



Daniel M. Blouin

Partner

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A certified Lean Six Sigma Yellow Belt, Dan focuses his practice on defending class actions and other complex commercial disputes.

Dan has extensive experience defending false advertising and other consumer fraud and product defect claims filed in both state and federal courts. As an example, he represents a leading automotive manufacturer in national class actions involving alleged product defects. He has prepared and litigated at both the trial and appellate court levels, winning numerous motions to dismiss and defeating class certification in cases around the country.

In addition to Dan's class action experience, he also represents clients in various state coordinated and federal multi-district proceedings. He represented a leading medical device manufacturer in national tort litigation for years, playing a key role in the preparation of cases for trial as well as the management of hundreds of pending cases around the country. Dan is a certified Lean Six Sigma Yellow belt and has extensive experience using project management and technology tools to enhance the efficient and cost-effective management of litigation.

Key Matters

Some of the experience represented below may have been handled at a previous firm.

- *Roe v. Home Shopping Network* (Circuit Court, St. Petersburg, Florida)—National class action alleging false advertising. Defendant’s motion for summary judgment granted. The appellate court affirmed and also entered an order requiring plaintiff to pay all attorney’s fees and costs incurred by defendant in connection with both the trial and appellate court proceedings.
- *Bayles v. Hertz* (S.D. Ind.)—National class action alleging violation of the Telephone Consumer Protection Act. Matter is ongoing.
- *Rose v. Mercedes-Benz USA, LLC, et al.* (N.D. Ill.)—National class action alleging consumer fraud regarding purported limitations with telematics system on vehicles. Motion to compel arbitration is pending.
- *Adelstein v. Walmart, Inc.* (N.D. Ill.)—National class action alleging consumer fraud regarding shelf pricing. Court granted defendant’s motion to dismiss plaintiff’s original complaint, with prejudice.
- *Brown v. C. Johnson* (N.D. Ill.)—National class action alleging false advertising regarding consumer products. Court granted defendant’s motion to dismiss plaintiff’s original complaint, with prejudice.
- *Curtis v. 7-Eleven* (N.D. Ill.)—National class action alleging “Greenwashing” as it relates to “recyclability” claims. (U.S. Dist. Court, N.D. IL) Court granted, in substantial part, defendant’s motion to dismiss plaintiff’s complaint. Matter is ongoing.
- *Vorst v. TBC* (S.D. Fla.)—National class action alleging violation of the Florida Deceptive and Unfair Trade Practices Act. Motion to dismiss granted.
- *Staver v. Hewlett Packard* (Circuit Court, Cook County, Illinois)—National class action alleging false advertising. Motion to dismiss granted.
- *Frye v. Kemper Sports Management* (Superior Court, Orange County, California)—Class action alleging violation of California’s Unruh Act. Motion to decertify class granted.
- *Harris v. Home Shopping Network* (Superior Court, Orange County, California)—National class action alleging unfair business practices and false advertising. Motion for class certification denied, affirmed on appeal.
- *Held v. AAA* (D. Conn.)—Class action alleging unfair business practices and breach of contract. The class resolution on favorable terms.
- *Warrick v. Insurance Company* (E.D. Pa.)—Class action alleging consumer fraud and violation of various aspects of the Pennsylvania Insurance Code. Class resolution on favorable terms.
- *Tomaine v. Nationwide Mutual Insurance Company* (E.D. Pa.)—Represented insurance company in putative class action alleging consumer fraud and violation of various aspects of the Pennsylvania Insurance Code. Class resolution on favorable terms.
- *Waters v. EarthLink* (Circuit Court, Cape Cod, Massachusetts)—Class action alleging false advertising regarding Internet services. Motion for class certification denied. Defendant’s motion for summary judgment granted.
- *Kennedy v. Baxter Healthcare Corporation* (43 Cal.App. 4th 799)—Dismissal with prejudice of a product liability class action arising out of the use of latex gloves. Plaintiffs in other jurisdictions dropped their class allegations following publication of the appellate opinion in this case.
- *Vigus v Harrah’s Casino* (S.D. Ill.)—Class action alleging violation of the Telephone Consumer Protection Act. Motion for class certification denied.
- *Maggie Loftus v. Whole Foods Market Group, Inc.* (N.D. Ohio)—National class action against grocery chain alleging breach of contract, consumer fraud, and false advertising on behalf of national putative class of consumers. The case involved alleged failure to apply a volume discount on purchases. The action was resolved.
- *Moshiri v. Home Shopping Network* (N.D. Cal.)—Putative national class action alleging consumer fraud and breach of contract. Motion to dismiss granted.
- *Prime Development v. Heartland Bank* (S.D. Ill.)—Class action alleging violation of the Illinois Interest Act and breach of contract. Motion to dismiss granted.

