

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	JOINT DECLARATION OF LUCAS F.
	)	OLTS AND LESTER R. HOOKER IN
vs.	)	SUPPORT OF (I) MOTION FOR FINAL
	)	APPROVAL OF CLASS ACTION
PATTERSON COMPANIES, INC., et al.,	)	SETTLEMENT AND APPROVAL OF
	)	PLAN OF ALLOCATION; AND (II)
Defendants.	)	MOTION FOR AN AWARD OF
	)	ATTORNEYS' FEES AND EXPENSES
	)	AND AWARDS TO PLAINTIFFS
	)	PURSUANT TO 15 U.S.C. §78u-4(a)(4)

LUCAS F. OLTS and LESTER R. HOOKER declare as follows:

1. We, Lucas F. Olts of Robbins Geller Rudman & Dowd LLP (“Robbins Geller”) and Lester R. Hooker of Saxena White P.A. (“Saxena White,” and together with Robbins Geller, “Lead Counsel”) submit this joint declaration (the “Joint Declaration”) in support of the motions described below.¹ Lead Counsel represent the Court-appointed Lead Plaintiffs and Class Representatives Plymouth County Retirement Association, Pembroke Pines Pension Fund for Firefighters and Police Officers, Central Laborers Pension Plan, and Gwinnett County Public Employees Retirement System (together, “Class Representatives,” “Lead Plaintiffs,” or “Plaintiffs”) and the certified Class in this securities class action (the “Action” or the “Litigation”). We have personal knowledge of the matters stated in this Joint Declaration based on our active supervision of and participation in the prosecution and settlement of the Action. If called upon as witnesses, we would testify competently thereto.

2. Due to the Court’s familiarity with the Litigation, this Joint Declaration does not seek to detail each and every event during the Action. Rather, the Joint Declaration provides the Court with a summary of the prosecution of the Action, highlights of the events leading to the Settlement, the basis upon which Lead Counsel and Lead Plaintiffs recommend the Settlement’s approval, why the proposed plan for allocating the net Settlement proceeds to eligible Class Members (the “Plan of Allocation” or the “Plan”) is

¹ All capitalized terms not otherwise defined herein have the same meaning as those set forth in the Stipulation of Settlement, dated October 11, 2021, and filed October 14, 2021 (the “Stipulation” or “Settlement Agreement”). ECF No. 241. In addition to this Joint Declaration, Class Representatives and Lead Counsel are submitting (i) the Memorandum of Law in Support of Class Representatives’ Motion for Final Approval of Class Action Settlement and Approval of Plan of Allocation (the “Settlement Memorandum”), and (ii) the Memorandum of Law in Support of Lead Counsel’s Motion for Attorneys’ Fees and Expenses and Awards to Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4) (the “Fee Memorandum”).

fair and reasonable and should be approved by the Court, and why the application for an award of attorneys' fees and expenses is reasonable and should likewise be approved.

3. The Settlement will resolve all claims asserted in the Litigation against Defendants on behalf of the Class consisting of all person or entities who purchased or otherwise acquired Patterson Companies, Inc. ("Patterson" or the "Company") common stock between June 26, 2013 and February 28, 2018, inclusive (the "Class Period").² ECF No. 218. The Court preliminarily approved the Settlement in an Order entered on February 3, 2022 (the "Preliminary Approval Order"). ECF No. 248. Since then, the Court-approved Claims Administrator, Gilardi & Co. LLC ("Gilardi"), has notified Class Members of the Settlement by mail in accordance with the Preliminary Approval Order. Summary Notice was also published in *The Wall Street Journal* and over *Business Wire*. See Ex. A hereto (Declaration of Ross D. Murray Regarding Notice Dissemination, Publication, and Requests for Exclusion Received to Date, hereafter "Gilardi Declaration") at Ex. C. In addition, a settlement-specific website and toll-free telephone number were established to provide potential Class Members with additional information. *Id.*, ¶¶13-14.

² Excluded from the Class are Defendants, the officers and directors of Patterson at all relevant times, members of their immediate families, and their legal representatives, heirs, agents, affiliates, successors or assigns, Defendants' liability insurance carriers, and any affiliates or subsidiaries thereof, and any entity in which Defendants or their immediate families have or had a controlling interest. Also excluded from the Class is any Person who would otherwise be a Member of the Class but who validly and timely requested exclusion in accordance with the requirements set by the Court in its Order Granting Class Representatives' Unopposed Motion to Approve the Form and Manner of Class Notice (ECF No. 218) or in accordance with the requirements set forth by the Court in connection with the Settlement.

I. PRELIMINARY STATEMENT

4. After four years of hard-fought litigation, Lead Plaintiffs and Lead Counsel have secured an outstanding recovery of \$63,000,000 for the Class. If approved, the proposed Settlement will rank among the District of Minnesota's top ten securities fraud class action recoveries in history, the largest securities class action settlement achieved in this District since 2012, and the third largest securities class action settlement in the Eighth Circuit over the past 10 years. The Settlement provides a very favorable result for the Class, which faced the risk of a much smaller recovery (or no recovery at all) had the case continued through summary judgment, trial, and inevitable appeals.

5. Significantly, the Settlement exceeds other recent settlements in relative terms. The \$63 million Settlement represents 7% to 73% of investors' realistically recoverable damages of \$86 to \$855 million under Plaintiffs' expert's damages calculation. By way of comparison, Cornerstone Research has reported that, in securities class actions settled in 2021, the median recovery was 4.9% of "simplified tiered damages" (and 5.0% for all cases settled between 2012 and 2020). *See* Laarni T. Bulan and Laura E. Simmons, *Securities Class Action Settlements: 2021 Review and Analysis* at 6, Fig. 5 (Cornerstone Research 2022) ("Cornerstone Report"), available at <https://www.cornerstone.com/wp-content/uploads/2022/03/Securities-Class-Action-Settlements-2021-Review-and-Analysis.pdf>. The median securities class action settlement as a percentage of "simplified tiered damages" in the Eighth Circuit was 6.8% from 2012 through 2021. *Id.* at 19, App. 3. The \$63 million Settlement also far exceeds the median settlement amount of \$14.7 million in the Eighth Circuit for cases settled between 2012 and 2021. *Id.*

6. Before agreeing to settle this Action, Lead Plaintiffs and Lead Counsel undertook extensive efforts to advance the Class's claims and to ensure that Plaintiffs were able to maximize their recovery. Plaintiffs' litigation efforts included, among other things, conducting a comprehensive legal and factual investigation into the events underlying the Class's claims, which culminated in the drafting of a highly detailed, 94-page Amended Complaint. Furthermore, Lead Plaintiffs opposed Defendants' motion to dismiss, which meaningfully challenged every major element of Plaintiffs' claims. Thereafter, Plaintiffs aggressively pursued extensive discovery, including obtaining and reviewing nearly 800,000 pages of documents produced by Defendants and third parties, conducting 23 fact depositions and 3 expert depositions, defending 11 fact and expert depositions, and assisting in the preparation of three different expert reports. Lead Plaintiffs obtained certification of the Class, and, at the time of settlement, fact and expert discovery was complete, motions for summary judgment and to exclude expert testimony were fully briefed and pending, and a trial date was looming.

7. Plaintiffs undertook these diligent and exhaustive efforts against a background of significant risks. Indeed, at the pleading stage, the Court dismissed the majority of the alleged misstatements pled in Plaintiffs' Amended Complaint, leaving only: (i) statements within Patterson's code of ethics regarding specific guidelines that Patterson's employees should follow to comply with antitrust laws; (ii) statements in Patterson's 2016 and 2017 Forms 10-K regarding competing against Henry Schein and Benco; and (iii) statements in Patterson's 2016 and 2017 Forms 10-K providing that Patterson was seeking to obtain lower prices demanded by "GPO contracts or other contracts" and develop relationships with

“provider networks and new GPOs.” *Plymouth Cnty. Ret. Sys. v. Patterson Cos., Inc.*, 2019 WL 3336119, at *9 (D. Minn. July 25, 2019), *report and recommendation adopted as modified*, 2019 WL 4277302 (D. Minn. Sept. 10, 2019). The Court also dismissed three of the individual defendants, leaving only Patterson and Defendant Anderson. *See Patterson*, 2019 WL 3336119, at *22.

8. Plaintiffs faced a risk that their surviving alleged false statements would be dismissed from the case at summary judgment, or that they would be unable to prove the falsity of those statements at trial, or that Plaintiffs would be unable to prove Defendant Anderson’s scienter. For example, Defendants made credible arguments, supported by internal documents, that their statement about seeking to do business with GPOs was true, and that Patterson in fact was trying to do business with GPOs at the time of that statement. ECF No. 204 at 24-26. Similarly, Defendants made credible arguments that Patterson, did, in fact, compete with Benco and Henry Schein. *Id.* at 28-30. And further, Defendants made credible arguments that the Code of Ethics statements were merely aspirational, and that no investor would have reasonably relied on them. *Id.* at 26-28. Defendants also made credible arguments that Defendant Anderson – the only remaining Individual Defendant – lacked scienter for any of these statements. *Id.* at 30-32.

9. In addition, Plaintiffs also faced significant risks in establishing loss causation for their claims. Defendants argued that the stock price declines following Plaintiffs’ alleged corrective disclosures were caused by factors other than the alleged fraud, and therefore the Class could not recover damages for such disclosures. Specifically, regarding the November 22, 2016, and March 1, 2018 disclosures, Defendants argued that there was no evidence that

the market recognized any relationship between those earnings announcements and the alleged misrepresentations. ECF No. 204 at 14-17. Defendants also repeatedly asserted that the February 12, 2018 disclosure was not corrective, as the alleged antitrust misconduct was already known to the market prior to the FTC's announcement. *Id.* at 18-20. Moreover, Plaintiffs were cognizant that the Court could have lent credence to these arguments at the summary judgment stage: indeed, at the motion to dismiss stage, the Court acknowledged that it was "sympathetic to Defendants' arguments concerning the causal connection between the FTC complaint and the stock losses" and that "[t]hese entangled facts . . . would be better suited for resolution on summary judgment where experts can weigh in with their analysis." *Patterson*, 2019 WL 3336119, at *21.

10. While Lead Plaintiffs believed that they had strong arguments to respond to these points, there is no question that Defendants' arguments could easily have been accepted by this Court on summary judgment, or by a jury at trial. And if the Court or jury ultimately concluded that Defendants' statements were not materially false or otherwise actionable, that Defendant Anderson lacked scienter, or that all (or a substantial portion) of the stock price declines following the alleged corrective disclosures were not attributable to the alleged fraud, the potential recovery would be reduced dramatically, or eliminated altogether. Even a favorable jury verdict would have been subjected to an inevitable and uncertain appeals process. Thus, even if Plaintiffs had prevailed at trial, it is highly questionable as to whether Plaintiffs would have recovered more than (or even as much as) the substantial recovery provided in the Settlement.

11. The Settlement is also eminently fair, adequate, and reasonable given the extensive settlement negotiations between the Settling Parties, including two mediation sessions before Jill Sperber, Esq., a skilled and highly respected mediator. In preparation for these mediation sessions, the Settling Parties submitted extensive briefing regarding key legal and factual disputes in this Action, made numerous presentations on liability and damages, and engaged in vigorous, multiparty debate about the strengths and weaknesses of their positions. Although the mediation sessions did not lead to a resolution of the action, the Settling Parties resumed settlement discussions in the Summer of 2021. After lengthy negotiations, on August 27, 2021, the Settling Parties entered into a binding Memorandum of Understanding to settle the Action in its entirety and proceeded to memorialize their agreement in the Stipulation. *See* ECF No. 235.

12. As set forth in the Settlement Memorandum, Plaintiffs respectfully submit that the Settlement represents an outstanding recovery for the Class and satisfies each of the factors that the Eighth Circuit advises courts to consider in the settlement approval process, including the factors set forth in Federal Rule of Civil Procedure 23(e)(2) and *Van Horn v. Trickey*, 840 F.2d 604, 607 (8th Cir. 1988). This is especially true given that the Settlement provides a certain, immediate, and substantial cash recovery for the Class, while avoiding highly uncertain, risky, and costly protracted litigation.

13. Significantly, although the deadline for objections and exclusions has not passed, to date, no Members of the Class have objected to any aspect of the Settlement, the Plan of Allocation, or the attorneys' fee and expense request, and only two additional Class

Members have requested exclusion.³ This reaction of the Class is particularly significant given that approximately 90% of the Class consists of sophisticated institutional investors with the resources and motivation to object, if warranted. *See* ECF No. 138-1 at 16. Moreover, Lead Plaintiffs – themselves sophisticated institutional investors who have actively overseen the prosecution of this Action and who fully understand their fiduciary obligations to act in the best interest of the Class – wholly endorse the Settlement and Lead Counsel’s requested fee award.

14. In addition to seeking the Court’s final approval of the Settlement, Plaintiffs seek approval of the proposed Plan of Allocation as fair and reasonable. To prepare the Plan of Allocation, Plaintiffs engaged Global Economics Group, a well-recognized firm of economic and financial experts with extensive experience in preparing similar plans. Under the proposed Plan, the Net Settlement Fund will be distributed on a *pro rata* basis to Class Members who timely submit valid proofs of claim based on their “Recognized Loss Amount” as calculated pursuant to the Plan – a methodology that is standard in securities fraud class action settlements and has been approved by courts nationwide in other similar settlements.

15. Lead Plaintiffs’ Counsel also request an award of attorneys’ fees for their efforts, and for payment of their litigation costs and expenses. Specifically, Lead Plaintiffs’ Counsel are applying for an attorneys’ fee award of one-third of the Settlement Fund (*i.e.*, 33-1/3% of the Settlement Amount, plus interest earned thereon), and for payment of their

³ Seven individual shareholders requested exclusion from the Class in connection with the Notice of Pendency of Class Action. *See* Appendix 1 to Stipulation.

litigation costs and expenses of \$1,563,412.71 to be paid from the Settlement Fund. Lead Plaintiffs' Counsel's requested fee is within the range of fees approved by courts in this Circuit and around the country in comparable securities or complex class actions, and is amply supported by each of the relevant factors set forth in *Johnson v. Georgia Highway Express*, 488 F.2d 714, 719-20 (5th Cir. 1974). *See, e.g., Caligiuri v Symantec Corp.*, 855 F.3d 860, 866 (8th Cir. 2017) (affirming a District of Minnesota fee award of one-third of \$60 million settlement); *Huyer v. Buckley*, 849 F.3d 395, 399 (8th Cir. 2017) ("Indeed, courts have frequently awarded attorneys' fees ranging up to 36% in class actions."); *In re Celebrex (Celecoxib) Antitrust Litig.*, 2018 WL 2382091, at *5 (E.D. Va. Apr. 18, 2018) (awarding one-third of \$94 million settlement as "[f]ee awards of one-third of the settlement amount are commonly awarded in cases analogous to this one").

16. The reasonableness of Lead Plaintiffs' Counsel's requested one-third fee is also confirmed by a lodestar cross-check, which yields a modest multiplier of 1.12, which is well below the range of multipliers routinely awarded in the Eighth Circuit. *See, e.g., Yarrington v. Solvay Pharms., Inc.*, 697 F. Supp. 2d 1057, 1067 (D. Minn. 2010) (describing a 2.26 multiplier as "modest" and "reasonable, given the risks of continued litigation, the high-quality work performed, and the substantial benefit to the Class"); *Huyer v. Buckley*, 849 F.3d 395, 400 (8th Cir. 2017) ("approving multiplier of 2.5 and citing cases within the Eighth Circuit approving multipliers of up to 5.6") (citing *Nelson v. Wal-Mart Stores, Inc.*, 2009 WL 2486888, at *2 (E.D. Ark. Aug. 12, 2009)).

17. In accordance with the PSLRA, Lead Plaintiffs Plymouth County Retirement Association, Pembroke Pines Pension Fund for Firefighters and Police Officers, Central

Laborers Pension Plan, and Gwinnett County Public Employees Retirement System seek reimbursement of their reasonable costs and expenses incurred directly in connection with their representation of the Class, in the amounts of \$7,087.95, \$5,715.68, \$8,866.50, and \$9,375.00 respectively. The amount of time and effort devoted to this Action by the representatives of Lead Plaintiffs – which collectively expended considerable time and effort in actively supervising the litigation over a multi-year period, including by reviewing pleadings, collecting, and producing numerous documents, attending depositions, and participating in ongoing settlement discussions – is detailed in the accompanying Lead Plaintiff Declarations. Exs. B-E.

18. For all of the reasons discussed in this Declaration, its attached exhibits and in the accompanying memoranda, Plaintiffs and Lead Counsel respectfully submit that the Settlement and the Plan of Allocation are fair, reasonable, and adequate and should be approved. In addition, Lead Plaintiffs respectfully submit that Lead Plaintiffs' Counsel's request for attorneys' fees and litigation costs and expenses is also fair and reasonable and should be approved.

II. THE PROSECUTION OF THE ACTION

A. The Commencement of the Action, Lead Plaintiff Appointment and Filing of the Amended Complaint

19. On March 28, 2018, Plymouth County Retirement Association filed the original securities class action complaint, thereby commencing this Action. ECF No. 1. The preliminary investigation was based upon review and analysis of publicly available information concerning the Company, including: (a) Patterson's public filings with the SEC; (b) press releases and other publications disseminated by Patterson and other related non-

parties; (c) news articles, shareholder communications, conference call transcripts, and postings on Patterson’s website concerning the Company’s public statements; and (d) other publicly available information concerning the Company.

20. On August 30, 2018, the Court appointed Lead Plaintiffs and approved Lead Plaintiffs’ choice of counsel. ECF No. 63.

21. After the Court’s appointment of Lead Plaintiffs and approval of Lead Plaintiffs’ selection of Lead Counsel, Lead Counsel updated their investigation of Plaintiffs’ claims. In addition to expanding upon their initial review and analysis of publicly available information regarding Patterson, its competitors and organized groups of independent dentists known as Group Purchasing Organizations (“GPOs”), Lead Counsel’s multi-faceted investigation included: (i) locating and reviewing information from private actions against the Company and state and federal government investigations of Patterson, including a plethora of internal and inter-firm emails, phone calls, and text messages; (ii) reviewing additional research reports by securities and financial analysts concerning Patterson; (iii) analysis of data reflecting the pricing of Patterson stock; and (iv) consultations with relevant experts.

22. Lead Counsel’s investigation significantly bolstered the strength of Plaintiffs’ claims. In our experience, counsel typically lacks access to such key internal documents in securities class actions until after the complaint survives dismissal and the PSLRA’s automatic discovery stay is lifted. Furthermore, by continuing to investigate Plaintiffs’ claims during the period between the filing of the original complaint in March 2018 and filing the Amended Complaint in November 2018, Lead Counsel expanded the class period

by two years to capture additional allegedly false statements and potential damages in the Action. Thus, Lead Counsel's comprehensive investigation provided highly valuable benefits to the Class.

23. On November 9, 2018, Plaintiffs filed a 94-page Amended Complaint alleging that Defendants violated the securities laws. ECF No. 74. The Amended Complaint alleged that, throughout the Class Period, Defendants made materially false and misleading statements and omissions regarding the Company's scheme with its largest competitors to boycott GPOs. The Complaint alleged that Patterson's stock price was artificially inflated throughout the Class Period due to Defendants' alleged materially false and misleading statements and omissions and that shareholders were harmed when the truth about that fraud was revealed. Plaintiffs alleged that the truth regarding Defendants' fraud was revealed in piecemeal fashion through a series of corrective disclosures:

(a) After Patterson reported a sudden decline in consumable sales of 2.5% and reduced its annual earnings guidance by nearly 15%, because of "softness in the U.S. dental market," on November 22, 2016, Patterson's stock dropped by 16.7%, closing at \$39.56 from a prior-day close of \$47.51.

(b) After the FTC's formal complaint, based on a years-long investigation against Patterson and its co-conspirators, revealed on February 12, 2018 that Patterson and other distributors were allegedly engaged in a years-long collusive price-fixing scheme to collectively boycott GPOs, the price of Patterson stock declined, falling 5%.

(c) After Patterson reported a 26% decline in overall earnings, a 236-basis point contraction in profit margins, an 18% reduction in annual guidance, and Ann Gugino's

immediate resignation revealed on March 1, 2018 that Patterson's resulting inability to continue to collude with its main competitors to protect its historically high profit margins would have a long-lasting and devastating impact on Patterson's financial results, the Company's stock price dropped 24%.

B. The Pleading Stage

24. On January 18, 2019, Patterson and the individual defendants filed a motion to dismiss the Amended Complaint challenging the adequacy of the Complaint's allegations with respect to nearly every element of Plaintiffs' claims. ECF Nos. 89, 91.

25. Defendants argued that: (i) they had no duty, as a matter of law, to disclose Plaintiffs' alleged conspiracy (or any other unadjudicated alleged wrongdoing); (ii) the alleged public misstatements were inactionable and immaterial under well-settled law because they constituted statements of corporate optimism or puffery, consisted of general statements of legal compliance or were protected by the PSLRA's safe harbor for forward-looking statements; and (iii) none of the allegedly omitted information rendered any statements in Patterson's public filings, press releases or earnings calls false or misleading. Defendants argued that Plaintiffs did not plead particularized facts giving rise to a strong inference that Defendants acted with the requisite state of mind (scienter). Defendants claimed that Plaintiffs did not and could not plead that any individual defendant became aware of, or engaged in, an alleged anticompetitive conspiracy with Patterson's competitors. Additionally, Defendants argued that the Complaint's allegations were not sufficient to support a showing of loss causation. The announcements on which Plaintiffs relied to establish that Patterson's stock price dropped after the purported "truth" was disclosed to the

market did not actually reveal any fraudulent or illegal activity (because there was none). Defendants moved to dismiss Plaintiffs' §20(a) claim on the ground that the Complaint failed to establish an underlying primary violation.

