 to 2003 Member, 1999 to 2003
Examination Grading	07/2000
The Florida Bar	
<u>Subcommittees:</u>	
Supreme Court's Judicial Management Council	Member, 2008 to 2011
Recipient of President's Award from the Florida Bar Foundation	2010
Consumer Protection Law Committee	Chair Elect, 2013-2014
Law Library Board of Trustees for the Sixth Judicial Circuit Court of Florida	2011

COURT ADMISSIONS

The Florida Bar – 1981
The State Bar of Texas – 1980
United States Supreme Court
United States Court of Appeals:
 Fifth Circuit
 Sixth Circuit
 Seventh Circuit
 Ninth Circuit
 Eleventh Circuit
United States District Court, Southern District of Texas
United States District Court, Northern District of Texas
United States District Court, Eastern District of Wisconsin
United States District Court, Western District of Wisconsin
United States District Court, Western District of Tennessee
United States District Court, Middle District of Florida
United States District Court, Southern District of Florida
United States District Court, Eastern District of Michigan
United States District Court, Northern District of Illinois

FLORIDA BAR ACTIVITIES

The Florida Bar Foundation	Board of Directors, 2003 to 2006 Fellow
Special Committee on Multi-Jurisdictional Practice	Chairman, 2001 to 2005
Special Committee on the Enhancement Of the Practice of Law	Member, 1997 to 1998
Board of Governors of The Florida Bar	Member (Representative from the Sixth Judicial Circuit), 1999 to 2003
<u>Subcommittees</u>	
Budget Committee	Member, 2000 to 2003
Multi-Disciplinary Practice Committee	Member, 1999 to 2002
Board Review Committee on Professional Ethics	Member, 1999 to 2002
6 th Circuit Pro Bono Committee	Chair, 1999 to 2000
Ethics Committee	Member, 1997 to 1999
Standing Committee on Simplified Forms	Vice Chairperson, 1998 to 1999

	Member, 1996 to 1998
Task Force on the Unlicensed Practice of Law	Member, 1996
Standing Committee on the Unlicensed Practice of Law	Chairperson, 1995 to 1997 Vice Chairperson, 1994 to 1995 Member, 1990 to 1994
Standing Committee on Professionalism	Member, 1991 to 1993
Continuing Legal Education Committee	Member, 1992 to 1992
Public Relations Committee	Member, 1989 to 1990
Board of Governors of Young Lawyers	Member, 1988 to 1992
Division of the Florida Bar, 6 th Circuit Representative	
Unlicensed Practice of Law Committees:	
6A Circuit Committee	Chairperson, 1986 to 1995 Member, 1985
6B Circuit Committee	Chairperson, 1995

I have had the privilege of representing The Florida Bar in a number of aspects, including as special counsel in the prosecution of individuals for The Unauthorized Practice of Law and as follow up in direct criminal contempt proceedings. I have argued before the Florida Supreme Court on behalf of The Florida Bar on a number of occasions - most recently on February 8, 2005, when I argued in support of amendments to the Bar's rules to address issues relating to the practice of law in our state by lawyers admitted in other states. These cases are as follows:

In re Amendments to the Rules Regulating the Florida Bar and The Florida Rules of Judicial Administration, 907 So.2d 1138, 30 Fla. L. Weekly S351 (Fla., May 12, 2005)(NO. SC04-135)

Florida Bar re Revisions to Simplified Forms, Pursuant to Rule 10-2.1(a) of the Rules regulating The Florida Bar, 774 So.2d 611, 25 Fla. L. Weekly S570 (Fla. Jul. 13, 2000)(NO. SC92023)

The Florida Bar v. Eubanks, 752 So.2d 540, 24 Fla. L. Weekly S304 (Fla. June 24, 1999)(NO. 91,084)

The Florida Bar re Advisory Opinion on Nonlawyer Representation in Securities Arbitration, 696 So.2d 1178, 22 Fla. L. Weekly S388 (Fla. Jul 03, 1997)(NO. 89,140)

