

Daily Journal

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TOP 40 UNDER 40

California's leading lawyers of 2019

Erin E. Meyer

Only a month after being named partner at Kecker, Van Nest & Peters LLP last year, Erin E. Meyer, now 34, second-chaired a rare class action trial in Los Angeles County Superior Court. With more than \$100 million at stake, she and her colleagues won a complete defense victory for client Public Storage Inc. on claims regarding the company's self-storage tenant insurance.

The suit, featuring a certified class of some 700,000, alleged Public Storage violated California's Unfair Competition Law. The suit alleged Public Storage led customers to believe they had to buy insurance through Public Storage and concealed from customers that they had other options. *Perez v. Public Storage Inc.*, BC611584 (L.A. Super. Ct., filed Feb. 12, 2016).

"We were really excited to have a client willing to let us try the case," Meyer said. "We never wavered in our confidence in our case."

Pre-trial, Meyer drafted a successful motion to exclude all three of the plaintiffs' expert witnesses. "They wanted to testify that the rates on Public Storage's insurance were too high," she said. "We argued that that was inconsistent with the law under the filed rate doctrine because the rates had been set by the underwriter and approved by the California Department of Insurance."

Los Angeles County Superior Court Judge Carolyn B. Kuhl agreed. At the bench trial, Meyer also cross-examined a class representative and put on a key Public Storage witness to demonstrate that the company did not require customer to buy its own insurance. In February 2019, Kuhl ruled that Public Storage's sales presentation did not violate any of the UCL's provisions.

"We won the case with as diverse team as you will find," Meyer said. "We had three female attorneys, a male attorney of color and a paralegal of color. The diversity brought real strength to the team and proved to be a very real advantage for us."

Last year's Dynamex decision by the state Supreme Court, regarding standards defining em-



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Practice: Litigation
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ployment versus independent contractor status at gig economy companies, has led to a tsunami of litigation by drivers against clients Lyft Inc. and Instacart. Post-Dynamex, Meyer is responsible for the day-to-day management of 10 class action or PAGA claims against Lyft and nine similar cases against Instacart in federal and state courts.

"There've been a lot, and it's a big juggling act," Meyer said. To keep track of the logistical puzzle she maintains wall charts in her office. "I'm a visual person, and I like to have a snapshot of everything. I revise the charts myself so it

doesn't all get overwhelming."

Through a combination of successful and novel motions to compel arbitration and special demurrers to stay duplicative litigation, Meyer has obtained trial court stays in nine of the ten pending Lyft cases and ensured that the plaintiffs did not get the quick favorable judgments they hoped for after Dynamex, her firm said.

"I really enjoy working on these complex cases," she said. "I keep all the puzzle pieces fitted together."

— John Roemer