26. Lead Plaintiffs filed their opposition to Patterson and the individual defendants' motion to dismiss on March 19, 2019. ECF No. 100. In their opposition, Plaintiffs argued that they had alleged numerous facts establishing that, in contrast to Defendants' public statements, Patterson was colluding with its "competitors," and the Company owed its success to the illegal price-fixing scheme. Plaintiffs further claimed that the Complaint pled scienter with allegations establishing that Defendants knew GPOs posed an existential threat to Patterson's core business and perpetuated and monitored the scheme to freeze out GPOs. Plaintiffs also argued that documents cited in the Complaint made clear that Defendants were responsible for implementing the Company's price-fixing campaign. Regarding loss causation, Plaintiffs argued that the Complaint adequately alleged that the truth of Defendants' scheme was slowly revealed through a series of partial disclosures that directly caused Patterson's stock price to drop.

27. Defendants filed a reply to their motion to dismiss on May 3, 2019. ECF No. 101. A hearing on the motion to dismiss was heard on May 13, 2019. ECF No. 103. On July 25, 2019, Magistrate Judge Steven Rau issued a Report and Recommendation that the motion to dismiss should be granted in part and denied in part, and that all claims against individual defendants Gugino, Armstrong, and Wiltz should be dismissed. ECF No. 112. On September 10, 2019, the Court adopted the Report and Recommendation in all material respects. ECF No. 115.

28. Defendants answered the Amended Complaint on September 24, 2019, denying all material surviving allegations of the Amended Complaint and asserting multiple defenses. ECF No. 116. Among other things, Defendants contended that they made no materially false or misleading statements, and that they disclosed all information required to be disclosed by the federal securities laws. Defendants also contended that Lead Plaintiffs would be unable to meet their burden to prove loss causation or economic loss related to the alleged false or misleading statements.

C. Lead Plaintiffs' and Lead Counsel's Extensive Discovery Efforts

29. Given the length of the Class Period, the scope of Lead Plaintiffs' claims, and the complex subject matter at issue in this Action, factual discovery was an enormous undertaking. Among other things, Plaintiffs served document requests on Defendants, subpoenaed documents from seven non-parties, including Benco, Burkhardt, and Schein, made two FOIA requests to the Securities and Exchange Commission, and sought records from the Texas Office of Attorney General. Plaintiffs ultimately obtained and reviewed nearly 800,000 pages of documents. Plaintiffs, their advisors and expert also reviewed and produced over 136,000 pages of documents to Defendants during the course of discovery. The amount of work done by Lead Plaintiffs during this time period is extraordinarily compelling evidence of Lead Plaintiffs' vigorous prosecution of and commitment to this Action, as set forth below.

1. Discovery Obtained from Defendants

30. Lead Plaintiffs served Defendants with their First Request for Production of Documents on October 9, 2019. These 43 requests sought, among other things, documents

concerning: (i) Patterson's relationship with its competitors, including communications between those parties relevant to the allegations of the Complaint; (ii) GPOs and state dental supply purchasing organizations; (iii) the FTC investigation or any other federal, state or regulatory agency or entity investigation; (iv) Defendants' communications with analysts and shareholders during the Class Period; and (v) the reaction of Patterson's stock price to Company-specific, industry-specific, and/or market-related information. Defendants served their responses and objections to Plaintiffs' first document request on November 8, 2019.

31. Beginning in December 2019, the parties frequently exchanged written correspondence and held numerous meet-and-confer conferences to negotiate the appropriate scope of discovery. Those interactions involved lengthy disputes about the length of the relevant time period, the number of custodians whose e-mail accounts should be searched and what terms to use, and whether certain Patterson senior executives personally possessed discoverable information. In addition, conflicts also arose when Lead Plaintiffs attempted to refute Defendants' arguments that discovery would be adequate under "Clone Discovery" related to the other antitrust actions, especially since the time period in those actions was substantially before the relevant time period.

32. In response to Plaintiffs' requests, Defendants produced e-mails and attachments from the custodial files of individual custodians, including Defendant Anderson. Ultimately, Defendants made multiple document productions, beginning on August 12, 2019, and concluding on March 29, 2021, which collectively contained approximately 703,000 pages of information contained in 212,050 documents.

2. Discovery Obtained from Third Parties

33. Between roughly February 13, 2020 and February 17, 2020, subpoenas on three non-party entities were served: Benco, Burkhardt, and Schein. Ultimately these parties collectively produced, and Lead Plaintiffs collected and reviewed, 82,905 pages spanning 18,058 documents.

34. With respect to Benco, Lead Counsel engaged in a series of meet-and-confers regarding the proper scope of discovery and appropriate search terms. In addition, a dispute arose regarding whether Benco should produce any documents until Judge Davis issued his ruling on Defendants' Motion to Stay.

35. With respect to Schein, Lead Counsel engaged in a series of meet-and-confers regarding the proper scope of discovery and appropriate search terms. Initially, Schein refused to negotiate search terms or make any productions until Plaintiffs diligently "searched the public record." Ultimately, Schein produced a limited set of documents.

36. Lead Counsel also issued a Freedom of Information Act Request to the FTC. After several meet and confers, the FTC agreed to provide partial access to a limited set of responsive records. After additional meet and confers, the FTC agreed to expand the scope of their production and made additional productions.

37. Pursuant to the Texas Public Information Act, Lead Counsel also requested and received documents from the Texas Office of the Attorney General regarding their investigation of anticompetitive conduct in the dental supply distributor industry as alleged in its lawsuits against Patterson, Schein, and Benco.

3. Discovery from Lead Plaintiffs

38. On November 4, 2019, Defendants served their first set of document requests on Lead Plaintiffs. Numbering 38 separate and distinct requests (not including subparts), Patterson sought wide-ranging information concerning this Action, Lead Plaintiffs' investments, their roles as Lead Plaintiffs and proposed Class Representatives, their business operations, and multiple other topics.

39. Lead Plaintiffs served their objections and responses on December 4, 2019. Following service, the parties met and conferred regarding the substance and scope of Lead Plaintiffs' production. By mid-January 2020, the parties reached general consensus concerning the breadth of relevance, identity and number of custodians, limited set of search terms, and estimated timing of Plaintiffs' productions.

40. Defendants served a second set of document requests on Lead Plaintiffs on March 26, 2020 regarding additional trading activity information. Lead Plaintiffs responded on April 27, 2020.

41. Lead Plaintiffs and Lead Counsel expended significant effort on collecting, culling, reviewing, and producing documents in response to Defendants' discovery requests. Ultimately, Lead Plaintiffs collectively produced over 350 documents totaling over 67,730 pages, with the first production occurring on January 31, 2020 and the last production on April 13, 2020. Lead Plaintiffs' advisors and experts produced over 490 documents totaling over 19,800 pages.

4. Lead Counsel's Document Review and Deposition Preparations

42. Collectively, the Defendants and third parties produced approximately 842,200 pages contained in 224,985 documents to Lead Plaintiffs in discovery, with the first production on August 12, 2019 and the last production on March 29, 2021. Lead Counsel devoted substantial time to reviewing and analyzing these documents. Lead Counsel generated an effective and efficient discovery plan and took significant steps designed to quickly identify the custodians and documents most important to uncovering the facts at the heart of the Action. As a result of these efforts, Lead Counsel were able to utilize this discovery in connection with class certification and during the Settling Parties' settlement negotiations. Accordingly, the extensive and targeted discovery work conducted by Lead Counsel was crucial to achieving the highly favorable Settlement for the Class.

43. Lead Counsel's discovery plan leveraged a sophisticated electronic document hosting system, and a dedicated team of attorneys with substantial experience in electronic document discovery, deposition, and trial preparation. Attorneys on the litigation team for the Action prepared and continuously updated a highly detailed document review coding manual and protocol, which included detailed case information as well as instructions on coding documents. Document reviewers were trained to code documents for level of responsiveness or importance to the case (*e.g.*, "Hot," "Highly Relevant," "Irrelevant"), for case issues (*e.g.*, "Accounting and Financial Reporting/Policy," "GPOs Anticompetitive Conduct," and "Regulatory Investigations and Private Litigation"). Throughout document discovery, senior attorneys in the litigation team met regularly with staff attorneys to ensure their understanding of the case and discuss key facts uncovered by the review, and staff

attorneys were instructed to prepare detailed memoranda on potential witnesses and subject matters of importance to assist senior attorneys in their preparations for depositions and trial.

44. Many of the documents produced to Plaintiffs were substantively complex and laden with healthcare and dental jargon and terms of art. Throughout the course of discovery, Lead Counsel consulted with Eric R. Emch, Ph.D. who specializes in assessing economic issues related to competition and antitrust and also conducted independent reading and research to enhance their understanding of these documents. Lead Counsel also developed and continuously updated a set of reference resources to aid members of the document review team, including chronologies of significant events, lists of key players, and a glossary of technical terms and acronyms utilized in the dental industry.

5. Deposition Discovery

45. Depositions provided a critical component of Lead Plaintiffs' efforts to develop the evidentiary record, both in terms of fact-gathering and solidifying Plaintiffs' legal arguments. To prepare for fact witness depositions, attorneys on the review team were assigned to conduct an in-depth review of the custodial files of each potential deponent and identify key documents and issues for that deponent. During this process, attorneys met multiple times to discuss potential candidates, review samples of relevant documents for these candidates, and debate the relative merits of each.

46. From July 24, 2020 through November 23, 2020, Lead Counsel deposed a total of 23 fact witnesses, including Defendant Anderson, Ann Gugino, Paul Guggenheim, and numerous other individuals who were key executives or employees of Patterson during the Class Period, as well as a representative of Benco.

47. In sum, Lead Plaintiffs' fact witness depositions resulted in over 4,600 pages of testimony and about 515 exhibits.

6. Experts

48. Plaintiffs' substantive expert reports were provided on January 21, 2021. Plaintiffs' experts were Dr. Eric Emch, an antitrust expert, and Dr. Matthew D. Cain, an economic expert. Defendants submitted two rebuttal expert reports on February 26, 2021. Defendants' experts were Dr. Lawrence Wu, an antitrust expert, and Professor Paul A. Gompers, an economic expert.

49. Each expert was subsequently deposed. Dr. Cain was deposed on March 30, 2021. Professor Gompers was deposed on April 2, 2021. Dr. Emch was deposed on April 6, 2021. Dr. Wu was deposed on April 15, 2021.

D. Class Certification

50. On February 21, 2020, Lead Plaintiffs filed their motion for class certification. *See* ECF No. 136. Along with their motion, and in order to invoke the fraud of the market theory, Lead Plaintiffs also submitted the Expert Report of Bjorn I. Steinholt, CFA (the "Steinholt Class Certification Report"). ECF No. 138-1. After performing an extensive and thorough analysis – which included not only the *Cammer* factors but also three additional factors that courts commonly use to evaluate market efficiency – the Steinholt Class Certification Report concluded that the market for Patterson common stock was efficient. Accordingly, Lead Plaintiffs invoked the fraud on the market theory on behalf of the proposed Class.

51. Defendants took document and depository testimony from Lead Plaintiffs and their representatives, and on June 18, 2020, filed their opposition to Lead Plaintiffs' motion. ECF No. 151. Defendants' opposition focused on: (i) reliance; (ii) class-wide damages; (iii) typicality; and (iv) adequacy. *See id.* Defendants also argued that the Class Period should end on February 12, 2018. *See id.*

52. Lead Plaintiffs filed their reply on July 20, 2020. ECF No. 156. Plaintiffs argued that Defendants' opposition was replete with factual and legal inaccuracies and mischaracterizations, included recycled issues rejected at the motion to dismiss stage, was devoid of any evidence, and presented a scattershot of generic arguments routinely rejected by courts nationwide. *See id.*

53. On September 28, 2020, after oral argument was held, the Court granted Lead Plaintiffs' motion and certified the Class. The Court found that Lead Plaintiffs "established that they are adequate class representatives;" "are the type of 'large, institutional lead plaintiff[s] envisioned by Congress when the PSLRA was enacted;'" and "have common interests with the proposed Class." *Plymouth Cty. Ret. Sys. v. Patterson Companies, Inc.*, 2020 WL 5757695, at *7 (D. Minn. Sept. 28, 2020). In appointing Saxena White and Robbins Geller as Class Counsel, the Court held that "[b]oth firms are highly qualified and have extensive experience in securities class action litigation . . . Saxena White and Robbins Geller are experienced in leading large securities class actions and have obtained substantial recoveries for plaintiffs in such lawsuits. Both firms have demonstrated diligence and expertise in their work in this case." *Id.* at *8. The Court also rejected Defendants' argument to shorten the Class Period. *Id.* at *15-*16.

54. On October 13, 2020, Defendants filed with the Eighth Circuit Court of Appeals a petition for interlocutory review of the Court's class certification order. *See* ECF No. 178. That same day, Defendants filed a Motion to Stay pending their petition, which the Court denied on November 9, 2020, finding Defendants could not show irreparable harm or a likelihood of success on the merits of their appeal. *Plymouth Cty. Ret. Sys. v. Patterson Companies, Inc.*, 2020 WL 6566467, at *1 (D. Minn. Nov. 9, 2020). Judgment denying the petition for the appeal was entered by the Eighth Circuit on November 12, 2020.

55. On May 25, 2021, the Court granted Lead Plaintiffs' motion to provide notice of the pendency of the Action. ECF No. 218. It approved the form and content of the Notice of Pendency of Class Action (the "Long Class Notice") and the Summary Notice of Pendency of Class Action (the "Summary Class Notice") (collectively, the "Class Notices") to notify potential Class Members of, among other things: (i) the Action pending against Defendants; (ii) the Court's certification of the Action to proceed as a class action on behalf of the Class; and (iii) Class Members' right to request to be excluded from the Class, the effect of remaining in the Class or requesting exclusion, and the requirements for requesting exclusion. The Class Notices informed Class Members that if they chose to remain in the Class, they shall "be bound by all determinations and judgments in this Action, whether favorable or unfavorable." *Id.* The Court also approved Lead Plaintiffs' plan for dissemination of notice. The deadline for mailing any requests for exclusion from the Class was August 18, 2021, and seven (7) requests for exclusion from the Class were received in connection with dissemination of the Class Notices.

E. Defendants' Motion for Summary Judgment and Motion to Exclude Expert Testimony

56. On May 17, 2021, Defendants moved for summary judgment and to exclude the testimony of one of Lead Plaintiffs' experts. *See* ECF Nos. 202-215. In their motion for summary judgment, Defendants argued that the Action was not an antitrust case. *See* ECF No. 204. Defendants argued that Plaintiffs could not prove that Defendants made material misrepresentations with the intent to deceive investors, or that investors' reliance on those misrepresentations, in fact, caused economic loss. *See id.*

57. Regarding Defendants' motion to exclude the testimony of Dr. Mathew D. Cain, Defendants claimed that Dr. Cain's analyses failed to meet the standards under *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579, 591 (1993). *See* ECF No. 212.

58. On June 7, 2021, Lead Plaintiffs filed their oppositions to Defendants' motions. In the opposition to Defendants' motion for summary judgment, Plaintiffs argued that Defendants perpetrated a conspiracy to refuse to offer discounted prices or otherwise compete for the business of buying groups, which the Federal Trade Commission determined – after a multi-year investigation and a four-month trial involving 65 witnesses and over 5,000 exhibits – constituted a “per se violation” of the federal antitrust laws. *See* ECF No. 219. Therefore, according to Plaintiffs, statements claiming that Patterson fully complied with the antitrust laws, that the Company was seeking to compete against Schein and Benco, and that Patterson was willing to do business with GPOs were materially false and misleading; Defendants acted with scienter; and there was no basis for summary judgment on loss causation. *See id.*

59. Plaintiffs' opposition to Defendants' motion to exclude argued that the motion should be denied because Defendants did not dispute that Dr. Cain was highly qualified to testify on matters relating to materiality, loss causation, and damages, or that the opinions set forth in his expert report are relevant to the issues in this case. *See* ECF No. 220.

60. On June 21, 2021, Defendants filed their reply briefs. *See* ECF Nos. 226-228.

61. On July 16, 2021, Plaintiffs filed a notice of supplemental authority in support of their oppositions to Defendants' motion for summary judgment and *Daubert* motion to bring to the Court's attention the recent Order in the securities fraud class action captioned *In re Perrigo Company PLC Securities Litigation*, No. 1:19-cv-00070-DLC, ECF No. 275 (S.D.N.Y. July 13, 2021) (Cote, J.): (a) denying defendants' motion to exclude the plaintiffs' loss causation expert; and (b) denying defendants' motion for summary judgment on the issue of loss causation. *See* ECF Nos. 230-231. Defendants responded to Plaintiffs' notice on July 23, 2021. *See* ECF No. 232.

62. Defendants' summary judgment motion and motion to exclude remained pending at the time this Settlement was reached.

F. Lead Plaintiffs' Pre-Trial Preparations

63. On November 16, 2020, the Court advised the parties that the case was to be set for trial on September 17, 2021. ECF No. 195.

64. Lead Plaintiffs engaged in extensive pre-trial preparation, which included re-evaluating the evidence in the case to determine the appropriate witness and exhibit lists for trial, preparing jury instructions, and extensively researching issues pertaining to a motion in limine regarding the admissibility of the FTC's judgment and the findings of fact therein.

G. The Parties' Mediation Sessions

65. After Plaintiffs successfully opposed Defendants' motion to dismiss, the Settling Parties agreed to participate in a private mediation. Over two mediation sessions, the Settling Parties and Defendants' liability insurance carriers engaged in vigorous negotiations regarding a potential resolution of the Action.

66. Defendants and Plaintiffs engaged Jill R. Sperber, Esq., a neutral at Sperber Dispute Resolution. Ms. Sperber has played an integral role in the resolution of hundreds of disputes.

67. On November 5, 2019, the Settling Parties participated in a voluntary confidential mediation. In advance of the session, Defendants and Plaintiffs submitted and exchanged detailed mediation statements detailing the relevant facts and analyses concerning falsity, scienter, loss causation, and damages. During the session, Plaintiffs shared their positions and conveyed to the mediator their understanding of the strengths and weaknesses of the claims and defenses in this Action, as well as potential sources of recovery. However, at the conclusion of this session, it was clear that the parties maintained highly divergent views on the strengths and weaknesses of their claims and defenses, as well as the settlement value of the Action. While the parties engaged in good faith negotiations, they did not reach a settlement and litigation continued.

68. On August 3, 2020, Defendants and Lead Plaintiffs participated in another mediation session. Prior to this session, the Settling Parties exchanged and submitted supplemental mediation materials to Ms. Sperber.

III. THE SETTLEMENT IS FAIR, REASONABLE, AND ADEQUATE

69. As set forth in the Settlement Memorandum filed contemporaneously herewith, the Settlement is fair, reasonable, and adequate in light of the exceptional recovery; the unique risks and difficulties that the Action presented to Plaintiffs; the extensive litigation efforts expended by Lead Plaintiffs and Lead Counsel during the four year course of the case; the complexity and expense of further litigation; the arm's-length settlement negotiations conducted by the Settling Parties; and the overwhelmingly positive reaction of the Class. As set forth below and in the Settlement Memorandum, Lead Plaintiffs and Lead Counsel respectfully submit that the Settlement readily meets all of the relevant factors that courts in the Eighth Circuit consider under Rule 23(e)(2) and *Van Horn v. Trickey*, 840 F.2d 604, 607 (8th Cir. 1988).

A. The Settlement Agreement and Preliminary Approval

70. Although Lead Plaintiffs and Defendants engaged in arm's-length negotiations during the mediation sessions and were unable to reach an agreement, they continued settlement discussions. On August 27, 2021, the Settling Parties reached an agreement-in-principle to resolve the Litigation and executed a Memorandum of Understanding memorializing their agreement. The agreement included, among other things, the Settling Parties' agreement to settle the Litigation in return for a cash payment of \$63 million for the benefit of the Class, subject to the negotiation of the terms of a Stipulation of Settlement and approval by the Court.

71. After agreeing on the broad contours of the proposed Settlement, the Settling Parties engaged in extensive negotiations regarding the material terms of the Stipulation; the

Supplemental Agreement under which Defendants may terminate the Settlement if requests for exclusion from the Class reach a certain threshold – a standard agreement in securities class action settlements generally called a “blow provision”; and various supporting documents, including proposed Class notices and proposed orders for the Court.

72. On October 14, 2021, Lead Plaintiffs filed their motion for preliminary approval of the proposed Settlement, along with the Stipulation and its exhibits. ECF Nos. 238-243.

73. On February 3, 2022, the Court preliminarily approved the Settlement, authorized the Notice to be disseminated to potential Class Members, and scheduled the Settlement Hearing to consider, among other things, whether to grant final approval to the Settlement (the “Preliminary Approval Order,” ECF No. 248).

B. Reasons for the Settlement

74. The Settlement provides the Class with an immediate and certain cash benefit of \$63 million, which not only is in the top ten of the highest cash recoveries in securities class actions in the history of this District, and the largest securities class action settlement in this District since 2012, but also represents an exceptionally high percentage of the maximum likely recoverable damages for the Class.

