

# Alexandra “Xan” Bernay Bio

Alexandra Bernay is a partner in Robbins Geller Rudman & Dowd LLP’s San Diego office, where she specializes in antitrust and unfair competition class-action litigation. She has also worked on some of the Firm’s largest securities fraud class actions, including the *Enron* litigation, which recovered an unprecedented \$7.2 billion for investors.

Xan currently serves as co-lead counsel in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.*, in which a settlement of \$5.5 billion was upheld by the Second Circuit Court of Appeals. This case was brought on behalf of millions of U.S. merchants against Visa and MasterCard and various card-issuing banks, challenging the way these companies set and collect tens of billions of dollars annually in merchant fees. The settlement is believed to be the largest antitrust class action settlement of all time.

Additionally, Xan is involved in *In re Remicade Antitrust Litig.*, a large case that settled for \$25 million involving anticompetitive conduct in the biosimilars market, where the Firm was sole lead counsel for the end-payor plaintiffs. She is also part of the litigation team in *In re American Airlines/JetBlue Antitrust Litig.* pending in the Eastern District of New York. That case is brought on behalf of airline passengers who overpaid for tickets because of alleged anticompetitive conduct between American and JetBlue. She is also a member of the team in *In re Dealer Mgmt. Sys. Antitrust Litig.* (N.D. Ill.), which involves anticompetitive conduct related to dealer management systems on behalf of auto dealerships across the country. Another representative case is against Lloyd’s of London. That action is a massive civil RICO case against the insurance company and its syndicates.

Xan has also had experience in large consumer class actions, including *In re Checking Account Overdraft Litig.*, which case was brought on behalf of bank customers who were overcharged for debit card transactions and resulted in more than \$500 million in settlements with major banks that manipulated customers’ debit transactions to maximize overdraft fees. She also helped try to verdict a case against one of the world’s largest companies who was sued on behalf of consumers. Her more recent trial experience includes a jury trial related to foreign exchange trading against one of the largest banks in the world, where the jury found that plaintiffs had proved a conspiracy as to a large network of banks. She was responsible for many of the successful trial motions in the case.

Xan speaks on a variety of issues related to litigation, including recent changes to Rule 23 of the Federal Rules of Civil Procedure. In December 2018, with another lawyer, she prevailed for her client in a multi-day probate court trial as part of her *pro bono* work with the San Diego Volunteer Lawyers’ Program.

Xan has been selected as an honoree in the category of Outstanding Antitrust Litigation Achievement in Private Law Practice for the American Antitrust Institute’s Antitrust Enforcement Awards 2023. Xan also was recently named a 2023 Cal Poly Humboldt Distinguished Alumni. She has also been named a Leading Plaintiff Financial Lawyer by *Lawdragon* and a Super Lawyer by *Super Lawyers Magazine*. She earned a Bachelor of Arts degree in Journalism from Humboldt State University, where she received the Society of Professional Journalists Outstanding Graduate Award. She then graduated *magna cum laude* with a Juris Doctor degree from the University of San Diego School of Law, where she was Comments Editor for the *San Diego Law Review*, and an Order of the Coif member.