



Stephen J. Herman

Special Counsel

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Practice Focus

Litigation Practice

Class Actions/Mass Actions/MDLs

About

Steve Herman has more than 30 years of experience representing both plaintiffs and defendants in commercial, class action, and professional liability matters, and is often called on to provide expert testimony in these areas.

His recent work includes submitting a series of declarations in support of class counsel's successful fee petition in the multi-billion-dollar Aqueous Film-Forming Foam MDL settlements; serving as a special master to review litigation expenses and allocate awards to hundreds of plaintiffs in a multi-million-dollar landfill settlement; and conducting an independent ethics investigation of the parish's Inspector General at the request of the Jefferson Parish Ethics and Compliance Commission.

"Steve is a fantastic lawyer." —Product Liability: Plaintiffs Client, *Chambers and Partners*

Steve maintains a broad civil practice, handling matters ranging from highway defect and products liability cases to fire and flood losses, attorney fee disputes, employment cases, and special appellate work before the Louisiana Supreme Court and other courts of appeal. Notably, he was appointed in 2010 to serve as one of two Liaison and Lead Class Counsel for all businesses, individuals, and local governments involved in the Deepwater Horizon/BP Oil Spill litigation.

Steve teaches an advanced torts seminar on class actions at Loyola University New Orleans College of Law and an advanced civil procedure course in complex litigation at Tulane University Law School. He has given numerous speeches on consumer fraud, tobacco, maritime, and managed care litigation; complex discovery, electronic discovery, and spoliation; preemption, privilege, trial preparation, deposition strategy, motion practice, legal ethics and professionalism, class actions, and complex litigation. He is the author of *America and the Law: Challenges for the 21st Century*, and he maintains a *What's New in the Courts* law blog (or “blawg”) at GravierHouse.com.

Steve is a fellow of both the [International Academy of Trial Lawyers](#) and the [Litigation Counsel of America](#), and he is a member of the [American Law Institute](#) (ALI). He is a past president of the [Louisiana Association for Justice](#) (LAJ), and he currently serves as chair of the organization’s [Amicus Curiae Committee](#). He is also an active member of the [American Association for Justice](#) (AAJ), currently serving as chair of its Amicus Curiae Committee and—since 2014—as a Louisiana representative on the [Board of Governors](#). He also serves as the chair of the AAJ’s AI Task Force and Treasurer of the [AAJ Endowment Board](#). Most recently, the AAJ Board elected Steve as a member of the 2025-26 [AAJ Executive Committee](#). Steve is also a member of the [Civil Justice Research Initiative](#) Board of Directors at Berkeley Law.

Steve served as the 2023-24 president of the [New Orleans Bar Association](#). He is the chair of the [Louisiana State Bar Association’s](#) (LSBA) Section on Class Action, Mass Tort, and Complex Litigation, and he currently serves on the standing LSBA Rules of Professional Conduct Committee. Steve also served for six years as a Lawyer Chair for one of the Louisiana Disciplinary Board Hearing Committees, and he is a patron fellow of the [American Bar Foundation](#).

Steve is a former Louisiana Appleaseed board member, a former [Southeast Louisiana Legal Services](#) board member, and a past president of both the [National Civil Justice Institute](#) (formerly the Pound Civil Justice Institute) and the Civil Justice Foundation.

In 2017, Steve was presented with the Stalwart Award, LAJ’s highest honor, and in 2018 he received the Harry Philo Award from the AAJ. He was named a finalist for the Public Justice (formerly the Trial Lawyers for Public Justice) Trial Lawyer of the Year in 2005.

Steve is ranked Band 1 in Chambers USA (Louisiana) for Litigation: Mainly Plaintiffs and Band 4 (Nationwide) for Product Liability: Plaintiffs. He has been recognized by *Best Lawyers*® in many categories, including as the 2026 “Lawyer of the Year” in New Orleans for both Personal Injury Litigation – Plaintiffs and Mass Tort Litigation/Class Actions – Plaintiffs. Steve has also been recognized as a Top 10 Louisiana Lawyer by *Super Lawyers* since 2021. He has been recognized by other publications as well, including Lawdragon, National Law Journal Elite, *New Orleans Magazine* Top Lawyers, and Who’s Who. Steve was named a *New Orleans CityBusiness* Leadership-in-the-Law (LiL) Recipient in 2010, 2017, and 2018 before being inducted into the Hall of Fame.

