

Bryan O. Balogh

Partner

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Bryan Balogh is a seasoned litigator who came to Burr & Forman from one of the finest boutique litigation firms in the Southeast.

Known for his calm and considered approach to solving difficult issues, Bryan regularly represents and counsels clients in litigation matters throughout the country. Bryan focuses his practice on complex business litigation involving disputes with significant risk and damages, with a particular emphasis on class action litigation involving corporations and financial institutions.

Bryan has had the privilege to collaborate with lawyers throughout the country on litigation involving common clients and issues. In this regard, Bryan has served as regional and national coordinating counsel, and has also served as local counsel in matters coordinated outside the State of Alabama. Bryan also has experience in the areas of professional liability defense, products manufacturing, telecommunications litigation, broker/dealer litigation, and mortgage litigation.

Experience

- Represented major telecommunications company in a nationwide class action involving claims of improper activation of stolen devices resulting in successful defeat of class certification.
- Successfully defended a major corporation against spoliation claims following contentious ESI disputes. See *Danny Lynn Elec. & Plumbing, LLC v. Veolia ES Solid Waste Southeast, Inc.*, Slip Copy, 2012 WL 1571314 (M.D. Ala. May 4, 2012).
- Successfully resolved a seven-figure dispute on behalf of large national bank arising from a letter of credit to secure purchase money financing for oil pump units in Texas.
- Defended large national bank in a series of cases involving the unauthorized transfer of substantial customer assets arising

PARALEGAL/ASSISTANT

Legal Practice Assistant

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CAPABILITIES

Commercial Litigation
Broker-Dealer Disputes
Class Action
Commercial Arbitration
Mediators & Arbitrators
Product Liability
Automotive
Financial Institutions
Financial Institution Disputes
Professional Liability
Consumer Finance Litigation & Compliance
Securities Litigation
Environmental

EDUCATION

J.D. *magna cum laude*, Cumberland School of Law at Samford University (1992-1995)

B.S. Finance, Auburn University (1988-1992)

LICENSED IN

Alabama

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from sophisticated third-party, phishing activities.

- Successfully represented major law firm in legal malpractice action arising from the alleged negligent failure to properly construct a multi-million dollar bond issue. The favorable decision was subsequently affirmed by the Alabama Supreme Court. See *Coilplus-Alabama, Inc. v. Vann*, 53 So. 3d 898 (Ala. 2010).
- Represented a global environmental waste company in a series of nationwide class actions pending in Alabama, Georgia, and Illinois alleging improper pricing and billing practices. Among other things, successfully secured dismissal of RICO claims against corporation, corporate subsidiaries, and high-level officers. See *Danny Lynn Electrical & Plumbing, LLC v. Veolia ES Solid Waste Southeast, Inc.*, 2011 WL 2893629, RICO Bus. Disp. Guide 12,096 (M.D. Ala. July 19, 2011); *Danny Lynn Electrical & Plumbing, LLC v. Veolia ES Solid Waste Southeast, Inc.*, 2010 WL 51356, RICO Bus. Disp. Guide 11,973 (M.D. Ala. December 9, 2010).
- Successfully tried to verdict a Telephone Consumer Protection Act (TCPA) case filed in Tampa, Florida on behalf of a large national bank.
- Successfully tried a mortgage fraud and loan servicing case filed in Miami, Florida on behalf of a large national bank in which significant damages were claimed by the Plaintiff.
- Represented a national financial institution in matters related to unauthorized wire transfers conducted by cybercriminals who fraudulently gained access to account holder credentials and personal information.
- Represented a health care company in a dispute with a regional financial institution in matters related to unauthorized Automated Clearing House ("ACH") transactions.
- Defending large mining corporation in a class action alleging environmental contamination caused by radon, Radium-226, and gamma radiation.
- Defending corporation in a series of class actions alleging environmental contamination caused by on-site wastewater spill that flowed into public waterways.
- Defending multinational corporation in matters arising from alleged violations of Clean Water Act and other environmental matters arising from construction project.
- Defending national corporation in a class action challenging its consumer billing practices in California.
- Successfully represented three separate national waste management companies in class actions filed throughout the country arising from allegations that their energy and environmental fee structures were improper and illegal.
- Represented national corporation in environmental mass action arising from alleged air and surface contamination brought by landowners.

Honors & Recognition

- Listed, *Chambers USA*, Litigation: General Commercial (2022)
- Listed in *The Best Lawyers in America*® Mass Tort Litigation / Class Actions - Defendants (2022-2023)
- *Mid-South Super Lawyers*, Class Action since 2016
- *Alabama Super Lawyers*, Business Litigation (2014); Class Action (2015)

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- Curia Honoris Honorary, Cumberland School of Law

News

- 64 Burr & Forman Attorneys Ranked in 2022 Chambers USA
Firm News, 06.03.2022
- Burr's Bryan Balogh and Ricardo Woods to Serve on Alabama State Bar's Diversity & Inclusion Committee
Firm News, 09.16.2020

Speaking Engagements

- Bryan Balogh, Speaker at the Business And Complex Litigation Seminar (December 2015)
Speaking Engagement, Birmingham, 12.16.2015
- Bryan Balogh, Speaker at Cumberland School of Law, Class Action and Business Litigation (2012)
Speaking Engagement, Birmingham, 01.06.2012

Articles

- Thompson West Publishing (Seventh Edition): Advanced Manual For The Lawyer's Assistant
Articles / Publications, 06.04.2016

Civic Activities

- Covenant Presbyterian Church -- Currently serving as Elder; Past Chairman of the Diaconate; Sunday School Teacher
- Camp Smile-A-Mile -- Past Member of Board of Directors
- Center for Executive Leadership -- Advisory Committee for Individual Minister

Professional Activities

- Alabama State Bar: Character & Fitness Committee (2017-present), Diversity & Inclusion Committee (2020-2022)
- Birmingham Bar Association:
 - - Grievance Committee (Multiple Terms)
 - - Mentor Committee
 - - Bulletin Committee
 - - Judicial Liaison Committee
- American Bar Association
- Defense Research Institute

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- Alabama Defense Lawyers Association