75. Lead Plaintiffs and Lead Counsel fully endorse the Settlement. *See* Exs. B-G. Court-appointed Lead Plaintiffs and Class Representatives are sophisticated institutional investors who have actively overseen the prosecution of this Action for four years and understand and have executed their fiduciary duty to act in the best interest of the Class. Lead Counsel, Robbins Geller and Saxena White, specialize in complex securities class

action litigation, and are highly experienced in such litigation. *See* Ex. F (Ex. G) (Robbins Geller firm resume); Ex. G (Ex. C) (Saxena White firm resume). Based on their experience and knowledge of the facts and applicable law in this Action, Lead Counsel and Lead Plaintiffs have determined that the Settlement is in the best interest of the Class.

76. Although Lead Plaintiffs and Lead Counsel believe that the claims asserted in this Action are meritorious, continued litigation against Defendants posed significant risks that made recovery in any amount uncertain. For example, Plaintiffs were aware of the significant challenges Defendants raised in their summary judgment motion and mediation statements on the key issues of falsity, scienter, loss causation, and damages. Indeed, although Lead Plaintiffs were initially successful in part at the motion to dismiss stage, the Court dismissed a majority of the false statements alleged by Plaintiffs and a majority of the individual defendants. The motion to dismiss order did not fully resolve the key issues listed above, and the attendant risks concerning these issues did and would have continued to resurface at every subsequent stage of the litigation – on summary judgment, at trial, and on appeal. Had any of Defendants’ arguments been accepted in whole or in part, any potential recovery would have been dramatically reduced or eliminated altogether.

77. Moreover, even if Lead Plaintiffs had prevailed at trial, Plaintiffs were further aware that Defendants’ damages expert had calculated maximum possible damages far below the maximum aggregate damages that Lead Plaintiffs’ expert had calculated – including credible scenarios that the Class’s maximum damages were well below \$86 million, or even that the Class had suffered no cognizable damages as a result of Plaintiffs’ allegations –

which undoubtedly would have resulted in a “battle of the experts” at trial with no certainty of which expert the jury would credit.

78. Furthermore, the proceeds of Defendants’ insurance policies were rapidly wasting. Continued litigation likely could, at some point, have exhausted the remaining proceeds and left the Class with no recovery, even should the Class have prevailed in full at summary judgment or trial. Thus, there were very significant risks attendant to the continued prosecution of the Action against Defendants.

79. The Settlement eliminates these substantial risks and guarantees the Class a favorable, certain cash recovery. Lead Counsel firmly believe that settling the Action with Defendants at this stage of the litigation is in the best interest of the Class.

IV. LEAD PLAINTIFFS’ COMPLIANCE WITH THE COURT’S PRELIMINARY APPROVAL ORDER

80. As required by the Court’s Preliminary Approval Order, beginning on February 24, 2022, Lead Plaintiffs, through Gilardi, notified Class Members of the Settlement by mailing a copy of the Notice to Class Members and their nominees. *See* ECF Nos. 241 and 241-3; Gilardi Declaration, ¶¶5-9.

81. The Court-approved Notice also requires brokers/nominees, within ten calendar days, to either (i) request additional copies of the Notice to send to the beneficial owners of the securities, or (ii) provide to Gilardi the names and addresses of such persons.

82. In the aggregate, as of May 2, 2022, Gilardi has disseminated 183,158 copies of the Notice to Class Members and their nominees. *See* Gilardi Declaration, ¶11.

83. In addition, on March 3, 2022, the Summary Notice was published in *The Wall Street Journal* and over *Business Wire*. *See* Gilardi Declaration, ¶12. Information regarding

the Settlement, including copies of the Notice and Claim Form, was posted on the website established by Gilardi specifically for the Class Notice and updated for this Settlement. This method of giving notice, previously approved by the Court, is appropriate because it directs notice in a “reasonable manner to all class members who would be bound by the [proposed] judgment.” Fed. R. Civ. P. 23(e)(1).

84. The Notice advises Members of the Class of the essential terms of the Settlement, sets forth the procedure for objecting to or opting out of the Settlement, and provides specifics on the date, time, and place for the Settlement Hearing.

85. The Notice also contains information regarding Lead Plaintiffs’ Counsel’s fee and expense application and the proposed Plan of Allocation. As explained in the Settlement Memorandum, the Notice fairly apprises Class Members of their rights with respect to the Settlement, and therefore is the best notice practicable under the circumstances, and complies with the Court’s Preliminary Approval Order, Rule 23 of the Federal Rules of Civil Procedure, and due process.

V. THE PLAN OF ALLOCATION

86. Lead Plaintiffs have proposed a plan to allocate the proceeds of the Settlement Fund among Members of the Class who submit valid proofs of claim. The objective of the proposed Plan of Allocation is to equitably distribute the Settlement proceeds, on a *pro rata* basis, to those Members of the Class who suffered economic losses as a result of Defendants’ alleged misrepresentations and omissions.

87. Lead Plaintiffs engaged an expert to assist in formulating the Plan. In developing the Plan, the expert calculated the amount of estimated artificial inflation in the

per share closing price of Patterson common stock that was allegedly proximately caused by Defendants' false and misleading statements. In so doing, Lead Plaintiffs' expert considered price changes in Patterson common stock in reaction to the alleged corrective disclosures, adjusting for any price changes attributable to market or industry forces.

88. The Notice set forth and explained the proposed Plan to Class Members. It was prepared in consultation with Lead Plaintiffs' expert, tracks a theory of damages asserted by Lead Plaintiffs, is substantially similar to numerous other plans that have been approved in this District and around the country, and is fair, reasonable, and adequate to the Class as a whole.

89. In response to over 183,000 Notices, there have been no objections to the proposed Plan of Allocation, further underscoring its fairness.

VI. COUNSEL'S FEE APPLICATION

90. In addition to seeking final approval of the Settlement and Plan of Allocation, Lead Plaintiffs respectfully request approval of Lead Counsel's application for an award of attorneys' fees and litigation expenses. Specifically, Lead Counsel is applying for a fee of 33-1/3% of the Settlement fund, plus interest at the same rate as that earned on the Settlement Fund, to be paid from the Settlement Fund (the "Fee Application"). Lead Counsel believe such a fee is reasonable and appropriate in light of the efficiency with which they litigated this matter, the resources Lead Counsel expended in prosecuting the case, the inherent risk of nonpayment from representing the Class on a contingent-fee basis, and the aggregate monetary benefit conferred on the Class in a challenging case.

91. Lead Plaintiffs' Counsel further request an award of \$1,563,412.71 in litigation costs and expenses. In addition, in accordance with the PSLRA, Lead Plaintiffs also seek reimbursement of their reasonable costs and expenses incurred directly in connection with their representation of the Class, in the amount of \$31,045.13 in the aggregate – an amount that is less than the total estimated value of the time that the Lead Plaintiffs spent in overseeing and participating in the Action. The legal authorities supporting the requested fees and expenses are set forth in the accompanying Fee Memorandum.

A. The Outstanding Result Achieved Supports the Requested Fee Award

92. The \$63 million Settlement achieved in this Action is an outstanding result for the Class by any measure. The Settlement is in the top ten of all settlements ever achieved in a securities class action in this District, and the largest securities class action settlement achieved in this District since 2012, as well as the third largest securities class action settlement in the Eighth Circuit over the past 10 years.

93. As elaborated further in the Fee Memorandum, the \$63 million Settlement represents from 7% to 73% of likely maximum recoverable damages – an exceptionally high percentage, far exceeding the average recovery in securities class action settlements.

94. The Settlement is a very favorable result, particularly when considered in view of the substantial risks and obstacles to recovery if the Action were to continue through summary judgment, to trial, and through likely post-trial motions and appeals.

95. As set forth in detail above, the recovery obtained for the Class was the result of thorough and diligent prosecutorial and investigative efforts, motion practice, and extensive discovery efforts. As a result of this Settlement, thousands of Class Members will

benefit and receive compensation for their losses and avoid the very substantial risk of no recovery (or significantly less recovery) in the absence of a settlement.

B. The Risks, Magnitude, and Complexity of the Litigation

96. The risks undertaken and difficulties presented in a complex securities class action such as this one favor approval of the requested fee award. As detailed above, the Litigation – asserting violations of §§10(b) and 20(a) of the Exchange Act – involved challenging issues of law and fact that presented considerable risk to Plaintiffs’ case. Thus, when Lead Counsel undertook this representation, there was no assurance that the Litigation would survive a motion to dismiss or other challenges, and therefore no assurance Lead Counsel would recover any payment for their services. Indeed, as discussed above, the Court dismissed a significant portion of Plaintiffs’ case at the motion to dismiss stage.

97. Defendants had made credible arguments directly challenging the sufficiency of Plaintiffs’ allegations on the basis of falsity, materiality, and loss causation. Defendants’ summary judgment and *Daubert* motions were pending when the Settlement was reached. Whether at summary judgment, or trial, had Defendants’ arguments prevailed, the pool of available damages would be a small fraction of what it was at the time of the Settlement. Similarly, at trial, a jury could have dramatically reduced the available damages by finding that only a part of the stock drops after the disclosures was a result of the fraud. Accordingly, Lead Counsel’s ability to successfully navigate these and other complex legal and factual obstacles fully supports the requested fee award.

98. Furthermore, as with all contingency fee cases, Lead Plaintiffs’ Counsel faced a substantial risk that they would obtain no fee whatsoever. From the outset, Lead Counsel

understood that they were embarking on a complex, expensive, and lengthy litigation with no guarantee of ever being compensated for the substantial investment of time and money the case would require. Had Lead Counsel not willingly and vigorously undertaken the responsibility of representing the Class's interests here, the Class would almost certainly have recovered nothing for their claims.

99. Thus, with no promise of recovery, the financial burden on contingent-fee counsel is far greater than on a firm that is paid on an ongoing basis. Securities class actions such as this one are not only time- and labor-intensive, but require substantial up-front cost outlays. In undertaking that responsibility, Lead Counsel were obligated to ensure that sufficient resources were dedicated to the prosecution of the Action, and that funds were available to compensate staff and to cover the considerable litigation costs that a case like this requires. Lead Counsel not only had to pay for their standard overhead expenses during the entirety of the Litigation, but had to cover costs and expenses, including substantial electronic discovery costs and the fees of various experts, all without guarantee of any recovery. With an average lag time of several years for these cases to conclude, the financial burden on contingent-fee counsel is far greater than on a firm that is paid on an ongoing basis, which heavily supports the requested fee.

100. Lead Plaintiffs' Counsel received no compensation during the course of the Action but have dedicated 34,310 hours of time with a lodestar value of \$18,712,444.50 and have incurred \$1,563,412.71 in expenses in prosecuting the Action for the benefit of the Class. *See* Firm Declarations, submitted herewith.

101. Courts have repeatedly recognized that it is in the public interest to have experienced and qualified counsel privately enforce the securities laws. However, as recognized by Congress through the passage of the PSLRA, vigorous private enforcement of the federal securities laws can only occur if private plaintiffs, and particularly institutional investors, take an active role in protecting the interests of investors. If this important public policy is to be carried out, Lead Plaintiffs' Counsel should be adequately compensated, taking into account the substantial risks undertaken in prosecuting securities class actions.

C. The Skill Required and the Experience, Reputation, and Ability of the Attorneys

102. Lead Counsel are highly skilled and experienced securities litigators, who expended a substantial amount of time and effort litigating the Action – an Action that presented unique and difficult challenges that were not easy to overcome. The attorneys who were principally responsible for leading the prosecution of this case have prosecuted securities claims throughout their careers, overseen numerous litigations, and recovered billions of dollars on behalf of investors over the course of decades.⁴ Informed by this experience, they developed and implemented strategies to overcome myriad obstacles raised by Defendants.

⁴ Recent securities class action settlements obtained by Lead Counsel include *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, No. 3:15-cv-07658-MAS-LHG (D.N.J. 2020) (\$1.21 billion); *In re Am. Realty Cap. Props., Inc. Litig.*, No. 1:15-mc-00040-AKH (S.D.N.Y. 2020) (\$1.025 billion); *Smilovits v. First Solar, Inc., et al.*, No. 2:12-cv-00555-PHX-DGC (D. Az. 2020) (\$350 million); *In re Wilmington Tr. Sec. Litig.*, 2018 WL 6046452, at *7 (D. Del. Nov. 19, 2018) (\$210 million common fund in securities class action); *Peace Officers' Annuity and Benefit Fund of Georgia v. DaVita, Inc.*, 2021 WL 2981970 (D. Colo. July 15, 2021) (\$135 million common fund in securities class action); *In re HD Supply Holdings, Inc. Sec. Litig.*, 2020 WL 8572953 (N.D. Ga. Jul. 21, 2020) (\$50 million common fund).

103. Lead Plaintiffs' Counsel's depth of skill and experience, including their experience in this Circuit and throughout the country successfully prosecuting securities class actions, allowed Lead Plaintiffs and the Class to achieve a result that might not have been achieved by less skillful or experienced counsel. Despite significant pending motions, Lead Counsel managed to negotiate the substantial Settlement.

104. Successfully pleading securities fraud – always a challenging and complex endeavor under the PSLRA – presented special challenges here that required skilled lawyering. This Action involved complex and intricate legal and factual issues, and the antitrust laws implicated in this Action also added a significant level of difficulty unique to this case. Lead Counsel, therefore, continually consulted with experts throughout the Litigation.

105. In addition, the quality of the work performed by Lead Counsel in attaining the Settlement should also be evaluated in light of the quality of the opposition. Here, Defendants were represented by Taft Stettinius & Hollister LLP, a highly respected, 675-attorney national law firm that has been in business over 135 years and has substantial experience defending securities class actions and other complex litigation.⁵ Lead Counsel believe that all of these factors support the requested fee award.

D. The Significant Time and Labor Devoted by Lead Plaintiffs' Counsel

106. As described above, Lead Counsel engaged in an exhaustive and comprehensive investigation and drafted a 94-page Amended Complaint, and opposed

⁵ See <https://www.taftlaw.com/about/about-us>.

Defendants' motion to dismiss. Lead Counsel engaged in extensive discovery negotiations, including multiple meet-and-confers with Defendants and third parties and exchanged substantial amounts of contentious correspondence. Lead Counsel reviewed and analyzed almost 800,000 pages of documents, and consulted with economics and antitrust experts to better understand the issues in the case.

107. Lead Plaintiffs obtained certification of the Class, and overcame Defendants' attempt to appeal the Court's class certification order. Lead Counsel vigorously conducted 23 fact depositions and 3 expert depositions, defended 11 fact and expert depositions, and prepared reports from three experts. At the time of settlement, fact and expert discovery was complete, motions for summary judgment and to exclude expert testimony were pending, and a trial date was looming. In total, Lead Plaintiffs' Counsel expended over 34,300 hours litigating this matter.

108. Thus, the prosecution of the Action was significantly labor-intensive, and as is often the case with complex securities class actions, the attorneys involved would routinely have to spend significant stretches of time focusing exclusively or near-exclusively on litigating this Action.

109. Lead Counsel invested a significant amount of time and effort. However, by negotiating a Settlement, Lead Counsel also avoided the significant expenses and resources that would have been spent if the case continued to trial and subsequently on appeal. Accordingly, Lead Counsel's extensive litigation efforts fully support the requested fee.

E. A 33-1/3% Fee Award is Customary and in Accordance with Other Similar Cases in this District and the Eighth Circuit

110. Courts in this Circuit and District have frequently awarded attorney fees of up to thirty-six percent of a common fund in other class actions. *See In re CenturyLink Sales Pracs. & Sec. Litig.*, 2020 WL 7133805, at *12 (D. Minn. Dec. 4, 2020) (Davis, J.).

111. Thus, Lead Counsel’s request for an award of one-third of the Settlement Fund is inherently reasonable given that it is well in line with fees recently awarded in similar securities and other complex actions in this District, Circuit, and around the country. *See, e.g., Caligiuri v Symantec Corp.*, 855 F.3d 860, 866 (8th Cir. 2017) (affirming a District of Minnesota fee award of one-third of \$60 million settlement); *In re Celebrex (Celecoxib) Antitrust Litig.*, 2018 WL 2382091, at *5 (E.D. Va. Apr. 18, 2018) (awarding one-third of \$94 million settlement as “[f]ee awards of one-third of the settlement amount are commonly awarded in cases analogous to this one”); *Phillips v. Caliber Home Loans, Inc.*, 2022 WL 832085, at *7 (D. Minn. Mar. 21, 2022) (“the requested 33.33 percent award requested in this case is consistent with the customary fee for similar work”); *In re Titanium Dioxide Antitrust Litig.*, 2013 WL 6577029, at *1 (D. Md. Dec. 13, 2013) (awarding fees of one-third in \$163.5 million recovery); *In re Apollo Grp. Inc. Sec. Litig.*, 2012 WL 1378677, at *9 (D. Ariz. Apr. 20, 2012) (awarding fees of one-third of \$145 million recovery); *In re E.W. Blanch Holdings, Inc. Sec. Litig.*, 2003 WL 23335319, at *3 (D. Minn. June 16, 2003) (awarding 33-1/3% of \$20 million settlement fund); *In re U.S. Bancorp Litig.*, 291 F.3d 1035, 1038 (8th Cir. 2002) (upholding 36% fee award); *In re Airline Ticket Comm’n Antitrust Litig.*, 953 F. Supp. 280, 286 (D. Minn. 1997) (awarding 33-1/3% of \$86 million settlement).

F. The Lodestar Crosscheck

112. As set forth in the Fee Memorandum, a lodestar “cross-check” also confirms the reasonableness of Lead Counsel’s fee request. Lead Plaintiffs’ Counsel expended a total of 34,310 hours in the prosecution and investigation of this Action, through early 2022. The resulting lodestar is \$18,712,444.50. In light of this, the requested fee of 33 and 1/3% of the Settlement Fund yields a multiplier of 1.12.

113. As set forth in the Fee Memorandum, this is a very low multiplier, which further demonstrates the reasonableness of the requested fee. Indeed, Courts in this District, Circuit and nationwide have routinely awarded a one-third fee in circumstances involving multipliers comparable to or higher than this one in cases with comparable or higher settlement amounts that settled at a stage of litigation similar to or even much earlier than this case. *See, e.g., Yarrington v. Solvay Pharms., Inc.*, 697 F. Supp. 2d 1057, 1067 (D. Minn. 2010) (describing a 2.26 multiplier as “modest” and “reasonable, given the risks of continued litigation, the high-quality work performed, and the substantial benefit to the Class”); *Huyer v. Buckley*, 849 F.3d 395, 400 (8th Cir. 2017) (“approving multiplier of 2.5 and citing cases within the Eighth Circuit approving multipliers of up to 5.6”) (citing *Nelson v. Wal-Mart Stores, Inc.*, 2009 WL 2486888, at *2 (E.D. Ark. Aug. 12, 2009)); *In re J.P. Morgan Stable Value Fund ERISA Litig.*, 2019 WL 4734396 (S.D.N.Y. Sept. 23, 2019) (one-third fee awarded for a \$75 million settlement, yielding a lodestar multiplier of 1.4, “compar[ed] favorably” to similar cases that settled, as here, on the eve of trial); *Landmen Partners, Inc. v. Blackstone Grp.*, 2013 WL 11330936, at *3 (S.D.N.Y. Dec. 18, 2013) (one

third fee awarded for \$85 million settlement with multiplier of 2.06 for action that settled, as here, on eve of trial).

114. Moreover, each attorney who prosecuted this Action performed substantive work that directly benefitted the Class. The time spent by each attorney was reasonable, non-duplicative, beneficial to effective and efficient litigation, and was important to Lead Counsel's and Lead Plaintiffs' ability to understand the strengths and weaknesses of the case in order to negotiate intelligently and evaluate the Settlement, which ultimately led to the successful and favorable resolution of the Litigation.

115. Furthermore, Lead Plaintiffs' Counsel's hourly rates are reasonable and are in fact the same as, or comparable to, the rates submitted by comparable firms for lodestar cross-checks in other complex class action fee applications and other settlements that have been granted in this District, Circuit, and nationwide. *See, e.g., In re Centurylink Sales Pracs. & Sec. Litig.*, 2021 WL 3080960, at *10 (D. Minn. July 21, 2021) (approving plaintiffs' counsel's rates of up to \$1,300 for partners; \$800 for senior counsel; \$625 for associates; and \$450 for staff attorneys); *Lechner v. Mut. of Omaha Ins. Co.*, 2021 WL 424421, at *2 (D. Neb. Feb. 8, 2021) ("rates of between \$535.00 per hour and \$970.00 per hour for attorneys and between \$305 and \$345.00 for paralegals"); *Knurr v. Orbital ATK, Inc.*, 2019 WL 3317976, at *2 (E.D. Va. June 7, 2019) (finding rates of up to \$1,250 for attorneys as "fair and reasonable and consistent with awards in similar cases").⁶

⁶ Lead Counsel's hourly rates are comparable to the published hourly rates charged by Defendants' counsel in the Action. For example, in a January 26, 2021 legal services contract, Taft Stettinius & Hollister LLP charged up to \$800 per hour. *See* https://www.cityofnoblesville.org/egov/documents/1611686661_57604.pdf.

116. Additionally, aside from drafting the motion for final approval, Lead Counsel will continue to work towards effectuating the Settlement in the event the Court grants final approval. Among other things, Lead Counsel will continue working with the Claims Administrator to resolve issues with Class Member claims, will respond to shareholder inquiries, will file a motion for distribution, and will oversee the distribution process. No additional compensation will be sought for this work.

117. In sum, based on the excellent result achieved for the Class, the quality of work performed, and the risks of prosecuting the action against Defendants, Lead Counsel submit that their request for a 33-1/3% fee award is fair, reasonable, and consistent with other similar fee awards in this District.