Steve received a B.A. from Dartmouth College, where he was awarded Citations of Excellence in the study of Milton and Shakespeare and won the Eleanor Frost Playwriting Competition with his one-act play, *The Phoenix Sleeps Tonight*. He was named Order of the Coif at Tulane Law School, where he graduated *magna cum laude*.

After graduating from Tulane, Steve clerked for Justice Harry T. Lemmon of the Louisiana Supreme Court.

Experience

- In re Oil Spill by the Oil Rig *Deepwater Horizon*, 21 F.Supp.3d 657 (E.D.La. 2014) (Phase One Trial Findings & Conclusions that BP was guilty of gross negligence and reckless and willful misconduct) (Co-Liaison Counsel for Plaintiffs and member of the Trial Team).
- In re Oil Spill by the Oil Rig *Deepwater Horizon*, 910 F.Supp.2d 891 (E.D.La. 2012), *aff'd*, 739 F.3d 790 (5th Cir. 2014), *rehearing en banc denied*, 756 F.3d 320 (5th Cir. 2014), *cert. denied*, 135 S.Ct. 734 (2014) (approving BP Economic & Property Damages Class Settlement), *and*, 295 F.R.D. 112 (E.D.La. 2013) (approving BP Medical Benefits Class Settlement) (Settlements in Excess of \$12.9 Billion) (Co-Lead Class Counsel), *and*, No.10-2179, Rec. Doc. 22252 (E.D.La. Feb. 15, 2017), *aff'd*, 934 F.3d 434 (5th Cir. 2019) (approving Distribution Model for \$1.25 Billion Halliburton/Transocean Class Settlements) (Co-Lead Class Counsel).
- *Hernandez v. Knauf*, No.09-6050, 2010 WL 1710434, *In re Chinese-Manufactured Drywall Products Liability Litigation*, MDL No. 2047 (E.D.La. April 27, 2010) (awarding over \$164,000 in remediation and other damages, plus interest, costs, and reasonable attorneys' fees, in first bellwether trial, holding that all drywall, insulation, entire electrical system, HVAC system and copper plumbing must be removed) (Co-Lead Trial Counsel).
- *In re Chinese-Manufactured Drywall Products Liability Litigation*, 424 F.Supp.3d 456 (E.D.La. 2020) (approving class settlement of \$248 Million against Chinese Manufacturers) (Settlement Class Counsel); (see also, *Amorin v. Taishan*, 861 Fed.Appx. 730 (11th Cir. 2021) (affirming common benefit fee award)); (see also, *Frego v. Settlement Class Counsel*, 16 F.4th 1181 (5th Cir. 2021) (dismissing appeal by individual classmembers)).

Recognitions

- **Chambers USA (Louisiana): Band 1**, Litigation: Mainly Plaintiffs, *since 2022*
- **Chambers USA (Nationwide): Band 4**, Product Liability: Plaintiffs, *since 2015*
- **Super Lawyers**: Top 10 Louisiana Lawyers, *Ranked #1 since 2023; Ranked since 2021*
- **Super Lawyers**: Top 50 Louisiana Lawyers, *since 2014*
- **Super Lawyers**: Top 50 New Orleans Lawyers, *since 2014*
- **Super Lawyers**: General Litigation, Class Action & Mass Torts, and Products Liability, *since 2007*
- **Best Lawyers®: "Lawyer of the Year,"** Personal Injury Litigation – Plaintiffs and Mass Tort Litigation/Class Actions – Plaintiffs, New Orleans, *2026*
- **<i>Inside New Orleans</i>**: Readers' Favorite Elite Lawyers List for Class Actions Law, *2025*
- **Best Lawyers®: "Lawyer of the Year,"** Mass Tort Litigation/Class Actions - Plaintiffs, New Orleans, *2024*

