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By **DIONNE SEARCEY**

SAN DIEGO—Dozens of attorneys will stand before a panel of judges Thursday and make 90-second pitches for where lawsuits filed against **Toyota Motor Corp.** should be heard.

The attorneys are hoping for a home-court advantage to lead the litigation against Toyota in the wake of sudden unintended acceleration incidents that have led the company to recall more than 8 million vehicles world-wide. At stake are huge fees that only a few lawyers will collect. Lawyers based near where the cases are heard have a good shot at taking the lead.



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Associated Press

Attorney Tim Howard talks to a reporter as he enters the federal courthouse for a hearing on whether dozens of cases will be consolidated before a single judge.

Roughly 100 suits have been filed across the U.S. blaming Toyota's problems for fatalities, injuries or for causing owners' vehicles to lose value. But the group of judges, called the U.S. Judicial Panel on Multidistrict Litigation, will likely consolidate the cases into only a few to streamline the process, and dole them out to one or maybe a handful of jurisdictions.

That means just a few attorneys will end up arguing the cases. The lawyers pick among themselves in informal and highly competitive fashion to decide who gets to emerge as leaders of the litigation, with the

judge assigned to hear the cases also playing a role.

Attorneys on Thursday are asking the cases be heard in one of 19 jurisdictions across the U.S. For its part, Toyota wants them heard in California where Toyota's U.S. operation is based. The panel can send the cases wherever it wants and has wide discretion in how to consolidate them. A decision is expected in two to six weeks.

A Toyota spokeswoman said the company had no comment.

The attorneys had prepared for weeks for their 90-second pitches, hoping to fit in highlights such as how adept their preferred judge is at moving cases through the docket.

In choosing a judge or judges to hear the cases, the panel may consider whether dockets are crowded, whether the judge involved has experience hearing complex cases and whether the venue is convenient for potential witnesses.

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"It will come down to who's the best judge for the job," said Mitchell Breit, a New York attorney handing cases against Toyota.

Any judge selected to hear the cases will have to sort through a tangle of legal issues, including whether to grant class-action status to the cases or whether to pool cases into "bellwethers" that could set precedent for others.

Also, the judge may have to decide which state laws will apply to the cases filed across the U.S., particularly important for personal-injury cases as some states cap damage awards.

The competition among attorneys was on full display Wednesday as about 100 lawyers gathered in a hotel ballroom for a "Toyota Recall Litigation Conference" to discuss strategies for battling the Japanese company in court. Members of the Japanese media were on hand.

The session was peppered with Toyota-bashing. But mostly it was a showcase for attorneys to make their pitch for why they should lead the litigation.

Some attorneys listed dozens of auto cases they have handled in brochures they handed out. Others touted their experience handling large, complex product-liability.

Some thought being first to file cases of various types or in various venues should earn them a lead role. "I filed first in Rhode Island and North Carolina," said attorney David Szerlag, by way of introduction.

Spats broke out before the event: Groups of lawyers fought over email about which of two downtown hotels they should occupy. During breaks, cliques of lawyers huddled in corners to discuss their strategies.

Speakers included heavyweights in auto torts such as Mark P. Robinson Jr. who fought Ford Motor Co. on its fiery Pintos in the 1970s. Midway through the seminar superstars had emerged.

Houston attorney Mark Lanier throughout the day was trailed by a klatch of attorneys, one of whom patted his arm warmly as he passed by. "I don't even know that guy," Mr. Lanier said.

However, he said, "This is about making friends, not burning bridges."

In a booming speech that seemed straight off a campaign trail, Mr. Lanier told a rapt audience how he can tailor his courtroom demeanor from judge to judge, likening it to "ballet" or World Wrestling Federation, depending on the judge's tastes.

Mr. Lanier also said attorneys who take the lead in Toyota must be willing to spare no expense, noting how his firm put up \$13 million for the litigation against Merck & Co. for wrongful death suits for pain-killer Vioxx.

Mark Geragos, who has worked as a criminal defense attorney to Michael Jackson and other celebrities, offered a speech that was part pep rally, saying Toyota is guilty of "corporate murder," and part Kumbaya.

"Everyone in this room is on the precipice of the opportunity to expose the greatest corporate malfeasance," said Mr. Geragos. "I would hope everyone in this room could coalesce and come together."

While some attorneys nodded in agreement, later as they swilled drinks on a hotel terrace one leaned in and predicted the scene yet to come: "It's going to be a bloodbath," he said.

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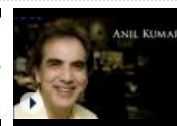
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