VII. THE REQUESTED EXPENSES ARE FAIR AND REASONABLE

118. Lead Counsel seek payment from the Settlement Fund of \$1,563,412.71 in litigation costs, charges, and expenses reasonably and necessarily incurred in connection with prosecuting the claims against Defendants. The Notice informed the Class that Lead Counsel will apply for payment of litigation expenses of no more than \$2,000,000, plus interest earned at the same rate as earned by the Settlement Fund. *See* Gilardi Declaration, Ex. A, Notice at 3. In addition, the Notice informed the Class that Lead Plaintiffs may request awards not to exceed \$40,000 in the aggregate pursuant to 15 U.S.C. §78u-4(a)(4) in connection with their representation of the Class. *Id.* The amount requested is below this cap. To date, no objection to Lead Counsel's request for expenses has been raised.

119. As set forth in the expense schedules, Lead Plaintiffs' Counsel have incurred a total of \$1,563,412.71 in litigation expenses in connection with the prosecution of the

Action. *See* Exs. F-I. These expenses are reflected on the books and records maintained in the ordinary course by Lead Plaintiffs' Counsel. These books and records are prepared from expense vouchers, check records, and other source materials and are an accurate record of the expenses incurred. Lead Plaintiffs' Counsel's declarations identify the specific category of expense – *e.g.*, expert fees, document management and storage system(s), electronic research, service of process fees, filing fees, and mailing expenses.

120. A significant component of Lead Plaintiffs' Counsel's expenses is the cost of experts and consultants, which totals \$173,105.00 or approximately 11% of total expenses. Lead Counsel spent numerous hours meeting with the retained experts. These professionals were essential to the prosecution of the Action.

121. eDiscovery Database Hosting related to the Action totals \$43,278.50. The amount requested reflects charges for the hosting of over nine hundred thousand pages of documents produced by defendants, plaintiffs and non-parties in this Action. Robbins Geller has installed top tier database software, infrastructure, and security. The platform implemented, Relativity, is offered by over 100 vendors and is currently being used by 198 of the AmLaw200. Over 30 servers are dedicated to Robbins Geller's Relativity hosting environment with all data stored in a secure SSAE 16 Type II data center with automatic replication to a datacenter located in a different geographic location. By hosting in-house, Robbins Geller is able to charge a reduced, all-in rate that includes many services which are often charged as extra fees when hosted by a third-party vendor. Robbins Geller's hosting fee includes user logins, ingestion, processing, OCRing, TIFFing, bates stamping, productions and archiving – all at no additional cost. Also included is unlimited structured

and conceptual analytics (*i.e.*, email threading, inclusive detection, near-dupe detection, concept searching, active learning, clustering, and more), which were utilized by Lead Plaintiffs' Counsel in the prosecution of this Action. Robbins Geller is able to provide all these services for a rate that is typically much lower than outsourcing to a third-party vendor. Utilizing a secure, advanced platform in-house allowed Lead Plaintiffs' Counsel to prosecute this Action more efficiently and has reduced the time and expense associated with maintaining and searching electronic discovery databases.

122. Computerized electronic research totaled \$43,655.06. These are the costs of computerized factual and legal research services, including PACER, Thomson Financial, Westlaw, Lexis/Nexis, Bloomberg, and CFRA. These services allowed counsel to perform media searches, obtain analysts' reports and financial data, and conduct legal research.

123. Plaintiffs' costs incurred in connection with the Mediation totaled \$14,740.00.

124. The other expenses for which Lead Plaintiffs' Counsel seek payment are the types of expenses that are necessarily incurred in litigation and routinely charged by firms with clients who pay by the hour. These expenses include, among others, printing costs, service and filing fees, and delivery expenses.

125. All of the litigation expenses incurred, which total \$1,563,412.71, were necessary to the successful prosecution and resolution of the claims against Defendants.

126. In addition, Lead Plaintiffs seek reimbursement of \$31,045.13 in the aggregate – an amount less than \$40,000 amount included in the Notice. Class Representatives who expended considerable time and effort in actively supervising the litigation over a multi-year period, including by collecting and producing numerous documents and responding to

interrogatories; preparing for and attending their depositions; and participating in ongoing settlement discussions – is detailed in the accompanying Lead Plaintiff Declarations. *See* Exs. B-E.

127. Lead Plaintiffs respectfully submit that the reimbursement requested is fully consistent with congressional intent, as expressed in the PSLRA, of encouraging institutional and other highly experienced plaintiffs to take an active role in bringing and supervising actions of this type. As set forth in the Lead Plaintiff Declarations, each of the Lead Plaintiffs has, throughout the litigation of the Action, been fully committed to pursuing the interests of the Class. Lead Plaintiffs have actively and effectively complied with all of the many demands that arose during the litigation and the Settlement of this Action. *See* Exs. B-E. Lead Plaintiffs' efforts are precisely the type that courts have found to warrant reimbursement, and fully supports Lead Plaintiffs' reimbursement request. *See In re CenturyLink Sales Pracs. & Sec. Litig.*, 2020 WL 7133805, at *13 (D. Minn. Dec. 4, 2020).

128. In view of the complex nature of the Action, the expenses incurred were reasonable and necessary to pursue the interests of the Class. Accordingly, it is respectfully submitted that the expenses incurred by Lead Plaintiffs and Lead Plaintiffs' Counsel should be paid in full from the Settlement Fund.

VIII. THE REACTION OF THE CLASS

129. As mentioned above, consistent with the Preliminary Approval Order, a total of 183,158 Notices have been mailed to potential Class Members advising them that Lead Counsel would seek an award of attorneys' fees not to exceed 33 and 1/3% of the Settlement Fund, *i.e.*, \$21,000,000, plus any accrued interest, and payment of expenses in an amount not

greater than \$2,000,000. In addition, the Notice stated that Lead Plaintiffs may request awards not to exceed \$40,000 in the aggregate pursuant to 15 U.S.C. §78u-4(a)(4) in connection with their representation of the Class. *See* Gilardi Declaration, Ex. A, Notice at 3. Additionally, the Summary Notice was published in *The Wall Street Journal* and transmitted over *Business Wire*. *See* Gilardi Declaration, ¶12. The Notice has also been available on the settlement website maintained by the Claims Administrator (Gilardi Declaration, ¶14).

130. Significantly, to date, not a single Member of the Class has filed an objection to the Settlement, Plan of Allocation, or motion for attorneys' fees and expenses. *See Phillips v. Caliber Home Loans, Inc.*, 2022 WL 832085, at *4 (D. Minn. Mar. 21, 2022) ("That there are relatively few objections to a class-action settlement suggests that the settlement is fair and reasonable.").

131. This is particularly noteworthy given that the vast majority of the Class is comprised of sophisticated institutional investors who have the resources, professional staff, and financial motivation to object to the requested fee, if such an objection was warranted.

132. Moreover, Lead Plaintiffs are themselves each sophisticated institutional investors that closely supervised and monitored the prosecution and the settlement of the Action. As discussed in the declarations submitted by Lead Plaintiffs, Lead Plaintiffs have evaluated Lead Counsel's fee and expense application and believe that Lead Counsel's requested fee is fair and reasonable in light of the work counsel performed, the risks of the litigation, and the results achieved. The support and approval of court-appointed lead plaintiffs weighs heavily in favor of approval of a fee request. *See, e.g., In re Genworth Fin.*

Sec. Litig., 2016 WL 7187290, at *2 (E.D. Va. Sept. 26, 2016) (“Lead Plaintiffs are sophisticated institutional investors that have been directly and extensively involved in the prosecution and resolution of the Action and have a substantial interest in ensuring that any fees paid to the Plaintiffs’ Counsel are duly earned and not excessive.”); *In re Veeco Instruments Inc. Sec. Litig.*, 2007 WL 4115808, at *8 (S.D.N.Y. Nov. 7, 2007) (“[P]ublic policy considerations support the award in this case because the Lead Plaintiff . . . – a large public pension fund – conscientiously supervised the work of lead counsel and has approved the fee request[.]”).

IX. CONCLUSION

133. For all the reasons discussed above and in the Settlement Memorandum, Lead Plaintiffs and Lead Counsel respectfully submit that the Settlement and the Plan of Allocation should be approved as fair, reasonable, and adequate. In addition, as set forth above and in the Fee Memorandum, Lead Plaintiffs and Lead Plaintiffs’ Counsel further submit that the requested 33 and 1/3% fee award should be approved as fair and reasonable; the request for litigation expenses in the total amount of \$1,563,412.71 should be approved; and Lead Plaintiffs’ representative reimbursement of \$31,045.13 in the aggregate should also be approved.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 5th day of May, 2022, at San Diego, California.

s/ Lucas F. Olts

 LUCAS F. OLTS

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 5th day of May, 2022, at Boca Raton, Florida.

s/ Lester R. Hooker

LESTER R. HOOKER

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on May 5, 2022, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ LUCAS F. OLTS

LUCAS F. OLTS

ROBBINS GELLER RUDMAN
& DOWD LLP

655 West Broadway, Suite 1900

San Diego, CA 92101-8498

Telephone: 619/231-1058

619/231-7423 (fax)

Email: lolts@rgrdlaw.com

Mailing Information for a Case 0:18-cv-00871-MJD-HB Plymouth County Retirement System v. Patterson Companies, Inc. et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Carolyn G Anderson**
carolyn.anderson@zimmreed.com
- **Dianne M Anderson**
danderson@saxenawhite.com
- **Garrett D Blanchfield , Jr**
g.blanchfield@rwblawfirm.com,k.schulte@rwblawfirm.com
- **Jennifer Caringal**
jcaringal@rgrdlaw.com,jcaringal@ecf.courtdrive.com
- **Stephen H Cypen**
scypen@cypen.com
- **Jonah H Goldstein**
jonahg@rgrdlaw.com,karenc@rgrdlaw.com,e_file_sd@rgrdlaw.com
- **Kyla Janine Grant**
kgrant@saxenawhite.com
- **June Pineda Hoidal**
june.hoidal@zimmreed.com,julianne.vannorman@zimmreed.com,karen.colt@zimmreed.com
- **Lester R Hooker**
lhooker@saxenawhite.com,e-file@saxenawhite.com,cwallace@saxenawhite.com
- **Robert David Klausner**
lorna@robertdklausner.com
- **Anne M Lockner**
alockner@robinskaplan.com,dvanalstine@robinskaplan.com,bstevens@robinskaplan.com
- **Tricia L. McCormick**
triciam@rgrdlaw.com
- **Lucas F. Olts**
lolts@rgrdlaw.com,E_File_SD@rgrdlaw.com,lolts@ecf.courtdrive.com,scaesar@rgrdlaw.com
- **Brant D Penney**
b.penney@rwblawfirm.com,k.schulte@rwblawfirm.com
- **David A Rosenfeld**
drosenfeld@rgrdlaw.com
- **Joshua Saltzman**
jsaltzman@saxenawhite.com

- **Maya Susan Saxena**
msaxena@saxenawhite.com,e-file@saxenawhite.com,cwallace@saxenawhite.com
- **Heather Schlesier**
hschlesier@rgrdlaw.com,HSchlesier@ecf.courtdrive.com
- **Mark G Schroeder**
mschroeder@taftlaw.com,MIN_Docket_Assist@taftlaw.com,awolkerstorfer@taftlaw.com,awellens@taftlaw.com
- **Steven Bennett Singer**
ssinger@saxenawhite.com,e-file@saxenawhite.com,cwallace@saxenawhite.com
- **Ellen Gusikoff Stewart**
elleng@rgrdlaw.com
- **Aaron G Thomas**
athomas@taftlaw.com,dcrump@taftlaw.com,cdanek@taftlaw.com
- **Jordan Weber**
jweber@taftlaw.com,eschleiss@taftlaw.com
- **Joseph E White , III**
jwhite@saxenawhite.com,e-file@saxenawhite.com,cwallace@saxenawhite.com
- **Patrick S Williams**
pwilliams@taftlaw.com,eschleiss@taftlaw.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

EXHIBIT A

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF ROSS D. MURRAY
	)	REGARDING NOTICE
vs.	)	DISSEMINATION, PUBLICATION,
	)	AND REQUESTS FOR EXCLUSION
PATTERSON COMPANIES, INC., et al.,	)	RECEIVED TO DATE
)	
Defendants.)	
)	

I, ROSS D. MURRAY, declare and state as follows:

1. I am employed as a Vice President of Securities by Gilardi & Co. LLC (“Gilardi”), located at 1 McInnis Parkway, Suite 250, San Rafael, California. The following statements are based on my personal knowledge and information provided to me by other Gilardi employees and if called to testify I could and would do so competently.

2. Pursuant to this Court’s February 3, 2022 Order Granting Preliminary Approval Pursuant to Fed. R. Civ. P. 23(e)(1) and Permitting Notice to the Class (“Notice Order”) (ECF 248), Gilardi was appointed to supervise and administer the notice procedure as well as the processing of claims in connection with the proposed Settlement of the above-captioned litigation (the “Litigation”).¹ I oversaw the notice services that Gilardi provided in accordance with the Notice Order.

3. I submit this declaration in order to provide the Court and the parties to the Litigation with information regarding: (i) mailing of the Court-approved Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys’ Fees and Litigation Expenses (the “Notice”) and Proof of Claim and Release Form (the “Proof of Claim”) (collectively, the “Claim Package,” attached hereto as Exhibit A); (ii) publication of the Summary Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys’ Fees and Litigation Expenses (the “Summary Notice”); (iii) establishment of the website and toll-free telephone number dedicated to this Settlement; and (iv) the number of requests for exclusion from the Class received to date by Gilardi.

DISSEMINATION OF THE CLAIM PACKAGE

4. Pursuant to the Notice Order, Gilardi is responsible for disseminating the Claim Package to potential Class Members. The Class consists of all person or entities who purchased or otherwise acquired Patterson Companies, Inc. (“Patterson” or the “Company”) common stock

¹ All capitalized terms that are not otherwise defined herein shall have the same meanings provided in the Stipulation of Settlement dated October 11, 2021 (the “Stipulation”) (ECF No. 241).

between June 26, 2013 and February 28, 2018, inclusive (the “Class Period”). Excluded from the Class are: Defendants, the officers and directors of Patterson at all relevant times, members of their immediate families, and their legal representatives, heirs, agents, affiliates, successors or assigns, Defendants’ liability insurance carriers, and any affiliates or subsidiaries thereof, and any entity in which Defendants or their immediate families have or had a controlling interest. Also excluded from the Class is any Person who would otherwise be a Member of the Class but who validly and timely requested exclusion in accordance with the requirements set by the Court in its Order Granting Class Representatives’ Unopposed Motion to Approve the Form and Manner of Class Notice (ECF No. 218) or in accordance with the requirements set forth by the Court in connection with the Settlement.

5. Gilardi used the previous list of stockholders compiled in connection with dissemination of the Notice of Pendency of Class Action (the “Notice of Pendency”) as the basis for the mailing list for the Claim Package, as the Class definition and Class Period have not changed since the mailing list was compiled for the Notice of Pendency. The list was reviewed to identify and eliminate duplicate entries and incomplete data, resulting in a usable mailing list of 74,904 unique names and addresses. Gilardi had the unique name and address data printed on to Claim Packages, posted the Claim Packages for First-Class Mail, postage prepaid, and delivered 74,904 Claim Packages on February 24, 2022, to the United States Post Office for mailing.

6. In addition, on February 24, 2022, as part of its normal mailing procedures, Gilardi mailed, by First-Class Mail, Claim Packages and cover letters to 281 brokerages, custodial banks, and other institutions (“Nominee Holders”) that hold securities in “street name” as nominees for the benefit of their customers who are the beneficial owners of the securities. The Nominee Holders also include a group of filers/institutions who have requested notification of every securities case. These Nominee Holders are included in a proprietary database created and maintained by Gilardi. In Gilardi’s experience, the Nominee Holders included in this proprietary database represent a significant majority of the beneficial holders of securities. The cover letter accompanying the Claim Packages advised the Nominee Holders of the proposed Settlement and

requested their cooperation in forwarding the Claim Packages to potential Class Members. In the more than three decades that Gilardi has been providing notice and claims administration services in securities class actions, Gilardi has found the majority of potential class members hold their securities in street name and are notified through the Nominee Holders. Gilardi also mailed Claim Packages and cover letters to the 4,447 institutions included on the U.S. Securities and Exchange Commission's ("SEC") list of active brokers and dealers at the time of mailing. A sample of the cover letter mailed to Nominee Holders and the institutions included on the SEC's list of active brokers and dealers is attached hereto as Exhibit B.

7. On February 24, 2022, Gilardi also delivered electronic copies of the Claim Package to 359 registered electronic filers who are qualified to submit electronic claims. These filers are primarily institutions and third-party filers who typically file numerous claims on behalf of beneficial owners for whom they act as trustees or fiduciaries.

8. As part of the notice program for this Litigation, on February 24, 2022, Gilardi also delivered electronic copies of the Claim Package via email to be published by the Depository Trust Company ("DTC") on the DTC Legal Notice System ("LENS"). LENS enables the participating bank and broker nominees to review the Claim Package and contact Gilardi for copies of the Claim Package for their beneficial holders.

9. Gilardi has acted as a repository for shareholder and nominee inquiries and communications received in this Litigation. In this regard, Gilardi has forwarded the Claim Package on request to nominees who held, purchased or acquired Patterson common stock for the beneficial interest of other persons. Gilardi has also forwarded the Claim Package directly to beneficial owners upon receipt of the names and addresses from such beneficial owners or nominees.

10. Following the initial mailing, Gilardi received 13 responses to the outreach efforts described above which included computer files containing a total of 16,932 names and addresses of potential Class Members. In addition, 24 institutions requested that Gilardi send them a total of 85,160 Claim Packages for forwarding directly to their clients. Gilardi has also received one

response that included a mailing label with the name and address of one potential Class Member. Gilardi has also mailed 1,074 Claim Packages as a result of returned mail for which new addresses were identified for re-mailing to those potential Class Members. Each of these requests has been completed in a timely manner.

11. As of May 5, 2022, Gilardi has mailed a total of 183,158 Claim Packages to potential Class Members and nominees.

PUBLICATION OF THE SUMMARY NOTICE

12. In accordance with the Notice Order, on March 3, 2022, Gilardi caused the Summary Notice to be published in *The Wall Street Journal* and transmitted over *Business Wire*, as shown in the confirmations of publication attached hereto as Exhibit C.

TELEPHONE HELPLINE AND WEBSITE

13. On June 8, 2021, in conjunction with the mailing of the Notice of Pendency, Gilardi established and continues to maintain a case-specific, toll-free telephone helpline, 1-888-729-5720, to accommodate potential Class Member inquiries. The toll-free number was set forth in the Notice and on the case website. Gilardi has been and will continue to promptly respond to all inquiries to the toll-free telephone helpline.

14. On June 8, 2021, in conjunction with the mailing of the Notice of Pendency, Gilardi established and continues to maintain a website dedicated to this Litigation (www.PattersonSecuritiesClassAction.com) to provide additional information to Class Members and to provide answers to frequently asked questions. The web address was set forth in the Claim Package and the Summary Notice. The website includes information regarding the Litigation and the Settlement, including the objection and claim filing deadlines, and the date, time, and location of the Court's Settlement Hearing. Copies of the Notice, Proof of Claim, Stipulation, Notice Order, Notice of Pendency, and Order Granting Class Representatives' Unopposed Motion to Approve the Form and Manner of Class Notice are posted on the website and are available for downloading. Class Members can also complete and submit a Proof of Claim through the website. In addition,

Class Members may email Gilardi at info@PattersonSecuritiesClassAction.com with any inquiries.

REQUESTS FOR EXCLUSION RECEIVED TO DATE

15. The Notice of Pendency informed potential Class Members that written requests for exclusion from the Class were to be mailed to *Patterson Securities Litigation*, c/o Gilardi & Co. LLC, EXCLUSIONS, 150 Royall Street, Suite 101, Canton, MA 02021, such that they were postmarked no later than August 18, 2021.

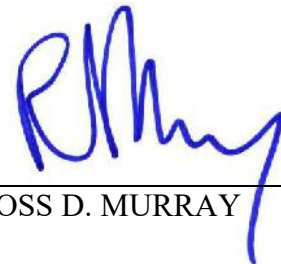
16. The Notice of Pendency also set forth the information that was to be included in each request for exclusion. In response to the Notice of Pendency, Gilardi received seven timely requests for exclusion.

17. The Notice provided in connection with this Settlement informed potential Class Members that written requests for exclusion from the Class are to be mailed to *Patterson Securities Litigation*, Claims Administrator, c/o Gilardi & Co. LLC, EXCLUSIONS, 150 Royall Street, Suite 101, Canton, MA 02021, such that they are postmarked no later than May 19, 2022.

18. The Notice also sets forth the information that is to be included in each request for exclusion. As of the date of this declaration, Gilardi has received two timely requests for exclusion.

19. Gilardi will submit a supplemental declaration after the May 19, 2022 exclusion deadline that will update the Court on the total number of Notices mailed and the total number of requests for exclusion received.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 5th day of May, 2022, at San Rafael, California.



ROSS D. MURRAY

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT SYSTEM,	)	Civ. No. 0:18-cv-00871-MJD-HB
Individually and on Behalf of All Others Similarly)	
Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,)	
)	
vs.)	
)	
PATTERSON COMPANIES, INC., et al.,)	
)	
Defendants.)	
)	

**NOTICE OF (I) PROPOSED SETTLEMENT AND PLAN OF ALLOCATION; (II) SETTLEMENT HEARING;
AND (III) MOTION FOR AN AWARD OF ATTORNEYS' FEES AND LITIGATION EXPENSES**

TO: ALL PERSONS OR ENTITIES WHO PURCHASED OR OTHERWISE ACQUIRED PATTERSON COMPANIES, INC. ("PATTERSON") COMMON STOCK BETWEEN JUNE 26, 2013 AND FEBRUARY 28, 2018, INCLUSIVE ("CLASS" OR "CLASS MEMBERS"), AND ARE NOT OTHERWISE EXCLUDED FROM THE CLASS

THIS NOTICE WAS AUTHORIZED BY THE COURT. IT IS NOT JUNK MAIL, AN ADVERTISEMENT OR SOLICITATION FROM A LAWYER.