- **The Best Lawyers in America®**: Admiralty and Maritime Law, Appellate Practice, Commercial Litigation, Ethics and Professional Responsibility Law, Legal Malpractice Law – Defendants, Legal Malpractice Law – Plaintiffs, Mass Tort Litigation/Class Actions – Plaintiffs, Personal Injury Litigation – Plaintiffs, and Product Liability Litigation – Plaintiffs, *since 2013*
- **New Orleans Magazine**: Top Lawyers List for Mass Tort Litigation/Class Actions, *2025*
- **New Orleans Magazine**: Top Lawyers for Mass Tort Litigation/Class Actions, *2024*
- **Lawdragon**: 500 Leading Plaintiff Consumer Lawyers, *2019-2023*
- **Lawdragon**: 500 Leading Lawyers in America, *2013-2018*
- **Awarded the American Association of Justice's** Harry Philo Award, *2018*
- **Awarded the Louisiana Association of Justice's** Stalwart Award, *2017*
- **Fellow of the** International Academy of Trial Lawyers, *since 2015*
- **New Orleans CityBusiness**: Leadership in Law Honoree and Hall of Fame Member, *2010, 2017, 2018*
- **Senior Fellow of the** Litigation Counsel of America

Media

Publications

Presentations

- “Layers of Lawyers: Parsing the Complexities of Claimant Representation in Mass Tort MDLs,” co-authored with Lynn A. Baker, *Lewis & Clark Law Review*, Vol.24, Issue No.2, p.469 (Spring 2020).*
- “Duties Owed by Appointed Counsel to MDL Litigants Whom They Do Not Formally Represent” *Loyola Law Review*, Vol. 64, p.1 (Spring 2018).**
- “The Long Arc of Justice” *Louisiana Advocates* Vol. XXX, No.8 (Aug. 2015).
- “How I Spent My Summer Vacations (and Still Remember the Lessons Learned)” *Louisiana Advocates* Vol. XXX, No.6 (June 2015).
- “Personal Remarks” *Louisiana Advocates* Vol. XXX, No.5 (May 2015).
- “Hot Coffee” *Louisiana Advocates* Vol. XXX, No. 2 (Feb. 2015).
- “To Protect and Preserve an Independent Judiciary” *Louisiana Advocates* Vol. XXIX, No. 12 (Dec. 2014).
- “Standing on the Shoulders of Those Who Came Before Us” *Louisiana Advocates* Vol. XXIX, No. 10 (Oct. 2014).
- “How to Maximize the Advantages of E-Mail and Eliminate the Risks” *Louisiana Advocates* (Aug. 2007), p.6.
- “Being a Savvy Blogger” *Louisiana Advocates* (July 2007), p.12.
- “U.S. Supreme Court Rules Asbestosis Victims Can Recover Damages Based on Fear of Cancer” *Louisiana Advocates* Vol.XVII, No.6, p.7 (June 2003).