The Florida Bar re Advisory Opinion Activities of Community Ass'n Managers, 681 So.2d 1119, 21 Fla. L. Weekly S328 (Fla. Jul 18, 1996)(NO. 86,929)

The Florida Bar re Amendments to Rules regulating the Florida Bar (Proceedings Before a Referee), 685 So.2d 1203, 21 Fla. L. Weekly S291 (Fla. Jun 27, 1996)(NO. 87,132)

The Florida Bar v. Schramek, 670 So.2d 59, 21 Fla. L. Weekly S51 (Fla. Feb 01, 1996)(NO.

83,873)

The Florida Bar v. Schramek, 616 So.2d 979, 18 Fla. L. Weekly S243 (Fla. Apr 15, 1993)(NO. 77,871)

VOLUNTARY BAR ASSOCIATIONS

St. Petersburg Bar Association Executive Committee	Member, 1996 to 2005 1996 to 1998 and 2003 to 2005
St. Petersburg Law Library Board of Trustees	Member, 1997 to 1998
“AV” Rated by Martindale Hubbell	
Super Lawyer	2009 to Present

COMMUNITY ACTIVITIES

Elder Law Advisory Board, College of Law and The Center for Excellence in Elder Law – Stetson University College of Law	Member, 2003 to 2010
Community Law Program	Member
St. Vincent de Paul Society St. Petersburg Downtown Conference	Vice president, 2001
Boy Scouts of America	
Boy Scouts of America	National Council Member, Council Representative, 2005 to 2008
West Central Family Council Of The Boy Scouts of America	Council President, 2005 to 2007 Member of the Executive Committee, 2003 to present
Cub Scouts Pack 219	Skyway District Chairman, 2003 to 2004
Cub Scouts Pack 219	Cub Master Assistant Cub Master Webelos Den Leader
Boy Scout Troop 219	Committee Chairperson 2001 to 2004 Assistant Scout Master

1997 to 2001

Received the Silver Beaver, 2006; District Award of Merit – Skyway District, 2005



Morgan & Morgan is a leading civil trial law firm representing accident and injury victims as well as consumers and commercial clients nationwide. With over 200 lawyers, and more than 1,000 non-lawyer employees, Morgan & Morgan is the largest plaintiffs' firm in the State of Florida and one of the largest in the nation. Morgan & Morgan's principal office is in Orlando, Florida, with fully staffed offices throughout Florida and in Georgia, Mississippi, Tennessee, and New York. Morgan & Morgan's attorneys handle personal injury claims, including car accidents, workers compensation, medical malpractice, nursing home abuse, product liability, slip and fall, denial of insurance benefits, Americans with Disabilities Act claims, employment discrimination claims, collection harassment, Social Security claims, and general negligence.

In addition, Morgan & Morgan has a dedicated Complex Litigation Group staffed with lawyers committed to representing large numbers of individuals in MDL proceedings and class action cases throughout the country. For the case of *Zyburo v. NCSPlus Inc.*, Case No. 12-cv-06677 (JSR) (S.D.N.Y. 2012), Morgan & Morgan has assembled the following team of lawyers dedicated to representing Plaintiff and Class Members in an effort to obtain relief on their behalf:

Scott Wm Weinstein Mr. Weinstein practices in Morgan & Morgan's Fort Myers, Florida office. Mr. Weinstein serves as the Managing Partner of the firm's Complex Litigation Group, which consists of a Mass Torts division, a Quit Tam division, and a Consumer Class Action division. Mr. Weinstein handles mass tort litigation, consumer class action litigation and complex commercial litigation nationwide. Mr. Weinstein has broad experience and is nationally known in the areas of consumer protection, pharmaceutical and medical device litigation, and cases involving food-borne illnesses. He has served in leadership positions in many consumer class actions in State and Federal Courts around the country, as well as in Multi-District Litigation where he was appointed Co-Lead and Liaison Counsel in the case *In re: Denture Cream Products Liability Litigation*, MDL No. 2051 (Southern District of Florida) and appointed to Plaintiffs' Steering Committees in numerous cases including *In re: Heparin Products Liability Litigation*, MDL No. 1953 (Northern District of Ohio); *In re: Digitek Products Liability Litigation*, MDL No 1968 (Southern District of West Virginia); *In re: Total Body Formula Products Liability Litigation*, MDL No. 1985 (Northern District of Alabama); *In re: Bayer Corp. Combination Aspirin Products Marketing and Sales Practices Litigation*, MDL No. 2023 (Eastern District of New York); *In re: Chinese-Manufactured Drywall Products Liability Litigation*, MDL No. 2047 (Eastern District of

Louisiana), and most recently, *In re Black Farmers Discrimination Litigation*, Misc. No. 08-ML-0511-PLF (District Court for the District of Columbia).

Mr. Weinstein was educated at the University of Florida, earning a B.S. degree in 1982 and a Juris Doctorate degree in 1985. He was inducted into Florida Blue Key while at the University of Florida. He currently serves as a member of the Florida Bar Board of Governors. He is Past President of the Lee County (Florida) Bar Association, Past Chair of The Florida Bar Grievance Committee “A” Twentieth Judicial Circuit, a member of the Twentieth Judicial Circuit Peer Review Committee, and Past President of the Naples/Fort Myers Chapter, American Board of Trial Advocates (“ABOTA”). He is “AV” rated by Martindale-Hubbell and in 2009 and 2010 was selected as a member of the “Florida Legal Elite.”

John A. Yanchunis Mr. Yanchunis practices in Morgan & Morgan’s Tampa, Florida office. He works in the firm’s Complex Litigation Group and Consumer Class Action division where he focuses his practice on consumer class action litigation. Prior to joining Morgan & Morgan in 2011, Mr. Yanchunis was a senior partner at James, Hoyer, Newcomer & Smiljanich & Yanchunis, P.A., where he managed the firm’s nationwide consumer class action department.

Mr. Yanchunis is highly regarded nationally for his extensive involvement in class action cases. He has served as co-lead counsel in the successful prosecution of the two largest class action cases in the United States: *Fresco v. Automotive Directions, Inc.*, Case No. 03-61063-JEM, *et al.*, and *Fresco v. R.L. Polk*, Case 0:07-cv-60695-JEM (Southern District of Florida). Additionally, he has served as lead, co-lead, or class counsel in numerous class actions in a wide variety of areas affecting consumers, including but not limited to anti-trust, defective products, life insurance, annuities and unfair and deceptive acts and practices. Most recently, Mr. Yanchunis was appointed to the 5-member Overall Executive Committee in the Target Data Breach MDL, Case No. 0:14-md-02522 (District of Minnesota).

Mr. Yanchunis is actively involved in his profession and has been honored with the prestigious “AV” rating by Martindale-Hubbell. In addition to his extensive class action experience, Mr. Yanchunis has represented The Florida Bar in many capacities, including as special counsel in the prosecution of individuals for The Unauthorized Practice of Law and as follow up in direct criminal contempt proceedings. He has also argued before the Florida Supreme Court on behalf of The Florida Bar on a number of occasions.

Mr. Yanchunis was a member of the St. Petersburg Bar Association (1996-2005) and served on its Executive Committee (1996-1998 and 2003-2005). He was also a member of the St. Petersburg Law Library Board of Trustees (1997-1998), and of the Sixth Circuit Committee on Professionalism. He is a former member (1997-2002) of The Florida Board of Bar Examiners (FBBE) and is presently an Emeritus Member. He served on many subcommittees of the FBBE including the Committee on Character and Fitness where he was a member (1998-2000) and Chair (2000-present), the Committee on

Petitions where he was a member (1998-1999) and Chair (1999-2000), the Committee on Budget (1999-present), the Committee on Questions (1998-present), the Committee on Abstracts of Practice where he was a member (1999-present) and Chair (2000-present), and Examination Grading (July 2000). Mr. Yanchunis is presently a member of the Community Law Program of the St. Petersburg Bar Association.