PLEASE READ THIS SETTLEMENT NOTICE CAREFULLY AND IN ITS ENTIRETY. YOUR RIGHTS MAY BE AFFECTED BY PROCEEDINGS IN THIS LITIGATION. PLEASE NOTE THAT IF YOU ARE A CLASS MEMBER, YOU MAY BE ENTITLED TO SHARE IN THE PROCEEDS OF THE SETTLEMENT DESCRIBED IN THIS NOTICE. TO CLAIM YOUR SHARE OF THE SETTLEMENT PROCEEDS, YOU MUST SUBMIT A VALID PROOF OF CLAIM AND RELEASE FORM ("CLAIM FORM") **POSTMARKED OR SUBMITTED ONLINE ON OR BEFORE MAY 25, 2022.**

If you have any questions about this Settlement Notice, the proposed Settlement, or your eligibility to participate in the Settlement, please DO NOT contact Patterson, any other Defendant in the Action, or their counsel. All questions should be directed to the Claims Administrator or Lead Counsel (see page 3 below).

This Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys' Fees and Litigation Expenses ("Notice" or "Settlement Notice") has been sent to you pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the District of Minnesota (the "Court"). The purpose of this Notice is to inform you of the \$63 million settlement (the "Settlement") of this class action (the "Litigation" or "Action") between Court-appointed representatives for the Court-certified Class Plymouth County Retirement System, Pembroke Pines Pension Fund for Firefighters and Police Officers, Central Laborers Pension Plan, and Gwinnett County Public Employees Retirement System (collectively, "Class Representatives," "Plaintiffs" or "Lead Plaintiffs") and Defendants Patterson and Scott P. Anderson (collectively, "Defendants"); your rights with respect to the Settlement; and the hearing to be held by the Court to consider the fairness, reasonableness, and adequacy of the Settlement and the Plan of Allocation, as well as counsel's application for fees and expenses. This Notice describes what steps you may take in relation to the Settlement and the Litigation.¹

This Notice is not intended to be, and should not be construed as, an expression of any opinion by the Court with respect to the truth of the allegations in the Action as to the Defendants or the merits of the claims or defenses asserted by or against the Defendants. This Notice is solely to advise you of the proposed Settlement of the Action and of your rights in connection therewith. Defendants have: (i) denied all claims and wrongdoing asserted in the Action and any liability arising out of the conduct alleged therein, and (ii) asserted various defenses. No trial has yet occurred in this Action and no findings of fact, fault, or liability have been made as to any of the parties.

¹ All capitalized terms used in this Settlement Notice that are not otherwise defined herein shall have the meanings provided in the Stipulation of Settlement dated October 11, 2021 (the "Settlement Agreement" or "Stipulation"), which is available on the website www.PattersonSecuritiesClassAction.com. The singular forms of nouns and pronouns include the plural and vice versa.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	The only way to be potentially eligible to receive a payment from the Settlement Fund. Claim Forms must be postmarked or submitted online on or before May 25, 2022.
EXCLUDE YOURSELF	If you exclude yourself from the Class, you will not be eligible to receive any payment from the Settlement Fund. This is the only option that allows you to ever be part of any other lawsuit against any of the Defendants or any other Released Defendant Parties concerning the Released Claims. Exclusions must be postmarked on or before May 19, 2022. If you excluded yourself from the Class in connection with the Notice of Pendency of Class Action provided in or around June 2021, you do not have to do so again.
OBJECT	If you do not like the proposed Settlement, the proposed Plan of Allocation, or the request for attorneys' fees and litigation expenses, you may write to the Court and explain why you do not like them. You cannot object to the Settlement, the Plan of Allocation or the fee and expense request unless you are a Class Member and do not exclude yourself from the Class. Objections must be received by the Court and counsel on or before May 19, 2022. If you submit a written objection, you may (but do not have to) attend the hearing.
GO TO THE HEARING ON JUNE 9, 2022 AT 11:00 A.M.	Ask to speak in Court about the fairness of the Settlement. Requests to speak must be received by the Court and counsel on or before May 19, 2022. If you submit a written objection, you may (but you do not have to) attend the hearing.
DO NOTHING	Receive no payment. You will, however, still be a Member of the Class, which means that you give up your right to ever be part of any other lawsuit against the Defendants or any other Released Defendant Parties about the legal claims being resolved by this Settlement and you will be bound by any judgments or orders entered by the Court in the Action.

SUMMARY OF THIS NOTICE

Description of the Action

This Notice relates to a proposed settlement of claims in a pending securities class action brought by Patterson investors alleging, among other things, that Defendants violated the federal securities laws by making false and misleading statements during the Class Period. A more detailed description of the Action is set forth on pages 3-5 below. The proposed Settlement, if approved by the Court, will settle claims of the Class, as defined on page 5 below.

Statement of Class Recovery

Pursuant to the Settlement described herein, a \$63 million settlement fund has been established (the "Settlement Amount"). The Settlement Amount and any interest earned thereon is the "Settlement Fund." The Settlement Fund, less (a) any taxes, (b) any Notice and Administration Expenses, and (c) any attorneys' fees and litigation expenses (including any reimbursement to Lead Plaintiffs of their costs and expenses in representing the Class) awarded by the Court, will be distributed to Class Members in accordance with a plan of allocation that is approved by the Court. The proposed plan of allocation (the "Plan of Allocation") is set forth on pages 10-14 below. Based on Lead Plaintiffs' estimate of the number of shares of Patterson common stock allegedly damaged during the Class Period, the average distribution per share under the Plan of Allocation is approximately \$0.58 before deduction of any taxes on the income earned on the Settlement Fund, Notice and Administration Expenses, and the attorneys' fees and expenses (including any reimbursement to Lead Plaintiffs) as determined by the Court. **Class Members should note, however, that these are only estimates.** A Class Member may receive more or less than this average amount, and a Class Member's actual recovery will be a proportion of the Net Settlement Fund determined by that Class Member's claims as compared to the total claims of all Class Members who submit acceptable Proofs of Claim. See Plan of Allocation set forth and discussed at pages 10-14 below for more information on the calculation of your claim.

Statement of Potential Outcome of Case

The Settling Parties disagree on both liability and damages and do not agree on the amount of damages per share, if any, that would be recoverable if the Class prevailed on each claim alleged. Defendants deny that they are liable to the Class and deny that the Class has suffered any injury or damages. The issues on which the parties disagree are many, but include: (1) whether Defendants engaged in conduct that would give rise to any liability to the Class under the federal securities laws; (2) whether Defendants have valid defenses to any such claims of liability; (3) the appropriate economic model for determining the amount by which the price of Patterson common stock was allegedly artificially inflated (if at all) during the Class Period; (4) the amount, if any, by which the price of Patterson common stock was allegedly artificially inflated (if at all) during the Class Period; (5) the effect of various market forces on the price of Patterson common stock at various times during the Class Period; (6) the extent to which external factors influenced the price of Patterson common stock at various times during the Class Period; (7) whether Defendants made any materially false or misleading statements; and (8) the extent to which the various statements that Lead Plaintiffs alleged were materially false or misleading influenced (if at all) the price of Patterson common stock at various times during the Class Period.

Statement of Attorneys' Fees and Expenses Sought

Since the Litigation's inception, Lead Counsel have expended considerable time and effort in the prosecution of this Litigation on a wholly contingent basis and have advanced the expenses of the Litigation in the expectation that if they were successful in obtaining a recovery for the Class, they would be paid from such recovery. Lead Counsel will apply to the Court for an award of attorneys' fees on behalf of all Lead Plaintiffs' Counsel not to exceed 33-1/3% of the Settlement Amount, plus expenses not to exceed \$2,000,000, plus interest earned on both amounts at the same rate as earned by the Settlement Fund. In addition, Lead Plaintiffs may request awards not to exceed \$40,000 in the aggregate pursuant to 15 U.S.C. §78u-4(a)(4) in connection with their representation of the Class. If the amounts requested are approved by the Court, the average cost per allegedly damaged Patterson common share will be approximately \$0.21.

Further Information

For further information regarding the Litigation, this Notice or to review the Stipulation of Settlement, please contact the Claims Administrator toll-free at 1-888-729-5720, via email at info@PattersonSecuritiesClassAction.com, or visit the website www.PattersonSecuritiesClassAction.com.

You may also contact a representative of counsel for the Class: Rick Nelson, Shareholder Relations, Robbins Geller Rudman & Dowd LLP, 655 West Broadway, Suite 1900, San Diego, CA 92101, 1-800-449-4900, www.rgrdlaw.com, or Lester Hooker, Saxena White P.A., 7777 Glades Road, Suite 300, Boca Raton, FL 33434, 561-394-3399, www.saxenawhite.com.

Please Do Not Call the Court or Defendants with Questions About the Settlement.

Reasons for the Settlement

Lead Plaintiffs' principal reason for entering into the Settlement is the benefit to the Class now, without further risk or the delays inherent in continued litigation. The cash benefit under the Settlement must be considered against the significant risk that a smaller recovery—or, indeed, no recovery at all—might be achieved after contested motions, trial, and likely appeals, a process that could last several years into the future.

Defendants have denied and continue to deny each and all of the claims alleged by Lead Plaintiffs in the Litigation. Defendants expressly have denied and continue to deny all charges of wrongdoing or liability against them arising out of any of the conduct, statements, acts or omissions alleged, or that could have been alleged, in the Litigation. Defendants also have denied and continue to deny, among other things, the allegations that Lead Plaintiffs or the Class have suffered any damage, or that Lead Plaintiffs or the Class were harmed by the conduct alleged in the Litigation. Defendants' sole reason for entering into the Settlement is to eliminate the time, expense, distraction and inherent uncertainty of taking this matter to trial.

BASIC INFORMATION

1. Why did I get this Notice package?

The Court directed that this Notice be mailed to you because you, someone in your family, or an investment account for which you serve as a custodian may have purchased or otherwise acquired Patterson common stock during the Class Period. The Court has directed us to send you this Notice because, as a potential Class Member, you have a right to know about your options before the Court rules on the proposed Settlement. Additionally, you have the right to understand how this class action lawsuit may generally affect your legal rights. If the Court approves the Settlement and the Plan of Allocation (or some other plan of allocation), the Claims Administrator, selected by Lead Plaintiffs and approved by the Court, will make payments pursuant to the Settlement after any objections and appeals are resolved.

This Notice explains the class action lawsuit, the Settlement, Class Members' legal rights in connection with the Settlement, what benefits are available, who is eligible for them, and how to get them.

The Court in charge of the Litigation is the United States District Court for the District of Minnesota, and the case is known as *Plymouth County Retirement System v. Patterson Companies, Inc., et al.*, Civ. No. 0:18-cv-00871-MJD-HB. The case has been assigned to the Senior United States District Judge Michael J. Davis. The entities representing the Class are the "Lead Plaintiffs" and the company and individual they sued and which have now settled are called the "Defendants."

2. What is this lawsuit about?

On March 28, 2018, plaintiff Plymouth County Retirement System filed the above-captioned federal securities class action complaint against Defendants and Patterson's former CFO Ann B. Gugino in the U.S. District Court for the District of Minnesota.

On August 30, 2018, the Court appointed Lead Plaintiffs and approved Lead Plaintiffs' choice of Lead Counsel.

On November 9, 2018, Lead Plaintiffs filed an amended complaint (the "Amended Complaint") adding as defendants Patterson's former CEO James W. Wiltz and former CFO R. Stephen Armstrong. The Amended Complaint alleged violation of §10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 against all defendants and §20(a) of the Securities Exchange Act of 1934 against the individual defendants.

The Amended Complaint alleged that Defendants made the following misrepresentations:

- (i) On June 26, 2013; June 25, 2014; June 24, 2015; June 29, 2016; and June 28, 2017; in Patterson's Form 10-K filings incorporating Principles of Business Conduct and Code of Ethics: "Patterson fully complies with the antitrust laws and fair trade practices of the United States and all other applicable jurisdictions [S]pecific guidelines that should be observed by all employees . . . [(i)] [n]ever discuss pricing policies with competitors . . . [(ii)] [n]ever engage in a joint selling activity with a competitor . . . [(iii)] [n]ever ask a vendor to cease doing business with a competitor . . . [(iv)] [a]void even the appearance of improper or collusive conduct when meeting with competitors or vendors at trade shows or trade association meetings."
- (ii) On June 29, 2016; and June 28, 2017; in Patterson's Form 10-K Filings: "[W]e compete against Henry Schein, Inc. [and] Benco Dental Supply Company."
- (iii) On June 29, 2016; and June 28, 2017; in Patterson's Form 10-K Filings: "Although we are seeking to obtain access to lower prices demanded by GPO contracts or other contracts, and develop relationships with provider networks and new GPOs, we cannot assure that such terms will be obtained or contracts will be executed."

The Class Representatives assert that these statements were false and misleading because Patterson had allegedly conspired with its chief competitors, Benco Dental Supply Company and Henry Schein, Inc., to prevent Group Purchasing Organizations ("GPOs") from entering the dental supply distribution market, in violation of antitrust laws. The Amended Complaint further alleged that as a result of the false statements, the price of Patterson common stock was artificially inflated during the Class Period, and that when the truth about the claimed antitrust violations was revealed through three corrective disclosures, the price of Patterson stock declined, thereby damaging Class Members.

Defendants deny all of Lead Plaintiffs' allegations. Defendants contend that they made no materially false or misleading statements, and that they disclosed all information required to be disclosed by the federal securities laws. Defendants also contend that Lead Plaintiffs are unable to meet their burden to prove loss causation or economic loss related to the alleged false or misleading statements.

On January 18, 2019, Patterson and the individual defendants filed a motion to dismiss the Amended Complaint. Lead Plaintiffs filed their opposition brief on March 19, 2019, and Patterson and the individual defendants filed a reply to their motion to dismiss on May 3, 2019. A hearing on the motion to dismiss was heard on May 13, 2019. On July 25, 2019, Magistrate Judge Steven Rau issued a Report and Recommendation that the motion to dismiss should be granted in part and denied in part, and that all claims against individual defendants Gugino, Armstrong and Wiltz should be dismissed. On September 10, 2019, the Court adopted the Report and Recommendation in all material respects. Defendants answered the Amended Complaint on September 24, 2019.

On February 21, 2020, Lead Plaintiffs moved to certify the Class. Defendants took document and depository testimony from Lead Plaintiffs and their representatives, and on June 18, 2020, filed their opposition to Lead Plaintiffs' motion. Lead Plaintiffs filed their reply on July 20, 2020, and on September 28, 2020, the Court granted Lead Plaintiffs' motion and certified the Class.

The Settling Parties have conducted extensive fact and expert discovery, including depositions, the production and review of hundreds of thousands of pages of documents, and the exchange of expert reports.

On May 17, 2021, Defendants moved for summary judgment and to exclude the testimony of one of Lead Plaintiffs' experts. On June 7, 2021, Lead Plaintiffs filed their oppositions to Defendants' motions, and on June 21, 2021, Defendants filed their reply briefs. The motions remained pending at the time this Settlement was reached.

On May 25, 2021, the Court approved the form and content of the Notice of Pendency of Class Action (the "Long Class Notice") and the Summary Notice of Pendency of Class Action (the "Summary Class Notice") (collectively, the "Class Notices") to notify potential Class Members of, among other things: (i) the Action pending against Defendants; (ii) the Court's certification of the Action to proceed as a class action on behalf of the Class; and (iii) Class Members' right to request to be excluded from the Class, the effect of remaining in the Class or requesting exclusion, and the requirements for requesting exclusion. The Class Notices informed Class Members that if they chose to remain in the Class, they shall "be bound by all determinations and judgments in this Action, whether favorable or unfavorable." *Id.* The deadline for mailing any requests for exclusion from the Class was August 18, 2021, and seven (7) requests for exclusion from the Class were received in connection with dissemination of the Class Notices. Those persons and entities who requested exclusion from the Class are listed in Appendix 1 [not provided] of the Stipulation.

Regarding settlement discussions, on November 5, 2019, the Settling Parties participated in a voluntary confidential mediation. The mediation was preceded by the submission and exchange of mediation materials by the Settling Parties. While the Settling Parties engaged in good faith negotiations, they did not reach a settlement and litigation continued. On August 3, 2020, Defendants and Lead Plaintiffs participated in another mediation session. Prior to this session, the Settling Parties exchanged and submitted supplemental mediation materials to the mediator.

Although the Settling Parties engaged in arm's-length negotiations during the mediation session and were unable to reach an agreement, they continued settlement discussions. On August 27, 2021, the Settling Parties reached an agreement-in-principle to resolve the Litigation, and executed a Memorandum of Understanding memorializing their agreement. The agreement included, among other things, the Settling Parties' agreement to settle the Litigation in return for a cash payment of \$63 million for the benefit of the Class, subject to the negotiation of the terms of a Stipulation of Settlement and approval by the Court. The Stipulation (together with the Exhibits thereto) reflects the final and binding agreement, and a compromise of all matters that are in dispute, between the Settling Parties.

On February 3, 2022, the Court preliminarily approved the Settlement, authorized this Notice to be disseminated to potential Class Members, and scheduled the Settlement Hearing to consider, among other things, whether to grant final approval to the Settlement.

Based on their investigation, discovery, prosecution and mediation of the case, Lead Plaintiffs and Lead Counsel have concluded that the terms and conditions of the Stipulation are fair, reasonable and adequate to Lead Plaintiffs and the other Members of the Class, and in their best interests. Based on Lead Plaintiffs' oversight of the prosecution of this matter and with the advice of their counsel, Lead Plaintiffs have agreed to settle and release the claims raised in the Action pursuant to the terms and provisions of the Stipulation, after considering, among other things, (a) the substantial financial benefit that Lead Plaintiffs and the other Members of the Class will receive under the proposed Settlement; (b) the significant risks and costs of continued litigation and trial; and (c) the desirability of permitting the proposed Settlement to be consummated as provided by the terms of the Stipulation.

Throughout this Litigation, Defendants have denied, and continue to deny, any and all allegations of fault, liability or wrongdoing or causing any damages and any liability under §10(b) and §20(a) of the Securities Exchange Act of 1934. Among other things, Defendants expressly have denied, and continue to deny, making any false or misleading statement or omission. Defendants have further expressly denied, and continue to deny, that the price of Patterson common stock was artificially inflated as a result of any materially false or misleading statement or omission; any Class Member, including Lead Plaintiffs, suffered any damages; or any Class Member, including Lead Plaintiffs, was harmed by any conduct alleged in the Litigation or that could have been alleged therein. Defendants maintain that they have meritorious defenses to the claims alleged in the Litigation.

Neither the Settlement nor any of the terms of the Stipulation shall be construed or deemed to be evidence of or constitute an admission, concession, or finding of any liability or damage whatsoever or any infirmity in the defenses that Defendants have, or could have, asserted.

THE COURT HAS NOT RULED AS TO WHETHER DEFENDANTS ARE LIABLE TO LEAD PLAINTIFFS OR TO THE CLASS. THIS NOTICE IS NOT INTENDED TO BE AN EXPRESSION OF ANY OPINION BY THE COURT WITH RESPECT TO THE TRUTH OF THE ALLEGATIONS IN THIS LITIGATION OR THE MERITS OF THE CLAIMS OR DEFENSES ASSERTED. THIS NOTICE IS SOLELY TO ADVISE YOU OF THE PROPOSED SETTLEMENT OF THIS LITIGATION AND YOUR RIGHTS IN CONNECTION WITH THAT SETTLEMENT.

3. Why is there a settlement? What if there were no settlement?

The Court has not decided in favor of Defendants or of the Lead Plaintiffs. Instead, both sides agreed to the Settlement to avoid the burden, expense, and uncertainty of further litigation, and Lead Plaintiffs agreed to the Settlement in order to ensure that Class Members will receive compensation.

If there were no Settlement and Lead Plaintiffs failed to establish any essential legal or factual element of their claims against Defendants, neither Lead Plaintiffs nor the other Members of the Class would recover anything from Defendants. Also, if Defendants were successful in proving any of their defenses, either at summary judgment, at trial or on appeal, the Class could recover substantially less than the amount provided in the Settlement, or nothing at all.

WHO IS IN THE SETTLEMENT

4. How do I know if I am a Member of the Class?

The Court directed that everyone who fits this description is a Class Member: all Persons who purchased or otherwise acquired Patterson common stock between June 26, 2013 and February 28, 2018, inclusive, except those Persons and entities that are excluded.

Excluded from the Class are: Defendants, the officers and directors of Patterson at all relevant times, members of their immediate families, and their legal representatives, heirs, agents, affiliates, successors or assigns, Defendants' liability insurance carriers, and any affiliates or subsidiaries thereof, and any entity in which Defendants or their immediate families have or had a controlling interest. Also excluded from the Class is any Person who would otherwise be a Member of the Class but who validly and timely requested exclusion in response to the Notice of Pendency of Class Action provided on or about June 2021. Also excluded from the Class are those Persons who timely and validly exclude themselves therefrom by submitting a request for exclusion in accordance with the requirements set forth in question 11 below.

