

Titan Of The Plaintiffs Bar: Labaton Keller's Ned Weinberger

By **Katryna Perera**

Law360 (June 2, 2025, 4:04 PM EDT) -- Ned Weinberger, a partner at Labaton Keller Sucharow LLP, said he never expected that his clients' suit challenging a \$23.9 billion Dell Technologies Inc. stock swap would reach a whopping \$1 billion settlement, let alone result in the largest prejudgment recovery ever achieved in a fiduciary duty action in the Delaware Chancery Court.

Weinberger told Law360 that he and his co-counsel had planned to go to trial from day one, and did not expect to reach such a historic settlement just three weeks before the trial was scheduled to begin.

"It is a great feeling giving news like that to your client, real vindication after all the blood, sweat and tears. But it's not you personally. There were multiple firms in the case, tons of lawyers ... and it's the result of just doing top-caliber work for years and years, and all of that work materializing in a really exceptional result."

Weinberger was a pivotal figure in litigating the nearly five-year suit and securing the final deal, Labaton Keller said. He has also been responsible for winning multiple nine-figure settlements, landing him a spot among Law360's 2025 Titans of the Plaintiffs Bar.

Weinberger said the Dell case was unique and challenging, because the defendants were aggressive and trial-ready from the outset. But he has an "appetite for risk-taking," Weinberger said, and he likes to approach all of his cases practically, viewing them as problems to be solved.

"A lot of lawyers yell and scream, a lot of lawyers are jerks. I just don't believe in taking that approach," he said. "Combine that [practicality] with creativity, extreme hard work and collaboration, and all that adds up to the results we're able to get in cases."

Eric Belfi, partner and head of client development at Labaton Keller, told Law360 that Weinberger tends to take a quiet and more thoughtful approach.

2025

 **LAW360**

TITAN
OF THE
PLAINTIFFS
BAR



Ned Weinberger

Labaton Keller

What is your approach to cases and how do you pull off the big wins?

"A lot of lawyers yell and scream, a lot of lawyers are jerks. I just don't believe in taking that approach," he said. "Combine that [practicality] with creativity, extreme hard work and collaboration, and all that adds up to the results we're able to get in cases."

"He ... really thinks through issues and is very analytical," Belfi said. "But he's also very much a businessman; he's a real entrepreneur and sees the opportunity for the firm and for our clients."

Jaren Janghorbani, a Paul Weiss Rifkind Wharton & Garrison LLP partner who has been opposing counsel on cases Weinberger worked on, told Law360, "Ned is smart, good on his feet and pragmatic. He's also able to think creatively both in court and in negotiating resolutions out of court."

Belfi also noted Weinberger has a unique understanding of the "Delaware way" and can pick up on nuances in Chancery Court suits that may be hard to catch for others at the firm located outside Delaware. Weinberger is essentially the firm's local counsel in Delaware, Belfi added.

Weinberger said he loves practicing in Delaware and called the Chancery Court the "best court in America."

"We have a sophisticated bench, judges who really are experts in the law," he said. "I really believe in the causes we're fighting for on behalf of our clients, who are oftentimes outmatched in terms of resources. Corporations will always have the advantage, they will always have more resources and hire armies of lawyers ... and I embrace taking on challenges like that."

Originally from a small town in West Virginia, Weinberger said he was only aware of a handful of professions growing up and being an attorney was one of them.

He received his law degree from the University of Louisville's Louis D. Brandeis School of Law and found a mentor in Larry Franklin, one of Kentucky's most successful trial lawyers. Weinberger said Franklin embodied the type of attorney he aspired to be, and he said he liked the idea of taking on cases that gave a voice to people.

Before leaving Kentucky to begin his career in Delaware, Weinberger said Franklin gave him an invaluable piece of advice.

"He said to me: 'You're going to move out to the Northeast and people are going to have degrees from Harvard and Yale. You don't have that, and you can't do anything about that, but what you can do is just work extremely hard. And not only can you accomplish anything through hard work but ... people will start to look at you as a hard-working associate, and that will serve you very well and help you get to where you want to go,'" Weinberger recalled.

And that's exactly what Weinberger has done, according to Belfi.

"The partners have so much respect for [Weinberger] as a leader. He's been through the battles ... and he's got a tremendous amount of experience under his belt, and so there's tremendous confidence in his leadership ability," Belfi said.

Weinberger's wins are a testament to his legal acumen. In 2024 alone, three of the cases he worked on secured nine-figure recoveries, and Weinberger said it has had a compounding effect, pushing him and his team to be better every day.

One of the nine-figure deals was in a suit former Discovery shareholders filed in 2022, challenging the company's \$43 billion merger with AT&T's Warner Media that year. Weinberger helped secure a \$125

million settlement on behalf of the Discovery shareholders just before trial.

Weinberger said the case was a "testament to innovation, creativity and thinking outside the box," because two sets of shareholders and law firms were involved in the suit. Weinberger said his team and client decided to take a different and very "surgical" approach in terms of legal theory and claims that the court ultimately agreed with, resulting in the groundbreaking deal.

Other large settlements Weinberger secured last year include a \$123 million deal in a high-profile case against Walmart, addressing its role in the opioid crisis, and a \$100 million deal in a class action challenging the self-interested 2019 acquisition of Pattern Energy Group by the Canada Pension Plan Investment Board.

--Editing by Lakshna Mehta.