- “Federal Court Upholds Rights of Plaintiffs Who Opted Out of Nationwide Class Action Settlement to Pursue Individual Claims” *Louisiana Advocates* Vol. XVIII, No. 1, p.14 (Jan. 2003).
 - “TLPJ Urges Trial Lawyers to Fight Court Secrecy” *Louisiana Advocates* Vol.XVII, No.6, p.13 (June 2002).
 - “Roark v. Humana: What This New Decision Means for Your Medical Malpractice Cases Involving HMOs” *Louisiana Advocates* Vol. XVIII, No. 1, p.8 (Jan. 2003).
 - “Fighting Mandatory Arbitration” *Louisiana Advocates* Vol.XVII, No.5, p.13 (May 2002).
 - “Proposed Changes to Rule 23: Consulting with Practicing Attorneys” *Sidebar* Vol. 3, No. 2, p.7 (Spring 2002), reprinted in, *The Federal Lawyer* Vol. 49, No.8, p.14 (Sept. 2002).
 - Review of *In Defense of Tort Law*, *TRIAL Magazine* Nov. 2001, p.86.
 - “Understanding Spoliation of Evidence” *TRIAL Magazine* Mar. 2001, p.45.
 - “The Use and Abuse of Privilege in Discovery” *Australian Products Liability Reporter*, Vol. 10, No. 5 (June 1999).
 - “Federal Preemption: Geier and Its Implications” *Louisiana Advocates* Vol.XVI, No. 1, p.8 (Jan. 2001).
 - “Evidence Preservation and Spoliation” *TRIAL Magazine*, (Sept. 2005) p.50.
 - Contributing Author, “Procedures and Standards for Objections and Settlement of Objections Under Rule 23(e)(5)” *Guidelines and Best Practices Implementing 2018 Amendments to Rule 23* (Duke Law School Center for Judicial Studies) (Aug. 2018).
 - Editorial Board, *Guidelines and Best Practices Implementing 2018 Amendments to Rule 23* (Duke Law School Center for Judicial Studies) (Aug. 2018).
 - Contributing Author, “Lead Counsel Duties” *Standards and Best Practices for Large and Mass Tort MDLs* (Bolch Judicial Institute, Duke Law School) (Sept. 2018).
 - “Back to Basics – Briefing and Arguing Motions” *TRIAL Magazine* (Oct. 2019) p.18, and, reprinted in revised and edited form, as: “Tips for Briefing and Arguing Motions” *Louisiana Advocates* (Nov. 2019) p.9.
 - “Percentage Fee Awards in Common Fund Cases” *Tulane Law Review* Vol. 74, Nos. 5-6, p.2033 (June 2000).
 - “Spoliation of Evidence” *Civil Trial Practice: Winning Techniques of Successful Trial Attorneys* (Lawyers & Judges Publishing, 2000), revised and reprinted in, *Aircraft Accident Reconstruction and Litigation* (Lawyers & Judges Publishing, 2003).
 - “HMO Litigation” *Tort Litigation: Preparation and Tactics – 2000 and Beyond* (West 2003).
 - *America and the Law: Challenges for the 21st Century*, Austin & Winfield, 1998, (revised edition, Gravier House Press, 1999).
- * Cited in Clopton & Rave, *MDL in the States*, 115 Nw.U.L.Rev. 1649, 1651 n.3 (2021).
- ** Cited and quoted with approval in *Casey v. Denton*, No.17-521, 2018 WL 4205153 (S.D.Ill. Sept. 4, 2018).