Please Note: Receipt of this Notice does not mean that you are a Class Member or that you will be entitled to receive a payment from the Settlement. If you are a Class Member and you wish to be eligible to participate in the distribution of proceeds from the Settlement, you are required to submit the Claim Form that is being distributed with this Notice and the required supporting documentation as set forth therein postmarked or submitted online on or before **May 25, 2022**.

5. What if I am still not sure if I am included?

If you are still not sure whether you are included, you can ask for free help. You can contact the Claims Administrator toll-free at 1-888-729-5720, via email at info@PattersonSecuritiesClassAction.com, or you can fill out and return, via mail or online, the Claim Form enclosed with this Notice package to see if you qualify.

THE SETTLEMENT BENEFITS – WHAT YOU GET

6. What does the Settlement provide?

The Settlement provides that, in exchange for the release of the Released Claims (defined below) and dismissal of the Litigation, Defendants have agreed to pay (or cause to be paid) \$63 million in cash to be distributed after taxes, tax expenses, notice and claims administration expenses, and approved attorneys' fees and expenses, *pro rata*, to Class Members who send in a valid Claim Form pursuant to the Court-approved Plan of Allocation. The Plan of Allocation is described in more detail at the end of this Notice.

7. How much will my payment be?

At this time, it is not possible to make any determination as to how much any individual Class Member may receive from the Settlement. Your share of the Net Settlement Fund will depend on several things, including the total dollar amount of claims represented by the valid Claim Forms that Class Members send in, compared to the dollar amount of your claim, all as calculated under the Plan of Allocation discussed below.

Only Class Members, *i.e.*, persons and entities who purchased or otherwise acquired Patterson common stock during the Class Period and were damaged as a result of such purchases or acquisitions, will be potentially eligible to share in the distribution of the Net Settlement Fund. Persons and entities that are excluded from the Class by definition or that exclude themselves from the Class pursuant to request will not be eligible to receive a distribution from the Net Settlement Fund and should not submit Claim Forms. The only security that is included in the Settlement is Patterson common stock.

HOW YOU GET A PAYMENT – SUBMITTING A CLAIM FORM

8. How can I get a payment?

To be eligible to receive a payment from the Settlement, you must submit a Claim Form. A Claim Form is enclosed with this Notice or it may be downloaded at www.PattersonSecuritiesClassAction.com. Read the instructions carefully, fill out the Claim Form, include all the documents the form asks for, sign it, and **mail or submit it online so that it is postmarked or received no later than May 25, 2022**. The Claim Form may be submitted online at www.PattersonSecuritiesClassAction.com.

9. When would I get my payment?

The Court will hold a Settlement Hearing on June 9, 2022, at 11:00 a.m., to decide whether to approve the Settlement. If the Court approves the Settlement, there might be appeals. It is always uncertain whether appeals can be resolved, and if so, how long it would take to resolve them. It also takes time for all the Proofs of Claim to be processed. Please be patient.

10. What am I giving up to get a payment or to stay in the Class?

Unless you timely and validly exclude or excluded yourself, you are staying in the Class, and that means you cannot sue, continue to sue, or be part of any other lawsuit against Defendants or the Released Defendant Parties about the Released Claims (as defined below) in this case. It also means that all of the Court's orders will apply to you and legally bind you. If you remain a Class Member, and if the Settlement is approved, you will give up all "Released Claims" (as defined below), including "Unknown Claims" (as defined below), against the "Released Persons" (as defined below):

- "Released Claims" means any and all claims and causes of action of every nature and description, whether known claims or Unknown Claims (as defined below), whether arising under federal, state, local, common or foreign law, that (i) Lead Plaintiffs or any other Member of the Class asserted in the Amended Complaint or could have asserted in any other forum that arise out of or are based upon the allegations, transactions, facts, matters, alleged misrepresentations, or alleged omissions involved, set forth, or referred to in the Amended Complaint against any of the Released Defendant Parties, and (ii) relate to the purchase or acquisition of Patterson common stock during the Class Period. The Released Claims shall not release or impair: (i) any

claims by Defendants for insurance coverage; (ii) any derivative claims asserted by or on behalf of Patterson's shareholders; (iii) any claims relating to the enforcement of the Settlement; or (iv) any claims of any person or entity who or which submits a request for exclusion that is accepted by the Court.

- "Released Defendants' Claims" means any and all claims and causes of action of every nature and description whatsoever, including both known claims and Unknown Claims, against Lead Plaintiffs, Lead Plaintiffs' Counsel or any Class Member that arise out of or relate in any way to the institution, prosecution, or settlement of the claims against Defendants in the Litigation, except for claims relating to the enforcement of the Settlement.
- "Released Defendant Party" or "Released Defendant Parties" or "Released Persons" mean each and all of Defendants, and all of their current and former insurance carriers, indemnifiers, reinsurers, parents, affiliates, subsidiaries, divisions, officers, directors, agents, successors, predecessors, assigns, assignees, partnerships, partners, trustees, heirs, principals, trusts, executors, administrators, members, representatives, estates, estate managers, advisors, bankers, consultants, experts, accountants, auditors, employees, immediate family members, and attorneys (including Defendants' Counsel), in their capacities as such, and any entity in which any Defendant has or had a controlling interest. The Released Defendant Parties other than the Defendants themselves are intended as third-party beneficiaries of this Settlement with respect to the release of the Released Claims.
- "Unknown Claims" means (a) any and all Released Claims which any of the Releasing Plaintiffs Parties do not know or suspect to exist in his, her, or its favor at the time of the release of the Released Defendant Parties, which, if known by him, her, or it, might have affected his, her, or its settlement with and release of the Released Defendant Parties, or might have affected his, her, or its decision(s) with respect to the Settlement, including, but not limited to, whether or not to object to this Settlement or seek exclusion from the Class; and (b) any and all Released Defendants' Claims that any of the Released Defendant Parties do not know or suspect to exist in his, her, or its favor at the time of the release of Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel, which, if known by him, her, or it, might have affected his, her, or its settlement and release of Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel. With respect to (a) any and all Released Claims against the Released Defendant Parties, and (b) any and all Released Defendants' Claims against Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel, the Settling Parties stipulate and agree that, upon the Effective Date, the Settling Parties shall expressly waive, and each Releasing Plaintiff Party and Released Defendant Party shall be deemed to have, and by operation of the Judgment shall have, expressly waived the provisions, rights, and benefits of California Civil Code §1542, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

The Settling Parties shall expressly waive, and each Releasing Plaintiff Party and Released Defendant Party shall be deemed to have, and by operation of the Judgment shall have, expressly waived any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable, or equivalent to California Civil Code §1542. The Releasing Plaintiff Parties and Released Defendant Parties acknowledge that they may hereafter discover facts, legal theories or authorities in addition to or different from those which he, she, it or their counsel now knows or believes to be true with respect to the subject matter of the Released Claims or Released Defendants' Claims, but (a) the Releasing Plaintiff Parties shall expressly fully, finally, and forever waive, compromise, settle, discharge, extinguish and release, and each Releasing Plaintiff Party shall be deemed to have waived, compromised, settled, discharged, extinguished, and released, and upon the Effective Date, and by operation of the Judgment shall have waived, compromised, settled, discharged, extinguished, and released, fully, finally, and forever, any and all Released Claims against the Released Defendant Parties, known or unknown, suspected or unsuspected, contingent or non-contingent, accrued or unaccrued, whether or not concealed or hidden, which now exist, or heretofore have existed, or may hereafter exist, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts, legal theories, or authorities, and (b) the Released Defendant Parties shall expressly fully, finally, and forever waive, compromise, settle, discharge, extinguish and release, and upon the Effective Date, and by operation of the Judgment shall have waived, compromised, settled, discharged, extinguished, and released, fully, finally, and forever, any and all Released Defendants' Claims against Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without

malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts, legal theories, or authorities. The Settling Parties acknowledge, and the Releasing Plaintiff Parties and Released Defendant Parties shall be deemed by operation of the Judgment to have acknowledged, that the foregoing waiver was separately bargained for and is an essential element of the Settlement of which this release is a part.

EXCLUDING YOURSELF FROM THE CLASS

If you do not want to receive a payment from this Settlement, or you want to keep the right to potentially sue Defendants and the other Released Persons, on your own, about the claims being released by the Settlement, then you must take steps to remove yourself from the Settlement. This is called excluding yourself—or is sometimes referred to as “opting out.” If you are requesting exclusion because you want to bring your own lawsuit based on the matters alleged in this Litigation, you may want to consult an attorney and discuss whether any individual claim that you may wish to pursue would be time-barred by the applicable statutes of limitation or repose. **IF YOU PREVIOUSLY SUBMITTED A REQUEST FOR EXCLUSION, YOU DO NOT HAVE TO DO SO AGAIN.**

11. How do I get out of the Class and the proposed Settlement?

To exclude yourself from the Class and the Settlement, you must send a signed and dated letter by mail stating that you “request exclusion from the Class in the *Patterson Securities Litigation*.” Your letter must include your purchases or acquisitions of shares of Patterson common stock during the Class Period, including the date(s), the number of shares of Patterson common stock purchased or acquired, and price(s) paid for each such purchase or acquisition. In addition, you must include your name, address, telephone number, and your signature. You must submit your exclusion request so that it is **postmarked no later than May 19, 2022** to:

Patterson Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
EXCLUSIONS
150 Royall Street, Suite 101
Canton, MA 02021

You cannot exclude yourself by phone or by email. If you make a proper request for exclusion, you will not receive a settlement payment, and you cannot object to the Settlement. If you make a proper request for exclusion, you will not be legally bound by anything that happens in this lawsuit.

12. If I do not exclude myself, can I sue the Defendants and the other Released Persons for the same thing later?

No. Unless you exclude yourself, you give up any rights you may potentially have to sue the Defendants and the other Released Persons for any and all Released Claims. If you have a pending lawsuit against the Released Persons, speak to your lawyer in that case immediately. You must exclude yourself from the Class in this Litigation to continue your own lawsuit. Remember, the exclusion deadline is May 19, 2022.

13. If I exclude myself, can I get money from the proposed Settlement?

No. If you exclude yourself, you should not send in a Claim Form to ask for any money. But you may have the right to potentially sue the Defendants and the other Released Persons.

WHO REPRESENTS THE CLASS

14. Who are the lawyers in this case?

The Court ordered that the law firms of Robbins Geller Rudman & Dowd LLP and Saxena White P.A. represent the Class Members, including you. These lawyers are called Lead Counsel or Class Counsel.

15. How will the lawyers be paid?

Lead Counsel will apply to the Court for an award of attorneys’ fees on behalf of all Lead Plaintiffs’ Counsel not to exceed 33-1/3% of the Settlement Amount and for expenses, costs and charges in an amount not to exceed \$2,000,000 in connection with the Litigation, plus interest on such fees and expenses at the same rate as earned by the Settlement Fund. In addition, Lead Plaintiffs may seek up to \$40,000 in the aggregate for their time and expenses incurred in representing the Class. Such sums as may be approved by the Court will be paid from the Settlement Fund. Class Members are not personally liable for any such fees or expenses.

OBJECTING TO THE SETTLEMENT

You can tell the Court that you do not agree with the Settlement or any part of it.

16. How do I tell the Court that I object to the proposed Settlement?

If you are a Class Member, you may object to the proposed Settlement, the proposed Plan of Allocation and/or Lead Counsel's fee and expense application. For any objection to be considered, you must file a written statement with the Clerk of the Court and send a copy to Lead Counsel and Defendants' Counsel, at the addresses listed below so that it is **received by May 19, 2022**. Any objection must: (i) state the name, address, and telephone number of the objector and must be signed by the objector; (ii) state that the objector is objecting to the proposed Settlement, Plan of Allocation, and/or application for attorneys' fees or expenses in this Litigation; (iii) state the objection(s) and the specific reasons for each objection, including any legal and evidentiary support the objector wishes to bring to the Court's attention and whether the objections apply only to the objector, a specific subset of the Class, or to the entire Class; and (iv) include documents sufficient to prove the objector's membership in the Class, such as the number of shares of Patterson common stock purchased or acquired during the Class Period, as well as the dates and prices of each such purchase or acquisition. Attendance at the Settlement Hearing is not necessary; however, persons wishing to be heard orally at the Settlement Hearing are required to indicate in their written objection their intention to appear at the hearing and identify any witnesses they may call to testify and exhibits, if any, they intend to introduce into evidence.

CLERK OF THE COURT	LEAD COUNSEL	DEFENDANTS' COUNSEL
UNITED STATES DISTRICT COURT, DISTRICT OF MINNESOTA Clerk of the Court Diane E. Murphy United States Courthouse 300 South Fourth Street Suite 202 Minneapolis, MN 55415	ROBBINS GELLER RUDMAN & DOWD LLP Ellen Gusikoff Stewart 655 W. Broadway Suite 1900 San Diego, CA 92101 SAXENA WHITE, P.A. Lester R. Hooker 7777 Glades Road Suite 300 Boca Raton, FL 33434	TAFT STETTINIUS & HOLLISTER LLP Aaron G. Thomas 2200 IDS Center 80 South Eighth Street Minneapolis, MN 55402

THE COURT'S SETTLEMENT HEARING

The Court will hold a hearing to decide whether to approve the proposed Settlement. You may attend and you may ask to speak, but you do not have to.

17. When and where will the Court decide whether to approve the proposed Settlement?

The Court will hold a Settlement Hearing at **11:00 a.m., on June 9, 2022**, in the Courtroom of the Honorable Michael J. Davis, at the United States District Court for the District of Minnesota, Diana E. Murphy United States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415. At the hearing, the Court will consider whether the Settlement and the Plan of Allocation are fair, reasonable, and adequate. If there are objections, the Court will consider them, even if you do not ask to speak at the hearing. The Court will listen to people who have asked to speak at the hearing. The Court may also decide how much to pay to Lead Counsel and Lead Plaintiffs. After the Settlement Hearing, the Court will decide whether to approve the Settlement and the Plan of Allocation. We do not know how long these decisions will take. You should be aware that the Court may change the date and time of the Settlement Hearing without another notice being sent to Class Members. In addition, the recent outbreak of the Coronavirus (COVID-19) is a fluid situation that creates the possibility that the Court may decide to conduct the Settlement Hearing by video or telephonic conference, or otherwise allow Class Members to appear at the hearing by phone, without further written notice to the Class. **In order to determine whether the date and time of the Settlement Hearing have changed, or whether Class Members must or may participate by phone or video, it is important that you monitor the Court's docket and the Settlement website, www.PattersonSecuritiesClassAction.com, before making any plans to attend the Settlement Hearing. Any updates regarding the Settlement Hearing, including any changes to the date and time of the hearing or updates regarding in-person, telephonic or video conference appearances at the hearing, will be posted to the Settlement website, www.PattersonSecuritiesClassAction.com. Also, if the Court requires or allows Class Members to participate in the Settlement Hearing by telephone or video conference, the phone number for accessing the telephonic conference or the website for accessing the video conference will be posted to the Settlement website, www.PattersonSecuritiesClassAction.com.** If you want to attend the hearing, either in person or telephonically, if permitted, you should check with Lead Counsel or the Settlement website, www.PattersonSecuritiesClassAction.com, beforehand to be sure that the date and/or time has not changed.

18. Do I have to come to the hearing?

No. Lead Counsel will answer questions the Court may have. But, you are welcome to come at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it is not necessary. Class Members do not need to appear at the hearing or take any other action to indicate their approval.

19. May I speak at the hearing?

If you object to the Settlement, the Plan of Allocation, and/or the fee and expense application, you may ask the Court for permission to speak at the Settlement Hearing. To do so, you must include with your objection (see question 16 above) a statement saying that it is your “Notice of Intention to Appear in the *Patterson Securities Litigation*.” Persons who intend to object to the Settlement, the Plan of Allocation, and/or any attorneys’ fees and expenses to be awarded to Lead Counsel or Lead Plaintiffs and desire to present evidence at the Settlement Hearing must include in their written objections the identity of any witnesses they may call to testify and exhibits they intend to introduce into evidence at the Settlement Hearing. Your notice of intention to appear must be **received no later than May 19, 2022**, and addressed to the Clerk of the Court, Lead Counsel, and Defendants’ Counsel, at the addresses listed above in question 16.

You cannot speak at the hearing if you exclude yourself from the Class.

IF YOU DO NOTHING**20. What happens if I do nothing?**

If you do nothing, you will not receive any money from this Settlement. In addition, unless you exclude yourself, you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Defendants and the Released Defendant Parties about the Released Claims in this case.

GETTING MORE INFORMATION**21. How do I get more information?**

For even more detailed information concerning the matters involved in this Litigation, you can obtain answers to common questions regarding the proposed Settlement by contacting the Claims Administrator toll-free at 1-888-729-5720 or via email at info@PattersonSecuritiesClassAction.com. Reference is also made to the Settlement Agreement, to the pleadings in support of the Settlement, to the Orders entered by the Court and to the other Settlement-related papers filed in the Litigation, which are posted on the Settlement website at www.PattersonSecuritiesClassAction.com, and which may be inspected at the Office of the Clerk of the United States District Court for the District of Minnesota, during regular business hours. For a fee, all papers filed in this Litigation are also available at www.pacer.gov.

THE PROPOSED PLAN OF ALLOCATION OF NET SETTLEMENT FUND AMONG CLASS MEMBERS**22. How will my claim be calculated?**

As discussed above, the Settlement provides \$63 million in cash for the benefit of the Class. The Settlement Amount and any interest it earns constitute the “Settlement Fund.” The Settlement Fund, after deduction of Court-approved attorneys’ fees and expenses, Notice and Administration Expenses, Taxes, and any other fees or expenses approved by the Court, is the “Net Settlement Fund.” If the Settlement is approved by the Court, the Net Settlement Fund will be distributed to eligible Authorized Claimants—i.e., Members of the Class who timely submit valid Proofs of Claim that are accepted for payment by the Court—in accordance with this proposed Plan of Allocation (“Plan of Allocation” or “Plan”) or such other plan of allocation as the Court may approve. Class Members who do not timely submit valid Proofs of Claim will not share in the Net Settlement Fund but will otherwise be bound by the Settlement. The Court may approve this proposed Plan of Allocation, or modify it, without additional notice to the Class. Any order modifying the Plan of Allocation will be posted on the Settlement website, www.PattersonSecuritiesClassAction.com.

The objective of the Plan of Allocation is to distribute the Net Settlement Fund proceeds equitably among Class Members based on their respective alleged economic losses resulting from the securities law violations alleged in the Litigation. The Plan of Allocation is not a formal damage analysis, and the calculations made in accordance with the Plan of Allocation are not intended to be estimates of, or indicative of, the amounts that Class Members might have been able to recover after a trial. Nor are the calculations in accordance with the Plan of Allocation intended to be estimates of the amounts that will be paid to Authorized Claimants under the Settlement. The computations under the Plan of Allocation are only a method to weigh, in a fair and equitable manner, the claims of Authorized Claimants against one another for the purpose of making *pro rata* allocations of the Net Settlement Fund.

The Plan of Allocation is intended to compensate Class Members who purchased or acquired Patterson common stock during the period between June 26, 2013 and February 28, 2018, inclusive (“Class Period”).

For purposes of determining the amount an Authorized Claimant may recover under the Plan, Lead Counsel conferred with their damages consultant and the Plan reflects an assessment of the daily per-share artificial inflation amounts which allegedly were proximately caused by Defendants' alleged false and misleading statements. In calculating the estimated artificial inflation allegedly caused by Defendants' alleged misrepresentations, Lead Plaintiffs' damages consultant considered price changes in Patterson common stock in reaction to certain public announcements regarding Patterson in which such misrepresentations were alleged to have been revealed to the market, adjusting for price changes that were attributable to market forces, the allegations in the Amended Complaint, and the evidence developed in support thereof.

In order to have recoverable damages in connection with purchases or acquisitions of Patterson common stock during the Class Period, disclosure(s) of the allegedly misrepresented information must be the cause of the decline in the price of Patterson common stock. In this case, Lead Plaintiffs allege that Defendants made false statements during the Class Period, which had the effect of artificially inflating the price of Patterson common stock. Lead Plaintiffs also allege that, as a result of the alleged corrective disclosures, artificial inflation was removed from the price of Patterson common stock on November 22, 2016, February 13, 2018 and March 1, 2018.

In order to have a "Recognized Loss Amount" under the Plan of Allocation, Patterson common stock must have been purchased or otherwise acquired during the Class Period and held through the issuance of at least one corrective disclosure.

To the extent there are sufficient funds in the Net Settlement Fund, each Authorized Claimant will receive an amount equal to the Authorized Claimant's "Recognized Loss," as described below. If, however, as expected, the amount in the Net Settlement Fund is not sufficient to permit payment of the total Recognized Loss of each Authorized Claimant, then each Authorized Claimant shall be paid the percentage of the Net Settlement Fund that each Authorized Claimant's Recognized Loss bears to the total of the Recognized Loss of all Authorized Claimants—*i.e.*, the Authorized Claimant's *pro rata* share of the Net Settlement Fund.

For each Class Period purchase or acquisition of Patterson common stock that is properly documented, a "Recognized Loss" will be calculated according to the formulas described below. If a Recognized Loss Amount calculates to a negative number or zero under the formulas below, that Recognized Loss Amount will be zero.

Estimated damages and the Plan of Allocation were developed based on an event study analysis, which determines how much artificial inflation was in the stock price on each day during the Class Period by measuring how much the stock price allegedly was inflated as a result of alleged misrepresentations and allegedly declined as a result of disclosures that corrected the alleged misrepresentations. Because the alleged corrective disclosures allegedly reduced the artificial inflation in stages over the course of the Class Period, the alleged damages suffered by any particular Authorized Claimant depends on when that Authorized Claimant purchased or acquired and sold shares, or retained shares beyond the end of the Class Period.

