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Cabraser  
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Attorneys at Law

**Roger N. Heller**  
PARTNER

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## **Upholding the Rights of Consumers**

The Chair of Lieff Cabraser's Consumer Protection practice group, Roger N. Heller is an accomplished consumer protection attorney as demonstrated by his substantial contributions to the litigation that ended deceptive business practices affecting millions of bank and credit cardholders nationwide.

Roger represented Bank of America customers who charged that Bank of America systematically re-sequenced customer debit card transactions -- from the "largest to the smallest" transaction -- for the sole purpose of maximizing its overdraft fee revenue in violation of the bank's contractual and good faith duties and California's Unfair Competition Law. In 2010, Roger played a key role on the trial team that successfully prosecuted similar claims against Wells Fargo in *Gutierrez v. Wells Fargo Bank*, resulting in a \$203 million verdict against the bank.

The case was subsequently consolidated with other lawsuits against the bank and the nation's other leading banks in multi-district litigation in Miami, Florida. Roger served on Lieff Cabraser's team, which played an integral role in prosecuting the case against BofA. In November 2011, the Court approved a \$410 million settlement.

The settlement with BofA was the largest consumer settlement in the U.S. in 2011, and constitutes one of the largest settlements in a consumer class action ever. For his work in the BofA litigation, Roger was named a finalist for the 2012 Consumer Attorney of the Year award by Consumer Attorneys of California.

Another highlight of Roger's consumer practice was the class action lawsuit against Chase Bank for allegedly violating the implied covenant of good faith and fair dealing by unilaterally modifying the terms of fixed rate loans. The nationwide class, which the Court certified in May 2011, consisted of more than 1 million Chase cardholders who, in 2008 and 2009, had their monthly minimum payment requirements unilaterally increased by Chase by more than 150%. In November 2012, the Court approved a \$100 million settlement of the case.

Before joining Lief Cabraser, Roger served as a senior staff attorney at Disability Rights Advocates, where he litigated class action cases under federal and state anti-discrimination laws and advocated for the rights of people with disabilities in the legislative and regulatory arenas. Roger serves on the Advisory Committee for the Santa Venetia Community Plan, a supplement to the Marin Countywide Plan.

## Areas of Practice

Consumer Protection

## Education

Columbia Law School, New York, New York

J.D. - 2001

Law Review: Columbia Law Review, Senior Editor

Emory University, Atlanta, Georgia

B.A. - 1997

## Bar Admissions

California, 2001

U.S. Court of Appeals 2nd Circuit, 2017

U.S. Court of Appeals 9th Circuit, 2001

U.S. District Court Northern District of California, 2001

U.S. District Court Eastern District of California, 2017

## Professional Associations and Memberships

American Bar Association

Bar Association of San Francisco

Consumer Attorneys of California

Santa Venetia Community Plan (Advisory Committee)

State Bar of California

## Published Works

"Fighting for Troops on the Homefront," TRIAL Magazine, September 2006

## Honors and Awards

"Super Lawyer for Northern California," Super Lawyers, 2013 - 2021

"Rising Star," Law 360, 2014 - 2015

"Rising Star Award," National Consumer Law Center, 2015

"Finalist for Consumer Attorney of the Year," Consumer Attorneys of California, 2012 - 2013

"Rising Star for Northern California," Super Lawyers, 2011 - 2012

"Trial Lawyer of the Year Finalist," Public Justice, 2012

"Harlan Fiske Stone Scholar," 1998 - 2001