

Rik S. Tozzi

Partner

Birmingham, AL
(205) 458-5152
rtozzi@burr.com



“He is very responsive and really takes ownership of the issues. He is appropriately aggressive and he really does a good job of understanding the legal issues and defining the legal argument. I have no improvements to suggest – we got an incredible outcome. We just like the fact that he engages with the business instead of just the legal part of the transaction. He does an excellent job.” - Client Quote from Chambers USA

Rik Tozzi is a trial and class action lawyer who resides in our Birmingham office. His advocacy spans numerous industries and focuses on business disputes, mass torts, and other consumer claims.

Rik has served as lead counsel in over 100 class actions and tried or arbitrated over 100 matters to conclusion. His experience includes:

- Successful four-week jury trial representing national corporation in which plaintiff sought over 400 million in damages.
- Representation of major waste companies in matters involving PFAS/PFOA and other alleged toxins, as well as commercial litigation.
- Representation of municipal water utility in class action involving over 10,000 putative class members alleging water contamination from purported PFAS/PFOA contamination.
- Representing partners in numerous business divorce/break-up trials.
- Serving as lead trial counsel in the Southeast for a major pharmaceutical chain in opioid cases.
- Serving as national counsel to major financial institutions in individual cases and class actions involving the FCRA, FDCPA,

PARALEGAL/ASSISTANT

Legal Practice Assistant

Tracy L. Launsby
(205) 458-5222
tlaunsby@burr.com

CAPABILITIES

Environmental

Financial Institutions

Class Action

Mass Torts & Hazardous Substances

Mediators & Arbitrators

Commercial Litigation

Consumer Finance Litigation & Compliance

Financial Institution Disputes

Insurance

Insurance Litigation & Coverage

Commercial Arbitration

EDUCATION

LL.M., Environmental Law, Tulane University Law School

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FCBA, TILA, HOEPA, securitization and mortgages, including reps and warranties.

- Representing the City of Jacksonville in its \$4 billion suit involving the construction of a nuclear power plant.
- Representing various types of companies in matters involving claims relating to pricing, unfair and deceptive business cases, disputed charges and RICO allegations, and enforcing covenants not to compete and defending attempts to do the same.
- Representation of numerous agricultural industries in mass and individual actions alleging water contamination, property damage and personal injury.

Rik also is regularly called on to serve as lead/coordinating counsel in mass actions throughout the country and has been retained to handle numerous oral arguments in State and Federal Appellate courts.

A past specially appointed State Assistant Attorney General, Rik also represents entities before state attorneys general. He was honored to be retained by various State AG consumer protection divisions to lead their efforts in prosecuting civil claims against fraudulent Internet debt relief schemes. This representation resulted in over \$90 million recovered and returned to defrauded consumers.

Away from the office, Rik spends time with his children and is heavily involved in soccer. A past professional and collegiate player in England, Rik has qualified for the FA coaching badge, served as a collegiate and youth coach, and is a minority owner of the USL's Birmingham Legion.

Mr. Tozzi received his Bachelor's and Master's with Honors from Oxford University, Mansfield College, and his J.D. (cum laude) from Tulane, where he was also awarded an LL.M. in environmental law and served as the Recent Developments Editor for the Tulane Environmental Law Review.

Experience

Environmental

- Representation of major Waste Management companies in multiple matters involving over 200 plaintiffs alleging property damage and personal injuries due to alleged contamination from

with honors

Tulane Environmental Law Review

J.D., Tulane University Law School

cum laude

M.A., Mansfield College, Oxford

with honors

B.S., Mansfield College, Oxford

with honors

LICENSED IN

Alabama

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PFAS/PFOA.

- Representation of municipal water utility in class action involving over 10,000 putative class members alleging water contamination from purported PFAS/PFOA contamination.
- Representation of numerous companies before various state attorney generals in relating to alleged contamination from underground storage tanks.
- Representation of landfill owners/operators in matters brought by water boards/utilities alleging water contamination due to PFAS/PFOA.
- Representation of numerous waste transfer stations in mass and individual actions alleging improper siting and operation (nuisance, trespass, etc.)
- Representation of numerous agricultural industries in mass and individual actions alleging water contamination, property damage and personal injury.
- Representation of major waste management company in appeal (including handling oral argument) regarding state denial of permit expansion for C&D landfill.
- Representation of numerous waste management companies before various state attorney generals relating to various environmental, service and pricing issues.