Mr. Yanchunis is a member of The Florida Bar (admitted in 1981) and of The State Bar of Texas (admitted in 1980). He received his Bachelor's degree from the University of Florida in 1976, and his Juris Doctor degree from the South Texas College of Law in 1980, where he graduated magna cum laude.

Rachel L. Soffin Ms. Soffin practices in the area of consumer class action litigation in Morgan and Morgan's Tampa office. Ms. Soffin has prosecuted numerous state and federal class actions involving product manufacturers and retailers, deceptive trade practices, privacy violations, and insurance and banking disputes. Prior to joining Morgan & Morgan, Ms. Soffin served as in-house counsel for one of Florida's largest employee leasing companies.

Ms. Soffin obtained her undergraduate degree in Finance, with honors, from The Florida State University. While in college, Ms. Soffin worked at the Florida Legislature for three sessions, where she worked closely with government leaders. Ms. Soffin earned her law degree from Stetson University College of Law, *cum laude*, where she served as a Digest Writer on the Stetson Law Review and was published multiple times in that capacity.

Ms. Soffin is admitted to practice in the state courts of Florida and Georgia, and in the United States District Court for the Middle District of Florida, the United States District Court for the Southern District of Florida, and the United States District Court for the Northern District of Georgia. Ms. Soffin has been designated by *Super Lawyers* as a "Florida Rising Star" in the fields of Class Actions and Mass Torts (2011-2013).

Jonathan B. Cohen Mr. Cohen practices in Morgan & Morgan's Tampa, Florida office. As a member of the firm's Complex Litigation Group, Mr. Cohen focuses on consumer class action litigation. Before joining Morgan & Morgan in 2013, Mr. Cohen was a partner at James, Hoyer, Newcomer & Smiljanich, P.A., a firm specializing in the prosecution of nationwide consumer class actions and whistleblower (*qui tam*) complaints. Mr. Cohen has prosecuted a number of state and federal consumer class actions, including cases against banks, mortgage companies and insurance companies alleging violations of the Florida Deceptive and Unfair Trade Practices Act, the Fair Credit Reporting Act and the force-placement of insurance. He has also prosecuted class actions against for-profit colleges alleging deceptive trade practices, against counties

alleging the improper taxation of landowners and against major corporations alleging employment discrimination. Mr. Cohen was appointed by the court as class counsel in the case of *Ownby, et al. v. Citrus County, Florida, et al.*, Case No. 2004-CA-1840 (Florida 5th Circuit Court, Citrus County). He also served as counsel for the court-appointed receiver in the matter of *Wiand v. Wells Fargo Bank, et al.*, Case No. 8:12-cv-557-T-27EAJ (Middle District of Florida).

Mr. Cohen earned his Bachelor of Arts degree in Journalism from Indiana University in 1996. Following a career in marketing and advertising, he relocated from Chicago, Illinois to St. Petersburg, Florida, where he attended Stetson University College of Law and earned his Juris Doctorate degree in 2005. During his tenure at Stetson, Mr. Cohen was an intern for the State Attorney's Office (Economic Crimes Unit), Thirteenth Judicial Circuit, Hillsborough County (2004), and for the Honorable David A. Demers, Sixth Judicial Circuit of Florida (2004). He also earned the book award for Consumer Protection (2004) and served as a research assistant to Professor Mark Bauer (2004-05).

Mr. Cohen is a member of the Florida Bar and the Florida Bar Foundation. He is admitted to practice in the U.S. District Court for the Middle District of Florida, U.S. District Court for the Western District of Texas, U.S. District Court for the Western District of Wisconsin, U.S. District Court for the District of Colorado and U.S. Courts of Appeals for the First, Fifth and Eleventh Circuits.