- “Use of Expert Testimony in Federal Complex Litigation,” *Louisiana Law Review* Volume 86 Symposium, Baton Rouge, La., Feb. 6, 2026.
- “Emerging Challenges to the Profession in the Era of Political Division and AI,” New Orleans Bar Association Procrastinators’ Programs(sm) CLE, New Orleans, La., Dec. 30, 2025.
- “Experts – Preparation and Presentation in Light of Evolving Rules,” New Orleans Bar Association Procrastinators’ Programs(sm) CLE, New Orleans, La., Dec. 29, 2025.
- “Legal Ethics: Update of Recent Decisions,” Tulane Law School 34th Annual By-The-Hour CLE, New Orleans, La., Dec. 29, 2025.
- “Illustrating Your Story: Visual Advocacy in the Digital Age,” New Orleans Bar Association Masters of the Courtroom(sm) – Procrastinators’ Programs(sm) CLE, New Orleans, La., Dec. 11, 2025.
- “Emerging Challenges to the Profession in the Era of Political Division and AI,” New Orleans Bar Association 11th Hour Professionalism CLE, New Orleans, La., Nov. 25, 2025.
- “The Next Big Case,” 2025 Injury Board Summit, Savannah, Ga., Oct. 10, 2025.
- “Artificial Intelligence: Ethical, Evidentiary, and Liability Implications and Issues,” 2025 ABA National Specialization Roundtable, Tulane Law School, New Orleans, La., Sept. 26, 2025.
- “How Should Liability be Distributed in the AI Value Chain?” IAPP AI Governance Global North America Conference, Boston, Ma., Sept. 18, 2025.
- “Emerging Issues in Legal Ethics” Louisiana State Bar Association 2025 Ethics & Professionalism Summer Rerun Seminar, New Orleans, La., June 13, 2025.
- “The Discovery Era: Is It Worth Filing the Motion?” New Orleans Bar Association 2025 Bench Bar Conference, Gulf Shores, Ala., Mar. 28, 2025.
- “Why Knowing Admiralty Law May Be Important to Your Practice” Western Trial Lawyers Association 2025 Winter Conference, Jackson, Wyoming, Feb. 26 – Mar. 1, 2025.
- “Expert Witnesses in Complex Litigation and the 2023 Amendments to Rule 702” *Louisiana Law Review* Volume 85 Symposium – Taming the Beast: Class Actions, MDLs, and Complex Litigation, Baton Rouge, La., Feb. 7, 2025.
- “Litigation Financing and its Ethical Implications” *Louisiana Law Review* Volume 85 Symposium – Taming the Beast: Class Actions, MDLs, and Complex Litigation, Baton Rouge, La., Feb. 7, 2025.
- “Latest on Products MDLs and What’s Next in This Area of the Law” New Orleans Bar Association Procrastinators’ Programssm CLE, New Orleans, La., Dec. 19, 2024.
- “Marketing, Mentoring, and Managing Information: What the ABA Has to Say About ListServes, Google Reviews, and Related Topics” Louisiana Association for Justice 2024 Last Chance CLE Seminar, New Orleans, La., Dec. 12, 2024.
- “Effective Deposition Tactics: Strategies for Success” New Orleans Bar Association CLE, New Orleans, La., Nov. 6, 2024.
- “The Intersection of OPA, CERCLA, and General Maritime Law” Louisiana State Bar Association 31st Annual Admiralty Symposium, New Orleans, La., Oct. 30, 2024.

- “Emerging Issues in Legal Ethics” Louisiana State Bar Association Ethics & Professionalism CLE, New Orleans, La., Sept. 30, 2024.
- “Emerging Ethical Issues in Class Actions” American Association for Justice 2024 National Convention, Nashville, Tenn., July 21, 2024.
- “Ethical Issues with Artificial Intelligence” American Association for Justice 2024 National Convention, Nashville, Tenn., July 21, 2024.
- “Artificial Intelligence, Judges, and Legal Ethics” National Civil Justice Institute 2024 Forum for State Appellate Court Judges panel, Nashville, Tenn., July 20, 2024.
- “Using AI in Your Practice: Ethical Issues and How Courts and Bar Associations are Responding” Louisiana Association for Justice webinar, May 14, 2024.
- “Reflections on BP Oil Spill Litigation” ABOTA Southeast Chapter Conference, New Orleans, La., Apr. 19, 2024.
- “Revisiting the Deepwater Horizon Litigation” Tulane’s Energy Law Center and Energy Institute, New Orleans, La., Apr. 4, 2024.
- “Ethics for Using ChatGPT/AI in Your Practice” AAJ Mid-Winter Convention, Austin, Tex., Feb. 12, 2024.
- “Legal Ethics: A Survey of Recent Developments and Decisions” New Orleans Bar Association, Jan. 25, 2024.
- “Class Counsel Fee Awards: Navigating Increased Judicial Scrutiny” Strafford Webinars, Jan. 11, 2024.
- “Ethical Issues in Class Actions” American Association for Justice Webinar, Dec. 5, 2023.
- “Legal Ethics and Professionalism: A Survey of Recent Developments and Decisions” New Orleans Bar Association, Nov. 9, 2023, and Last Chance CLE, Louisiana Association for Justice, New Orleans, La., Dec. 7, 2023.
- “Working Together: By Force and/or By Choice – The Challenges, Advantages and Disadvantages of Working with Other Firms” Injury Board Summit, Big Sky, Mont., Oct. 14, 2023.
- “Settlement Considerations and Issues: Fee Charges, Experts Tied Up, and Failure to Produce Trial Package” AAJ Mass Torts Seminar, Philadelphia, Pa., July 14, 2023.
- “What We Are Talking About When We Are Talking About ‘Class Actions’: Two Recent Examples: The Hard Rock Collapse and the Dean Nursing Home Cases” LSBA Summer School for Lawyers and Judges, Sandestin, Fla., June 6, 2023.
- “Fee Issues in Class Actions” George Washington Law Conference on Resolving Mass Torts in Different Forums, Washington, DC, Apr. 27, 2023.
- Faulty, AAJ Deposition College, Washington, DC, Apr. 13-15, 2023.
- Ethics Panel, “View on Financing Litigation”, NOBA Bench-Bar Conference, Point Clear, Ala., Mar. 26, 2023.
- Howard Twiggs Memorial Lecture on Legal Professionalism, Phoenix, Ariz., Feb. 6, 2023