- *Daniel Cubert v. EarthLink* (Superior Court, Los Angeles County, California)—National class action alleging unfair business practices under Business and Professions Code Section 17200 and Consumer Legal Remedies Act, and false and misleading advertising. Motion for class certification denied.
- *Orelt v. Home Shopping Network* (Circuit Court, Cook County, Illinois)—National class action alleging false advertising. Motion to dismiss granted, affirmed on appeal.
- *Ira Satinover v. EarthLink, Inc.* (Circuit Court, Cook County, Illinois)—Class action alleging false advertising. Motion to dismiss granted, affirmed on appeal.
- *Abdoney v. TBC Retail Group* (Circuit Court, Palm Beach County, Florida)—National class action alleging violation of the Florida Deceptive and Unfair Trade Practices Act. Motion to dismiss granted.
- *Dishkin v. TBC Retail Group* (Circuit Court, Miami Beach County)—Class action alleging violation of the Florida Deceptive and Unfair Trade Practices Act. Class resolution on favorable terms.
- *Arbelo v. Charter One Bank* (N.D. Ill.)—Class action alleging failure to provide requisite notice regarding ATM transaction fees in violation of the Electronic Funds Transfer Act. The case was successfully resolved.
- *Nicholas Cercola v. Hewlett-Packard* (Circuit Court, Cook County, Illinois)—Class action alleging false advertising. Motion to dismiss granted.
- *Susan Osmanski v. Vital Dynamics, Inc.* (Circuit Court, Cook County, Illinois)—Class action alleging false advertising. The cases were successfully resolved.
- *McEntee v. Incredible Technologies* (Circuit Court, Wayne County, Michigan)—National class action alleging, among other things, false advertising. Motion for summary disposition granted, affirmed on appeal.
- *Ozgur Aral v. EarthLink, Inc.* (Superior Court, Los Angeles County, California)—Class action alleging violation of California’s consumer protection statutes. Motion for class certification denied.
- *Coon Rapids Lincoln Mercury v. The Star Tribune Company* (District Court, Hennepin County, Minnesota)—National class action alleging consumer fraud and breach of contract. The case was resolved for a de minimus amount while defendant’s motion for summary judgment was pending.
- *James v. Charter One Bank* (N.D. Ill.)—Class action alleging failure to provide requisite notice regarding ATM transaction fees in violation of the Electronic Funds Transfer Act. The case was successfully resolved.
- *Linda Ranck v. EarthLink, Inc.* (Superior Court, Orange County, California)—Class action alleging false advertising regarding Internet service. The action was successfully resolved for a de minimus amount.
- *Dowhal v. Hewlett-Packard Company* (Superior Court, San Francisco County, California)—Class action alleging unfair business practices and false advertising under Business and Professions Code Sections 17200, 17500 and Consumer Legal Remedies Act. The action was successfully resolved.
- *State of Illinois, ex rel Schad, Diamond v. Maidenform* (Circuit Court, Cook County, Illinois)—Action under the Illinois False Claims Act alleging failure to remit tax associated with Internet sales. Action remains pending.

Recognitions

Dan was recognized as an Illinois “Litigation Star” by *Benchmark Litigation US* in the areas of Class Action and Commercial Litigation in 2023 and 2024. He was also recognized by *The Legal 500 U.S.* as a “Key Lawyer” in the area of Media, Technology and Telecoms: Advertising and Marketing: Litigation in 2023.

Activities

- American Bar Association, Class Action Subcommittee
 - Chicago Bar Association, Class Action Subcommittee
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Credentials

EDUCATION

Dan received his B.S. from Purdue University in 1985. He received his J.D. from Loyola University School of Law in 1988, where he was an editor of the *Loyola Law Journal*.

ADMISSIONS

- Pennsylvania
- Illinois

Related Insights & News

RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

PRO BONO IN ACTION

Winston Secures Asylum for Ugandan Political Reporter

APRIL 26, 2023

RECOGNITIONS

Winston & Strawn Recognized in 2023 *Benchmark Litigation*

OCTOBER 14, 2022

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2021

JUNE 10, 2021

WEBINAR

Product & Mass Tort Summit 2021

MAY 25–26, 2021

IN THE MEDIA

Dan Blouin, New Partner in Chicago Office, Discusses Why He Chose to Join Winston & Strawn with *Bloomberg Law*
MARCH 26, 2020

PRESS RELEASE

Nationally Renowned Class Action Litigator Dan Blouin Joins Winston & Strawn in Chicago
MARCH 25, 2020

Capabilities

Litigation/Trials

Class Actions & Group Litigation

Advertising Litigation

Commercial Litigation & Disputes

Product Liability & Mass Torts

Automotive & Mobility

Retail & Luxury

Health Care