Mass Tort

- Coordinating and lead trial counsel for one of the largest pharmacy chains in the country for all litigation involving opioids.
- Lead trial counsel for multi-state mass actions involving alleged property contamination and personal injuries as a result of hog farming and other agricultural enterprises.
- Representation of environmental services company in multi-state mass actions alleging negligent operation of landfills and disposal of waste.
- Served as lead trial counsel in the southeast for mass actions alleging personal injury as a result of contaminants claimed to be present in bottled drinking water.

Commercial Litigation

- Representation of CEO/founder of major advertising agency in fraud/derivate suit – prevailed after a seven-day trial. (Alabama).
- Representation of national bank in four-week trial relating to mortgage reps and warranties in which plaintiff requested over \$400 million in compensatory damages plus punitives – defense verdict. (Georgia).
- Representation of cannabis licensee in matter in Arkansas state court related to claims of fraud and misrepresentation against his past partners in cannabis dispensaries. (Arkansas).
- Representation of national linen service provider in multiple individual cases and class actions alleging state UDATP, fraud and RICO violations. (California, Illinois, Florida, Georgia, Pennsylvania, and Alabama).
- Representation of major healthcare company in case involving fraudulent disclosures in loan commitment documents and investor materials – prevailed after fourteen-day trial. (California).

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- Representation of mortgage company as plaintiff in case alleging breach of contract and fraud relating to hundreds of mortgage reps and warranties – resulted in mid-eight figure recovery. (Illinois and California).
- Representation of various waste management companies in class actions relating to pricing issues. (Wisconsin, Florida, Georgia, South Carolina, North Carolina, Pennsylvania, Ohio, Alabama, Tennessee, Missouri, California and Illinois).
- Representation of a privately held corporation and its CEO against allegations of fraud, business malfeasance, and violations of partnership agreement – prevailed on all claims against client and on our counterclaims resulting in eight figure recovery following ten-day trial. (California).
- Representation of CEO against allegations of violation of state laws prohibiting discrimination based on sexual preference. Prevailed following arbitration. (Colorado).
- Lead trial counsel representing City of Jacksonville in dispute with Georgia power authority regarding construction of \$4 billion power plant. Successfully resolved. (Florida and Georgia).
- Lead trial counsel in re-insurance arbitration involving allegations of breach of contract and fraud. Defeated claims of re-insurer, obtained coverage and was awarded attorney's fees after a two-week arbitration. (California).

Trials & Arbitrations

- Lead trial counsel in four week plus jury trial in Georgia State Court involving mortgages, reps and warranties, breach of contract, and state RICO allegations. Plaintiff requested \$400 million in compensatory damages plus punitive damages. Defense verdict. (Georgia).
- Lead trial counsel in matter in which two partners sought to take company from founder and CEO. Defeated claims and prevailed on counterclaims and injunctive relief following seven-day jury trial. (Alabama).
- Lead trial counsel in forty days plus bench trial against State AG alleging improper practices in the advertisement and operation of credit cards.
- Lead counsel in an arbitration wherein CEO was alleged to have discriminated against an employee due to his sexual orientation. Prevailed after week of testimony.
- Lead counsel in multi-week trial alleging contamination and personal injury due to hog farming. Our client received a defense verdict. (Arkansas).
- Lead counsel in bench trial wherein plaintiff contended it had been defrauded and lost future sales due to our client's failure to perform under contract. Defense verdict. (Ohio).

Honors & Recognition

- Listed in *The Best Lawyers in America*®, Mass Tort Litigation/Class Actions - Defendants since 2022, Insurance Law since 2023
- Listed, *Chambers USA*, Litigation: General Commercial (2006-2023)
- *Benchmark Litigation*, Local Litigation Star, Alabama (2008-2023)

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- *Mid-South Super Lawyers*, Consumer Law (2016–2023)
- *Alabama Super Lawyers*, Consumer Law (2010–2015)
- Editor, *Tulane Environmental Law Review* (1993)

News

- 58 Burr Attorneys Named to 2023 Mid-South Super Lawyers and Rising Stars List
Firm News, 11.28.2023
- 9 Burr & Forman Partners Have Been Recognized by *Benchmark Litigation*
Firm News, 10.06.2023
- Best Lawyers® 2024 Honors 242 Burr Attorneys, Including 17 "Lawyers of the Year"
Firm News, 08.17.2023
- 61 Burr & Forman Attorneys Ranked in 2023 Chambers USA
Firm News, 06.01.2023
- 63 Burr & Forman Attorneys Ranked in 2022 Chambers USA
Firm News, 06.03.2022

Civic Activities

- Indian Springs School, Men's Varsity Soccer Coach (2002–Present)

Professional Activities

- Alabama Bar Association