Table 1 provides the per-share amount of alleged artificial inflation in Patterson common stock during the Class Period for specified periods. Each Authorized Claimant's Recognized Losses, if any, will be computed as follows:

1. For each share of Patterson common stock purchased or otherwise acquired from June 26, 2013 through and including February 28, 2018, and:

- A. Sold before the opening of trading on November 22, 2016, the Recognized Loss Amount for each such share shall be zero.
- B. Sold after the opening of trading on November 22, 2016, through and including February 28, 2018, the Recognized Loss Amount for each such share shall be **the lesser of**:
 - (i) the dollar artificial inflation applicable to each such share on the date of purchase/acquisition as set forth in Table 1 below minus the dollar artificial inflation applicable to each such share on the date of sale as set forth in Table 1 below; or
 - (ii) the actual purchase/acquisition price minus the actual sale price.
- C. Sold after February 28, 2018, through before the close of trading on May 29, 2018, the Recognized Loss Amount for each such share shall be **the least of**:
 - (i) the dollar artificial inflation applicable to each such share on the date of purchase/acquisition as set forth in Table 1 below; or
 - (ii) the actual purchase/acquisition price of each such share minus the average closing price from March 1, 2018, up through the date of sale as set forth in Table 2 below; or
 - (iii) the actual purchase/acquisition price minus the actual sale price.
- D. Held as of the close of trading on May 29, 2018, the Recognized Loss Amount for each such share shall be **the lesser of**:
 - (i) the dollar artificial inflation applicable to each such share on the date of purchase/acquisition as set forth in Table 1 below; or
 - (ii) the actual purchase/acquisition price of each such share minus \$22.97.²

TABLE 1

**Estimated Artificial Inflation with Respect to Transactions in
Patterson Common Stock
June 26, 2013 through and including February 28, 2018**

Date Range	Artificial Inflation Per Share
June 26, 2013 – November 21, 2016	\$12.31
November 22, 2016 – February 12, 2018	\$8.43
February 13, 2018 – February 28, 2018	\$6.84

² Pursuant to Section 21(D)(e)(1) of the PSLRA, "in any private action arising under this title in which the plaintiff seeks to establish damages by reference to the market price of a security, the award of damages to the plaintiff shall not exceed the difference between the purchase or sale price paid or received, as appropriate, by the plaintiff for the subject security and the mean trading price of that security during the 90-day look-back period beginning on the date on which the information correcting the misstatement or omission that is the basis for the action is disseminated to the market." Consistent with the requirements of the PSLRA, Recognized Loss Amounts are reduced to an appropriate extent by taking into account the closing prices of Patterson common stock during the 90-day look-back period, March 1, 2018 through May 29, 2018. The mean (average) closing price for Patterson common stock during this 90-day look-back period was \$22.97.

TABLE 2

**90-Day Look-back Table for Patterson Common Stock
Closing Price and Average Closing Price
March 1, 2018 through May 29, 2018**

Date	Closing Price	Average Closing Price Between March 1, 2018 and Date Shown	Date	Closing Price	Average Closing Price Between March 1, 2018 and Date Shown
3/1/2018	\$24.11	\$24.11	4/16/2018	\$23.34	\$23.30
3/2/2018	\$25.01	\$24.56	4/17/2018	\$23.48	\$23.30
3/5/2018	\$25.07	\$24.73	4/18/2018	\$23.57	\$23.31
3/6/2018	\$24.65	\$24.71	4/19/2018	\$22.56	\$23.29
3/7/2018	\$25.14	\$24.80	4/20/2018	\$22.33	\$23.26
3/8/2018	\$24.92	\$24.82	4/23/2018	\$22.79	\$23.25
3/9/2018	\$25.29	\$24.88	4/24/2018	\$22.80	\$23.24
3/12/2018	\$25.01	\$24.90	4/25/2018	\$22.99	\$23.23
3/13/2018	\$24.69	\$24.88	4/26/2018	\$23.38	\$23.24
3/14/2018	\$24.74	\$24.86	4/27/2018	\$23.76	\$23.25
3/15/2018	\$24.44	\$24.82	4/30/2018	\$23.28	\$23.25
3/16/2018	\$23.91	\$24.75	5/1/2018	\$23.10	\$23.25
3/19/2018	\$23.17	\$24.63	5/2/2018	\$23.31	\$23.25
3/20/2018	\$22.40	\$24.47	5/3/2018	\$22.99	\$23.24
3/21/2018	\$22.53	\$24.34	5/4/2018	\$23.29	\$23.24
3/22/2018	\$22.10	\$24.20	5/7/2018	\$22.51	\$23.23
3/23/2018	\$21.86	\$24.06	5/8/2018	\$22.09	\$23.20
3/26/2018	\$21.87	\$23.94	5/9/2018	\$22.23	\$23.18
3/27/2018	\$21.69	\$23.82	5/10/2018	\$22.73	\$23.17
3/28/2018	\$22.29	\$23.74	5/11/2018	\$22.82	\$23.17
3/29/2018	\$22.23	\$23.67	5/14/2018	\$22.55	\$23.16
4/2/2018	\$21.40	\$23.57	5/15/2018	\$22.49	\$23.14
4/3/2018	\$21.63	\$23.48	5/16/2018	\$22.83	\$23.14
4/4/2018	\$22.04	\$23.42	5/17/2018	\$22.66	\$23.13
4/5/2018	\$22.36	\$23.38	5/18/2018	\$22.43	\$23.12
4/6/2018	\$22.85	\$23.36	5/21/2018	\$22.10	\$23.10
4/9/2018	\$22.52	\$23.33	5/22/2018	\$21.81	\$23.08
4/10/2018	\$23.11	\$23.32	5/23/2018	\$21.28	\$23.05
4/11/2018	\$23.44	\$23.33	5/24/2018	\$21.80	\$23.03
4/12/2018	\$22.86	\$23.31	5/25/2018	\$21.69	\$23.00
4/13/2018	\$22.89	\$23.30	5/29/2018	\$21.18	\$22.97

If a Class Member held Patterson common stock at the beginning of the Class Period or made multiple purchases, acquisitions or sales of Patterson common stock during or after the Class Period, the starting point for calculating an Authorized Claimant's Recognized Loss is to match the Authorized Claimant's holdings and purchases to their sales using the FIFO (*i.e.*, first-in-first-out) method. Under the FIFO method, Patterson common stock sold during the Class Period will be matched, in chronological order, first against the respective shares held at the beginning of the Class Period. The remaining sales of Patterson common stock during the Class Period will then be matched, in chronological order, against the Patterson common stock purchased or acquired during the Class Period.

A Class Member will be eligible to receive a distribution from the Net Settlement Fund only if a Class Member had a net overall loss, after all profits from transactions in all Patterson common stock during the Class Period are subtracted from all losses. However, the proceeds from sales of Patterson common stock that have been matched against the Patterson common stock held at the beginning of the Class Period will not be used in the calculation of such net loss.

Purchases, acquisitions and sales of Patterson common stock shall be deemed to have occurred on the "contract" or "trade" date as opposed to the "settlement" or "payment" date. All purchase, acquisition, and sale prices shall exclude any fees and commissions. The receipt or grant by gift, inheritance or operation of law of Patterson common stock during the Class Period shall not be deemed a purchase or sale of Patterson common stock for the calculation of Recognized Loss, unless (i) the donor or decedent purchased such Patterson common stock during the Class Period; (ii) no Claim Form was submitted by or on behalf of the donor, on behalf of the decedent, or by anyone else with respect to such Patterson common stock; and (iii) it is specifically so provided in the instrument of gift or assignment.

An Authorized Claimant's Recognized Loss shall be the amount used to calculate the Authorized Claimant's *pro rata* share of the Net Settlement Fund. If the sum total of Recognized Losses of all Authorized Claimants who are entitled to receive payment out of the Net Settlement Fund is greater than the Net Settlement Fund, each Authorized Claimant shall receive his, her, or its *pro rata* share of the Net Settlement Fund. The *pro rata* share shall be the Authorized Claimant's Recognized Loss divided by the total of the Recognized Losses of all Authorized Claimants, multiplied by the total amount in the Net Settlement Fund. Given the costs of distribution, the Net Settlement Fund will be allocated among all Authorized Claimants whose distribution calculates to \$10.00 or greater.

Distributions will be made to Authorized Claimants after all claims have been processed, after the Court has finally approved the Settlement, and after any appeals are resolved. If there is any balance remaining in the Net Settlement Fund after at least six (6) months from the initial date of distribution of the Net Settlement Fund (whether by reason of tax refunds, uncashed checks, or otherwise), the Claims Administrator shall, if feasible, reallocate such balance among Authorized Claimants in an equitable and economic fashion. These redistributions shall be repeated until the balance remaining in the Net Settlement Fund is no longer economically feasible to distribute to Class Members. Thereafter, any balance that still remains in the Net Settlement Fund shall be donated to any appropriate non-sectarian, non-profit charitable organization(s) unaffiliated with any party or their counsel serving the public interest.

Please contact the Claims Administrator or Lead Counsel if you disagree with any determinations made by the Claims Administrator regarding your Claim Form. If you are dissatisfied with the determinations, you may ask the Court, which retains jurisdiction over all Class Members and the claims administration process, to decide the issue by submitting a written request.

The Court has reserved jurisdiction to allow, disallow, or adjust the claim of any Class Member on equitable grounds.

Payment pursuant to the Plan of Allocation set forth above shall be conclusive against all Authorized Claimants. Defendants, their respective counsel, and all other Released Persons will have no responsibility, obligation or liability whatsoever to anyone for the investment of the Settlement Fund, the distribution of the Net Settlement Fund, the Plan of Allocation, or the payment of any claim. No Person shall have any claim against Lead Plaintiffs, Lead Plaintiffs' Counsel, the Claims Administrator, or other Person designated by Lead Counsel, or any of the Released Defendant Parties based on distributions made substantially in accordance with the Stipulation and the Settlement contained therein, the Plan of Allocation, or further orders of the Court.

SPECIAL NOTICE TO SECURITIES BROKERS AND OTHER NOMINEES

If you purchased or acquired Patterson common stock during the Class Period for the beneficial interest of an individual or organization other than yourself, the Court has directed that, WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS NOTICE, you either (a) provide to the Claims Administrator the name and last known address of each person or organization for whom or which you purchased such securities during such time period, or (b) request additional copies of this Notice and the Claim Form, which will be provided to you free of charge, and within ten (10) days mail the Notice and Claim Form, by First Class Mail, directly to the beneficial owners of the securities referred to herein. If you choose to follow alternative procedure (b), upon such mailing, you must send a statement to the Claims Administrator confirming that the mailing was made as directed and retain the names and addresses for any future mailings to Class Members. You are entitled to reimbursement from the Settlement Fund of your reasonable expenses actually incurred in connection with the foregoing, including reimbursement of postage expense and the cost of ascertaining the names and addresses of beneficial owners. Your reasonable expenses will be paid upon request and submission of appropriate supporting documentation. All communications concerning the foregoing should be addressed to the Claims Administrator at notifications@gilardi.com or:

Patterson Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 43391
Providence, RI 02940-3391

DATED: February 3, 2022

BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

THIS PAGE INTENTIONALLY BLANK

THIS PAGE INTENTIONALLY BLANK

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT SYSTEM, Individually and on Behalf of All Others Similarly Situating,	)	Civ. No. 0:18-cv-00871-MJD-HB
)	
	)	<u>CLASS ACTION</u>
)	
Plaintiffs,)	
)	
vs.)	
)	
PATTERSON COMPANIES, INC., et al.,)	
)	
Defendants.)	
)	
)	

PROOF OF CLAIM AND RELEASE FORM

I. GENERAL INSTRUCTIONS

1. To recover as a Member of the Class based on your claims in the action entitled *Plymouth County Retirement System v. Patterson Companies, Inc., et al.*, Civ. No. 0:18-cv-00871-MJD-HB (D. Minn.) (the "Action" or "Litigation"), you must complete and, on page 6 hereof, sign this Proof of Claim and Release form ("Claim Form").¹ If you fail to submit a timely and properly addressed (as set forth in paragraph 3 below) Claim Form, your claim may be rejected and you may not receive any recovery from the Net Settlement Fund created in connection with the proposed Settlement.

2. Submission of this Claim Form, however, does not assure that you will share in the proceeds of the Settlement of the Litigation.

3. **YOU MUST MAIL OR SUBMIT ONLINE YOUR COMPLETED AND SIGNED CLAIM FORM, ACCOMPANIED BY COPIES OF THE DOCUMENTS REQUESTED HEREIN, NO LATER THAN MAY 25, 2022, TO THE COURT-APPOINTED CLAIMS ADMINISTRATOR IN THIS CASE, AT THE FOLLOWING ADDRESS:**

Patterson Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 43391

Providence, RI 02940-3391

Online Submissions: www.PattersonSecuritiesClassAction.com

4. If you are NOT a Member of the Class, as defined in the Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys' Fees and Litigation Expenses (the "Settlement Notice"), DO NOT submit a Claim Form or direct a third party to file one on your behalf.

5. If you did not previously request exclusion in response to the Notice of Pendency of Class Action provided on or about June 2021, or you do not timely and validly request exclusion in response to the Settlement Notice, and you are a Class Member, you will be bound by the terms of any judgment entered in the Action, including the releases provided therein, WHETHER OR NOT YOU SUBMIT A CLAIM FORM.

II. CLAIMANT IDENTIFICATION

If you purchased or acquired Patterson Companies, Inc. ("Patterson") common stock and held the certificate(s) in your name, you are the beneficial purchaser or acquirer as well as the record purchaser or acquirer. If, however, you purchased or acquired Patterson common stock and the certificate(s) were registered in the name of a third party, such as a nominee or brokerage firm, you are the beneficial purchaser or acquirer and the third party is the record purchaser or acquirer.

¹ All capitalized terms used in this Claim Form that are not otherwise defined herein shall have the meanings provided in the Stipulation of Settlement dated October 11, 2021 (the "Stipulation"), which is available on the website for the Action at www.PattersonSecuritiesClassAction.com.

Use Part I of this form entitled "Claimant Identification" to identify each purchaser or acquirer of record ("nominee"), if different from the beneficial purchaser or acquirer of Patterson common stock, that forms the basis of this claim. **THIS CLAIM MUST BE FILED BY THE ACTUAL BENEFICIAL PURCHASER(S) OR ACQUIRER(S) OR THE LEGAL REPRESENTATIVE OF SUCH PURCHASER(S) OR ACQUIRER(S) OF THE PATTERSON COMMON STOCK UPON WHICH THIS CLAIM IS BASED.**

All joint purchasers must sign this claim. Executors, administrators, guardians, conservators, and trustees or others acting in a representative capacity on behalf of a Class Member must complete and sign this claim on behalf of persons represented by them, and submit evidence of their current authority to act on behalf of that Class Member, including stating their titles or capacities. The Social Security (or taxpayer identification) number and telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.

III. PATTERSON COMMON STOCK TRANSACTIONS

Use Part II of this form entitled "Schedule of Transactions in Patterson Common Stock" to supply all required details of your transaction(s) in Patterson common stock. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet.

On the schedules, provide all of the requested information with respect to **all** of your purchases or acquisitions and **all** of your sales of Patterson common stock which took place during the period between June 26, 2013 through and including May 29, 2018, whether such transactions resulted in a profit or a loss. You must also provide all of the requested information with respect to **all** of the Patterson common stock you held at the close of trading on June 25, 2013, February 28, 2018, and May 29, 2018. Failure to report all such transactions may result in the rejection of your claim.

List each transaction separately and in chronological order, by trade date, beginning with the earliest. You must accurately provide the month, day, and year of each transaction you list.

The date of covering a "short sale" is deemed to be the date of purchase or acquisition of Patterson common stock. The date of a "short sale" is deemed to be the date of sale of Patterson common stock.

For each transaction, copies of broker confirmations or other documentation of your transactions in Patterson common stock should be attached to your claim. Failure to provide this documentation could delay verification of your claim or result in rejection of your claim.

NOTICE REGARDING ELECTRONIC FILES: Certain claimants with large numbers of transactions may request, or may be requested, to submit information regarding their transactions in electronic files. This is different from the online submission process that is available at www.PattersonSecuritiesClassAction.com. All claimants **must** submit a manually signed paper Claim Form whether or not they also submit electronic copies. If you have a large number of transactions and wish to file your claim electronically, you must contact the Claims Administrator at edata@gilardi.com to obtain the required file layout. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues to the claimant a written acknowledgment of receipt and acceptance of electronically submitted data. If you do not receive such an email within ten (10) days of your submission, you should contact the electronic filing department at edata@gilardi.com to inquire about your file and confirm it was received and is acceptable.

Official
Office
Use
Only

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
*Plymouth County Retirement System v.
Patterson Companies, Inc., et al.*
Civ. No. 0:18-cv-00871-MJD-HB
PROOF OF CLAIM AND RELEASE

**Must Be Postmarked (if Mailed)
or Received (if Submitted Online)
No Later Than May 25, 2022**

P3A

Please Type or Print in the Boxes Below
Do NOT use Red Ink, Pencil, or Staples

PLEASE REMEMBER TO ATTACH COPIES OF BROKER CONFIRMATIONS OR OTHER DOCUMENTATION OF YOUR TRANSACTIONS IN PATTERSON COMMON STOCK. FAILURE TO PROVIDE THIS DOCUMENTATION COULD DELAY VERIFICATION OF YOUR CLAIM OR RESULT IN REJECTION OF YOUR CLAIM.

PART I. CLAIMANT IDENTIFICATION

Last Name

M.I.

First Name

Last Name (Co-Beneficial Owner)

M.I.

First Name (Co-Beneficial Owner)

☐ IRA

☐ Joint Tenancy

☐ Employee

☐ Individual

☐ Other

Company Name (Beneficial Owner - If Claimant is not an Individual) or Custodian Name if an IRA (specify)

Trustee/Asset Manager/Nominee/Record Owner's Name (If Different from Beneficial Owner Listed Above)

Account#/Fund# (Not Necessary for Individual Filers)

Last Four Digits of Social Security Number

Taxpayer Identification Number

or

Telephone Number (Primary Daytime)

Telephone Number (Alternate)

Email Address

MAILING INFORMATION

Address

Address

City

State

ZIP Code

Foreign Province

Foreign Postal Code

Foreign Country Name/Abbreviation

FOR CLAIMS
PROCESSING
ONLY

OB

CB

☐ ATP
☐ KE
☐ ICI

☐ BE
☐ DR
☐ EM

☐ FL
☐ ME
☐ ND

☐ OP
☐ RE
☐ SH

MM / DD / YYYY

FOR CLAIMS
PROCESSING
ONLY



PART II: SCHEDULE OF TRANSACTIONS IN PATTERSON COMMON STOCK

Proof Enclosed?
☐ Y ☐ N

B. Purchases or acquisitions of Patterson common stock (June 26, 2013 – May 29, 2018, inclusive):

PURCHASES

PURCHASES									Total Purchase or Acquisition Price (Excluding Commissions, Taxes and Fees). Please round off to the nearest whole dollar	Proof of Purchase Enclosed?	
Trade Date(s) of Shares (List Chronologically)								Number of Shares Purchased or Acquired			
M	M	D	D	Y	Y	Y	Y				
1.			/			/			\$		<input type="radio"/> Y <input type="radio"/> N
2.			/			/			\$		<input type="radio"/> Y <input type="radio"/> N
3.			/			/			\$		<input type="radio"/> Y <input type="radio"/> N
4.			/			/			\$		<input type="radio"/> Y <input type="radio"/> N
5.			/			/			\$		<input type="radio"/> Y <input type="radio"/> N

IMPORTANT: (i) If any purchase listed covered a "short sale," please mark Yes: ☒ Yes

(ii) If you received shares through an acquisition or merger, please identify the date, the share amount and the company acquired:

[illegible]

C. Sales of Patterson common stock (June 26, 2013 – May 29, 2018, inclusive):

SALES

SALES									Total Sales Price (Excluding Commissions, Taxes and Fees). Please round off to the nearest whole dollar	Proof of Sales Enclosed?												
Trade Date(s) of Shares (List Chronologically)								Number of Shares Sold														
M	M	/	D	D	/	Y	Y	Y	Y													
1.			/			/						\$.	00	<input type="radio"/> Y
			/			/														.	00	<input type="radio"/> N
2.			/			/						\$.	00	<input type="radio"/> Y
			/			/														.	00	<input type="radio"/> N
3.			/			/						\$.	00	<input type="radio"/> Y
			/			/														.	00	<input type="radio"/> N
4.			/			/						\$.	00	<input type="radio"/> Y
			/			/														.	00	<input type="radio"/> N
5.			/			/						\$.	00	<input type="radio"/> Y
			/			/														.	00	<input type="radio"/> N

Proof Enclosed?
☐ Y ☐ N

Proof Enclosed?
☐ Y ☐ N

If you require additional space, attach extra schedules in the same format as above.
Sign and print your name on each additional page.

YOU MUST READ AND SIGN THE RELEASE ON PAGE 6. FAILURE TO SIGN THE RELEASE MAY RESULT IN A DELAY IN PROCESSING OR THE REJECTION OF YOUR CLAIM.