- “A Trial Lawyer’s Journey Thoughts on the Profession” Tennessee Trial Lawyers Association, Jan. 14, 2023.
- “Vetting and Preparing Your Expert to Survive Daubert” NOBA Masters of the Courtroom, New Orleans, La., Dec. 15, 2022.
- “Difficult Depositions: Ethics and Strategies” LAJ Last Chance, New Orleans, La., Dec. 10, 2022.
- “Getting Older: Changes in the Profession” New Orleans Bar Association, Dec. 9, 2022.
- “Legal Ethics: Top Mistakes in Everyday Practice” FBA Webinar, Nov. 9, 2022.
- “Finding the Right Balance Between Your Own Clients and the Greater Demands of the Profession” Injury Board Summit, Cliff House, Maine, Oct. 24, 2022.
- “The Road Ahead: Recent Law on Trucking Cases Updates from the Court” LAJ Fall Conference, Sept. 23, 2022.
- “Seller Liability” AAJ Annual Convention, Product Liability Section CLE, Seattle, Wash., July 18, 2022.
- “Ethics Update” Mississippi Association of Justice Annual Convention, New Orleans, La., June 23, 2022.
- “The Show Must Go On: Learning From Your Mistakes” AAJ New Lawyers Boot Camp, Vail, Colo., May 28, 2022.
- “Witness Preparation” AAJ New Lawyers Boot Camp, Vail, Colo., May 27, 2022.
- “Litigation Management” Harris Martin MDL Conference: The Current Mass Tort Landscape Infant Formula, Philips CPAP, Hernia Mesh, and More, New Orleans, La., Mar. 30, 2022.
- “Confidentiality Orders and Secrecy Agreements” Virtual Coffee Hour, Mass. Academy of Trial Lawyers, Mar. 18, 2022.
- “Should the Shipowners Act of 1851 be Repealed, Modified or Untouched?” Shipowners Limitation of Liability Symposium, Loyola Maritime Law Journal, New Orleans, La., Feb. 18, 2022.
- “The Trial Lawyer’s Journey: Reflections on Changes in the Profession” Academy of New Orleans Trial Lawyers, Jan. 19, 2022.

Credentials

Education

Clerkships

Admissions

- J.D., *magna cum laude*, from Tulane University School of Law, 1994
 - Order of the Coif
- B.A. from Dartmouth College, 1991
- Justice Harry T. Lemmon of the Louisiana Supreme Court, 1994-1995
- Louisiana
- Arizona

- U.S. Supreme Court
- U.S. District Courts for the Eastern, Western, and Middle Districts of Louisiana
- U.S. Fifth Circuit Court of Appeals
- U.S. Ninth Circuit Court of Appeals
- U.S. Second Circuit Court of Appeals
- U.S. Eleventh Circuit Court of Appeals

Recent News

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Mar 23, 2026

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Notable Rankings



Stephen J Herman

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**Mass Tort Litigation / Class Actions -
Plaintiffs**

New Orleans, Louisiana

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Personal Injury Litigation - Plaintiffs
New Orleans, Louisiana

