



Attorney

## **Benjamin J. Hogan**

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Ben Hogan is a zealous courtroom advocate for his clients. With a practice generally focused on complex civil litigation, Ben represents clients in nationwide consumer class actions, civil rights, antitrust, Title IX, and products liability litigation. His practice also includes a diverse array of appellate litigation matters.

In addition to serving as lead counsel in numerous appeals in state and federal courts, he often consults on appeals within the firm. He has represented individuals, companies, universities, and state governments in cases valued in the hundreds of millions of dollars.

Most recently, he has represented various state governmental entities, including the Governor of West Virginia, in emerging and groundbreaking litigation arising from challenges to governments' responses to the COVID-19 pandemic.

### **Awards & Accolades**

Best Lawyers: Ones to Watch (2023): Appellate Practice

*Super Lawyers*, West Virginia, "Rising Star," Consumer Law, Appellate, Employment & Labor, Personal Injury - General, Personal Injury - Products (2020 - 2022)

### **Clerkships**

Law Clerk, Honorable Robert B. King, U.S. Court of Appeals for the Fourth Circuit (2017 - 2018)

### **Government Service / Previous Employment**

Legal Intern, U.S. Centers for Disease Control

## Practice Areas

Appellate and Supreme Court Practice  
Catastrophic Personal Injury  
Class Actions  
Consumer Litigation  
Labor & Employment  
Telephone Consumer Protection Act (TCPA)

## Education

J.D., West Virginia University College of Law, 2016, Editor-in-Chief, *West Virginia Law Review*  
M.A., West Virginia University, 2009, *magna cum laude*  
B.A., West Virginia University, 2009, *cum laude*

## Admissions

West Virginia  
U.S. Court of Appeals for the Fourth Circuit  
U.S. Court of Appeals for the Eleventh Circuit  
U.S. District Court, Northern District of West Virginia  
U.S. District Court, Southern District of West Virginia

## Case Studies

Krakauer v. Dish Network LLC

## Representative Matters

- Serves as lead appellate counsel for the Plaintiff in a civil rights case involving a fatal police shooting.
- Served as Special Attorney General for the State of West Virginia in an antitrust lawsuit, which resulted in the largest antitrust settlement in the history of West Virginia.
- Represents nationwide classes of consumers in claims brought under the Telephone Consumer Protection Act (TCPA), including *Krakauer v. Dish Network*.
- Represented clients on appeal of medical malpractice claims in North Carolina state court.

- Represents a police officer in whistle blower and wrongful termination claims.
- Brought claims on behalf of a class under the Fair Credit Reporting Act.

## News & Insights

26 Bailey Glasser Lawyers Named To *The Best Lawyers in America* 2023 Guide  
08.18.2022

Justice Prevails Again: Bailey Glasser Secures Another Win for Governor's Pandemic Response  
06.21.2022

Bailey Glasser Secures Appellate Victory Over Dow Chemical Company: West Virginia State University's Contamination Suit Will Proceed in State Court  
02.03.2022

Home Is Where the Harm Is: Peloton Treadmill Injuries  
09.16.2021

Bailey Glasser Lawyers Recognized for Inclusion in 2021 Super Lawyers List  
05.12.2021

Court Rejects DirecTV's Attempt To Enforce "Infinite" Arbitration Contract  
02.12.2021

Women's Lacrosse Players File Sex Discrimination Class Action Against Fresno State for Eliminating Team and Violating Title IX  
02.12.2021

East Carolina University Agrees to Reinstate Women's Swimming, Diving & Tennis; Develop Gender Equity Plan; and Comply with Title IX  
01.07.2021

Justice Prevails for A Fourth Time: Bailey Glasser Secures Another Win for Governor's Pandemic Response  
12.03.2020

Bailey Glasser Federal Appeals Court Victory: Police Officer Must Stand Trial in Fatal Shooting  
11.24.2020

WV Attorney General Patrick Morrisey and Governor Jim Justice Announce \$101.3M Settlement in Paving Antitrust Case  
10.30.2020

Justice Prevails Again: Bailey Glasser Secures Win on Behalf of Governor  
10.27.2020

Justice Prevails Again: Bailey Glasser Secures Another Dismissal on Behalf of Governor and WV  
Department of Health and Human Resources  
10.23.2020

Justice Prevails: Bailey Glasser Wins One for Governor and WV Department of Health and Human  
Resources  
09.25.2020

Bailey Glasser Attorneys Named To 2020 Super Lawyers List  
05.08.2020

### **Community and Professional Activities**

Board of Directors, Friends of the Cheat

Panelist on Judicial Clerkships, Akron University School of Law

Counsel, Smith for West Virginia Governor 2020

West Virginia and American Associations for Justice