IV. SUBMISSION TO JURISDICTION OF COURT AND ACKNOWLEDGMENTS

I (We) submit this Claim Form under the terms of the Stipulation of Settlement described in the Settlement Notice. I (We) also submit to the jurisdiction of the United States District Court for the District of Minnesota with respect to my (our) claim as a Class Member and for purposes of enforcing the release set forth herein. I (We) further acknowledge that I am (we are) bound by and subject to the terms of any judgment that may be entered in the Litigation. I (We) agree to furnish additional information to the Claims Administrator to support this claim (including transactions in other Patterson securities) if requested to do so. I (We) have not submitted any other claim covering the same purchases, acquisitions or sales of Patterson common stock during the relevant period and know of no other person having done so on my (our) behalf.

V. RELEASE

1. Upon the Effective Date of the Settlement, I (we) acknowledge full and complete satisfaction of, and fully, finally, and forever settle, release, and discharge from the Released Claims each and all of the "Released Defendant Parties," defined as each and all of Defendants, and all of their current and former insurance carriers, indemnifiers, reinsurers, parents, affiliates, subsidiaries, divisions, officers, directors, agents, successors, predecessors, assigns, assignees, partnerships, partners, trustees, heirs, principals, trusts, executors, administrators, members, representatives, estates, estate managers, advisors, bankers, consultants, experts, accountants, auditors, employees, immediate family members, and attorneys (including Defendants' Counsel), in their capacities as such, and any entity in which any Defendant has or had a controlling interest. The Released Defendant Parties other than the Defendants themselves are intended as third-party beneficiaries of this Settlement with respect to the release of the Released Claims.

2. "Released Claims" means any and all claims and causes of action of every nature and description, whether known claims or Unknown Claims (as defined below), whether arising under federal, state, local, common or foreign law, that (i) Lead Plaintiffs or any other Member of the Class asserted in the Amended Complaint or could have asserted in any other forum that arise out of or are based upon the allegations, transactions, facts, matters, alleged misrepresentations, or alleged omissions involved, set forth, or referred to in the Amended Complaint against any of the Released Defendant Parties, and (ii) relate to the purchase or acquisition of Patterson common stock during the Class Period. The Released Claims shall not release or impair: (i) any claims by Defendants for insurance coverage; (ii) any derivative claims asserted by or on behalf of Patterson's shareholders; (iii) any claims relating to the enforcement of the Settlement; or (iv) any claims of any person or entity who or which submits a request for exclusion that is accepted by the Court.

3. "Unknown Claims" means (a) any and all Released Claims which any of the Releasing Plaintiff Parties do not know or suspect to exist in his, her, or its favor at the time of the release of the Released Defendant Parties, which, if known by him, her, or it, might have affected his, her, or its settlement with and release of the Released Defendant Parties, or might have affected his, her, or its decision(s) with respect to the Settlement, including, but not limited to, whether or not to object to this Settlement or seek exclusion from the Class; and (b) any and all Released Defendants' Claims that any of the Released Defendant Parties do not know or suspect to exist in his, her, or its favor at the time of the release of Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel, which, if known by him, her, or it, might have affected his, her, or its settlement and release of Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel. With respect to (a) any and all Released Claims against the Released Defendant Parties, and (b) any and all Released Defendants' Claims against Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel, the Settling Parties stipulate and agree that, upon the Effective Date, the Settling Parties shall expressly waive, and each Releasing Plaintiff Party and Released Defendant Party shall be deemed to have, and by operation of the Judgment shall have, expressly waived the provisions, rights, and benefits of California Civil Code §1542, which provides:

A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

The Settling Parties shall expressly waive, and each Releasing Plaintiff Party and Released Defendant Party shall be deemed to have, and by operation of the Judgment shall have, expressly waived any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States, or principle of common law, which is similar, comparable, or equivalent to California Civil Code §1542. The Releasing Plaintiff Parties and Released Defendant Parties acknowledge that they may hereafter discover facts, legal theories or authorities in addition to or different from those which he, she, it or their counsel now knows or believes to be true with respect to the subject matter of the Released Claims or Released Defendants' Claims, but (a) the Releasing Plaintiff Parties shall expressly fully, finally, and forever waive, compromise, settle, discharge, extinguish and release, and each Releasing Plaintiff Party shall be deemed to have waived, compromised, settled, discharged, extinguished, and released, and, upon the Effective Date, and by operation of the Judgment, shall have waived, compromised, settled, discharged, extinguished, and released, fully, finally, and forever, any and all Released Claims against the Released Defendant Parties, known or unknown, suspected or unsuspected, contingent or non-contingent, accrued or unaccrued, whether or not concealed or hidden, which now exist, or heretofore have existed, or may hereafter exist, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard



to the subsequent discovery or existence of such different or additional facts, legal theories, or authorities, and (b) the Released Defendant Parties shall expressly fully, finally, and forever waive, compromise, settle, discharge, extinguish and release, and, upon the Effective Date, and by operation of the Judgment, shall have waived, compromised, settled, discharged, extinguished, and released, fully, finally, and forever, any and all Released Defendants' Claims against Lead Plaintiffs, the Class and Lead Plaintiffs' Counsel, known or unknown, suspected or unsuspected, contingent or non-contingent, whether or not concealed or hidden, which now exist, or heretofore have existed, upon any theory of law or equity now existing or coming into existence in the future, including, but not limited to, conduct which is negligent, intentional, with or without malice, or a breach of any duty, law or rule, without regard to the subsequent discovery or existence of such different or additional facts, legal theories, or authorities. The Settling Parties acknowledge, and the Releasing Plaintiff Parties and Released Defendant Parties shall be deemed by operation of the Judgment to have acknowledged, that the foregoing waiver was separately bargained for and is an essential element of the Settlement of which this release is a part.

4. I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter released pursuant to this release or any other part or portion thereof.

5. I (We) hereby warrant and represent that I (we) have included the information requested about all of my (our) transactions in Patterson common stock which are the subject of this claim, which occurred during the Class Period, as well as the opening and closing positions in such shares held by me (us) on the dates requested in this Claim Form.

I declare under penalty of perjury under the laws of the United States of America that all of the foregoing information supplied on this Claim Form by the undersigned is true and correct.

Executed this _____ day of _____ in _____
(Month/Year) (City/State/Country)

(Sign your name here)

(Sign your name here)

(Type or print your name here)

(Type or print your name here)

(Capacity of person(s) signing, e.g.,
Beneficial Purchaser or Acquirer, Executor or Administrator)

(Capacity of person(s) signing, e.g.,
Beneficial Purchaser or Acquirer, Executor or Administrator)

**ACCURATE CLAIMS PROCESSING TAKES A SIGNIFICANT AMOUNT OF TIME.
THANK YOU FOR YOUR PATIENCE.**

Reminder Checklist:

1. Please sign the above release and acknowledgment.
2. If this claim is being made on behalf of Joint Claimants, then both must sign.
3. Remember to attach copies of supporting documentation.
4. **Do not send** originals of certificates.
5. Keep a copy of your Claim Form and all supporting documentation for your records.
6. If you desire an acknowledgment of receipt of your Claim Form, please send it Certified Mail, Return Receipt Requested.
7. If you move, please send your new address to the address below.
8. **Do not use red pen or highlighter** on the Claim Form or supporting documentation.

**THIS CLAIM FORM MUST BE SUBMITTED ONLINE OR MAILED
NO LATER THAN MAY 25, 2022, ADDRESSED AS FOLLOWS:**

Patterson Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 43391
Providence, RI 02940-3391
www.PattersonSecuritiesClassAction.com



EXHIBIT B



1 McInnis Parkway
Suite 250
San Rafael, CA 94903
P: (415) 458-3015

February 24, 2022

«FirstName» «LastName»
«Company»
«Addr1»
«Addr2»
South Bend, IN 46601
«FCountry»

Re: Patterson Securities Litigation

Dear «GENDER» «LastName»:

Please find enclosed the Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys' Fees and Litigation Expenses ("Notice") and Proof of Claim and Release ("Proof of Claim") for the above referenced litigation. Please note both the relevant trading period and the designated eligible securities described on page one of the Notice, specifically the inclusion of all persons or entities who purchased or otherwise acquired Patterson Companies, Inc. ("Patterson") common stock between June 26, 2013 and February 28, 2018, inclusive ("Class Period", and are not otherwise excluded from the Class. In addition, the Notice provides that the exclusion and objection deadline is May 19, 2022 and the claim submission deadline is May 25, 2022.

If you provided a data file of names and addresses for mailing in connection with the previous Notice of Pendency of Class Action sent in June 2021, you should not provide those names and addresses again as we have already mailed the Notice and Proof of Claim to those beneficial owners. Please only provide new names and addresses for your clients who may be members of the Class.

Please pay particular attention to the "Special Notice to Securities Brokers and Other Nominees" on page fourteen of the Notice which states, in part: If you purchased or acquired Patterson common stock during the Class Period for the beneficial interest of an individual or organization other than yourself, the Court has directed that, WITHIN TEN (10) DAYS OF YOUR RECEIPT OF THIS NOTICE, you either (a) provide to the Claims Administrator the name and last known address of each person or organization for whom or which you purchased such securities during such time period, or (b) request additional copies of this Notice and the Proof of Claim, which will be provided to you free of charge, and within ten (10) days mail the Notice and Proof of Claim, by First Class Mail, directly to the beneficial owners of the securities referred to herein. If you choose to follow alternative procedure (b), upon such mailing, you must send a statement to the Claims Administrator confirming that the mailing was made as directed and retain the names and addresses for any future mailings to Class Members.

Please do not make your own copies of the Proof of Claim, as copies may not be accepted for processing. Additional copies of the appropriate documents may be requested by contacting us at the above address and/or phone number. If we conduct the necessary mailing on your behalf, please submit names and addresses either via email to Notifications@Gilardi.com, via CD Rom to the above address or contact us to obtain secure FTP transmission instructions. Mailing labels will be accepted, but you may be requested to provide an additional copy of the address information you send. Do not include any confidential information that should not appear on a mailing label.

The data provided must be in one of the following formats:

- ASCII Fixed Length file
- ASCII Tab Delimited file
- Microsoft Excel spreadsheet

Your request must also specify the case name and Control Total(s) (for example, the total number of name and address records provided) for each file submission. If you have any questions, please email Notifications@Gilardi.com.

Sincerely,

Gilardi and Company, LLC

EXHIBIT C

Hot-Pot Billionaire Steps Down as CEO

By CLARENCE LEONG

The billionaire entrepreneur who co-founded **Haidilao International Holding Ltd.** stepped down as chief executive, as the Chinese chain of hot-pot restaurants tries to move past an ill-timed expansion.

Zhang Yong is being succeeded as CEO by his former deputy, Yang Lijuan. The change was announced eight days after Haidilao warned it expected to record an annual loss equivalent to more than \$600 million, following its decision to close or suspend its operations at hundreds of restaurants.

Haidilao, whose restaurants are mostly in China, opened more than 600 new locations in the year to June 2021, taking its total outlets to nearly 1,600 globally. But the expansion was expensive and quality suffered. In November, the company reversed course, saying it would close or suspend about 300 outlets. Ms. Yang, until now deputy CEO and chief operating officer, was tasked with leading the

turnaround.

The company was “too aggressive to expand during the pandemic because they thought the pandemic will be over in a very short period, and the rent at the time was very favorable, so they stepped up investment,” said CMB International research analyst Walter Woo.

Another concern has to do with Haidilao’s staff costs, as it said no employee will be laid off despite the store closures, Nomura analyst Emily Lee said. The staff costs as a percentage of revenue are much higher than peers in China, she said.

Haidilao went public in Hong Kong in 2018, raising the equivalent of more than \$960 million. It was distinguished by its customer service, with measures such as offering manicures and shoe shines to guests waiting for tables. At its peak early last year, Haidilao was worth more than \$57 billion, making it one of the world’s largest restaurant companies.

But China’s zero-tolerance approach to the coronavirus, sporadic outbreaks and an aversion to dining in big groups hit its operations hard, and investors have sharply marked down Haidilao stock. It was the worst performer in Hong Kong’s Hang Seng Index last year, and has lost 74% over the 12 months to Wednesday’s close. Forbes now reckons Mr. Zhang is worth some \$6.9 billion, down from \$23 billion last April.

Mr. Zhang will remain chairman and guide Haidilao’s long-term strategy, the company said in a filing to the Hong Kong exchange late Tuesday.

On Feb. 21, Haidilao said it expects to record losses of at least 3.8 billion yuan, or the equivalent of \$602 million, for 2021, despite an expected surge in revenue of more than 40% to more than \$6 billion.



Molson Coors is promoting Miller Lite through the Meta Lite Bar, a virtual world in the metaverse platform Decentraland.

Marketers Explore Metaverse

By ANN-MARIE ALCÁNTARA

Marketers looking to connect with consumers in the virtual world are exploring two popular metaverse platforms.

Well-known brands including Miller Lite and Gucci have planted flags in the Sandbox and **Decentraland**, platforms where digital real estate has sold for millions of dollars.

The metaverse is a term for virtual worlds where people can play games and attend events via a digital avatar. To showcase their brands in these worlds, marketers buy or rent digital space from the platforms or third parties, including a growing crop of metaverse-development companies that acquired desirable locations.

Marketers see potential for new revenue streams in the metaverse, such as renting dig-

ital land to other brands or selling digital collectibles known as nonfungible tokens.

The Sandbox has a higher concentration of celebrities and well-known brands, which might attract marketers, while Decentraland provides more opportunities to experiment and build worlds, said Lewis Smithingham, director of creative solutions at Media.Monks, a marketing-services agency owned by S4Capital.

Because the platforms are nascent and building out features, it might be some time until real successes occur, said Joseph Flaherty, director of content and community at Founder Collective, a venture-capital firm. “It just takes years and years of compounding the advantages, figuring out how all this stuff works,” Mr. Flaherty said.

Molson Coors Beverage Co. promoted its Miller Lite brand in a campaign around this year’s Super Bowl by opening Meta Lite Bar, a virtual tavern in Decentraland. It rented the space from **TerraZero Technologies Inc.**, a metaverse-development company, for an undisclosed amount.

At the Meta Lite Bar, patrons could pour themselves a virtual beer, chat with other users and play a preselected tune from a jukebox. Patrons could pick up Miller Lite digital NFTs such as a “Meta Lite” T-shirt for their avatars, the company said.

Molson Coors chose Decentraland partly because it offered the ability to restrict who entered the bar by age and its accessibility via desktop browser, said Sofia Colucci, global vice president for the Miller brands. The company declined to share how many visitors came to the bar, but it said those who did stayed for an average of 20 minutes.

Decentraland said it has about 600,000 users a month. In October, it hosted the Metaverse Festival, a four-day music event.

Decentraland’s proven ability to hold large-scale events is one of its appeals, according to Andrew Kiguel, executive chairman of Metaverse Group, a metaverse-development company.

In November, Metaverse Group, a subsidiary of **Tokens.com Corp.**, bought about 313,000 square feet in Decentraland’s fashion district for about \$2.5 million. The fashion district will be the primary venue for Decentraland’s Metaverse Fashion Week in March with brands such as Tommy Hilfiger participating.

Brands including JPMorgan Chase & Co., Sotheby’s, Samsung Electronics America and even accounting firm Prager Metis International LLC also set up promotional locations in Decentraland.

“Decentraland’s open standards means that anyone can build an experience with no

need for permission, and companies own their [intellectual property] on our platform,” said Sam Hamilton, creative director of the nonprofit Decentraland Foundation, which builds tools for the platform and handles its marketing.

The Sandbox, which is a subsidiary of **Animoca Brands Corp.**, is in a testing phase, scheduled to open to the public for six temporary stretches this year, the company said. Its first temporary opening, held last year from Nov. 29 to Dec. 20, drew more than 200,000 users, the company said. The Sandbox said it raised \$93 million in November in a Series B funding round led by SoftBank Group Corp.

The Sandbox is popular with celebrities and entertainment brands, with musical artists Snoop Dogg and

Musical artists Snoop Dogg and Deadmau5 own Sandbox land.

Deadmau5 owning parcels of land there. Other landowners include Gucci and the organization behind Bored Ape Yacht Club, a popular NFT depicting cartoon apes.

The visual style in the Sandbox is similar to that of Minecraft, the popular videogame owned by Microsoft Corp., said Janine Yorio, chief executive of Everyrealm, a metaverse content and development company that bought about 3 square miles in the Sandbox for \$4.3 million in November.

“As the users of Minecraft grow up and age out, they’ll have a familiarity with that visual style, so I think that was a very smart move on the part of the Sandbox to have that vox-related look,” Ms. Yorio said, referring to the Lego-like characters and landscape in the videogame.

Investor CBC Reaches Target in Health Fund

By PREETI SINGH AND LAURA COOPER

Healthcare private-equity investor **CBC Group** has exceeded its target for a new fund to make middle- and late-stage growth investments and buyouts in China and other parts of Asia, collecting almost \$1.59 billion for the pool.

The firm plans to use C-Bridge Healthcare Fund V to make 10 to 14 control equity investments in healthcare services providers, pharmaceutical and medical technology companies in Asia, according to public documents from the \$21.57 billion Orange County Employees Retirement System in California. The pension plan pledged some \$30 million to the fund.

CBC placed an upper limit of \$1.8 billion on the new vehicle, the documents show. A regulatory filing last month indicated that the Singapore-based firm, formerly known as C-Bridge Capital, had surpassed its initial fundraising target of \$1.5 billion for the new fund and had commitments from 143 investors.

The new fund is roughly 85% larger than its predecessor, which had an initial target

of \$650 million and wrapped up with \$855 million in 2019, according to pension and Securities and Exchange Commission documents.

CBC invests in the pharmaceutical, biotechnology, medical device and healthcare-services sectors, according to the firm. Historically, CBC has invested primarily in China, Singapore, Taiwan and Hong Kong but has also backed U.S.-based companies that planned to expand into Asia, according to Stina Walander-Sarkin, a senior investment analyst with the pension system.

Founded in 2014, the firm made minority investments in startups through its debut fund. Ms. Walander-Sarkin told the pension plan’s overseers at a Feb. 23 investment committee meeting. The firm changed its strategy to control investments with its second fund and began taking an incubation approach to portfolio companies, she said.

“This is more in line with their operational model of being in control and [to] be able to manage and move the company along [toward] their goals,” Ms. Walander-Sarkin said during the public meeting.

ADVERTISEMENT

The Marketplace

To advertise: 800-366-3975 or [WSJ.com/classifieds](https://www.wsj.com/classifieds)

CLASS ACTION

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT SYSTEM,
Individually and on Behalf of All Others Similarly Situated,

Plaintiffs,

vs.

PATTERSON COMPANIES, INC., et al.,

Defendants.

Civ. No. 0:18-cv-00871-MJD-HB

CLASS ACTION

SUMMARY NOTICE OF (I) PROPOSED SETTLEMENT
AND PLAN OF ALLOCATION; (II) SETTLEMENT
HEARING; AND (III) MOTION FOR AN AWARD OF
ATTORNEYS’ FEES AND LITIGATION EXPENSES

TO: ALL PERSONS OR ENTITIES WHO PURCHASED OR OTHERWISE ACQUIRED PATTERSON COMPANIES, INC. (“PATTERSON”) COMMON STOCK BETWEEN JUNE 26, 2013 AND FEBRUARY 28, 2018, INCLUSIVE, AND WHO ARE NOT OTHERWISE EXCLUDED FROM THE CLASS (“CLASS” OR “CLASS MEMBERS”)

THIS NOTICE WAS AUTHORIZED BY THE COURT. IT IS NOT A LAWYER SOLICITATION. PLEASE READ THIS NOTICE CAREFULLY AND IN ITS ENTIRETY.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the District of Minnesota (the “Court”), that Court-appointed Class Representatives, on behalf of themselves and all members of the certified Class, and defendants Patterson and Scott P. Anderson (collectively, “Defendants”), have reached a proposed settlement of the claims in the above-captioned action (the “Action”) in the amount of \$63 million (the “Settlement”).

A hearing will be held on June 9, 2022, at 11:00 a.m., before the Honorable Michael J. Davis, Senior United States District Judge, either in person or remotely at the Court’s discretion. United States District Court for the District of Minnesota, Diana E. Murphy United States Courthouse, Courtroom 13E, 300 South Fourth Street, Minneapolis, MN 55415 to determine, among other things, whether: (1) the proposed Settlement should be approved by the Court as fair, reasonable and adequate; (2) the Judgment as provided under the Stipulation of Settlement (the “Stipulation”) should be entered dismissing the Action with prejudice; (3) Lead Counsel’s application for an award of attorneys’ fees and expenses should be approved; and (4) the Plan of Allocation should be approved by the Court as fair and reasonable. The capitalized terms herein shall have the same meaning as they have in the Stipulation. The Court reserves the right to approve the Settlement, the Plan of Allocation, and Lead Counsel’s motion for an award of attorneys’ fees and expenses and/or consider any other matter related to the Settlement at or after the Settlement Hearing without further notice to the Members of the Class.

The ongoing COVID-19 health emergency is a fluid situation that creates the possibility that the Court may decide to conduct the Settlement Hearing by video or telephonic conference, or otherwise allow Class Members to appear at the hearing by phone or video conference, without further written notice to the Class. To determine whether the date and time of the Settlement Hearing have changed, or whether Class Members must or may participate by phone or video conference, it is important that you monitor the Court’s docket and the Settlement website, before making any plans to attend the Settlement Hearing. Any updates regarding the Settlement Hearing, including any changes to the date or time of the hearing or updates regarding in-person, telephonic or video conference appearances at the hearing, will also be posted to the Settlement website, www.PattersonSecuritiesClassAction.com. Also, if the Court requires or allows Class Members to participate in the Settlement Hearing by telephone or video conference, the phone number for accessing the telephonic conference or the website for accessing the video conference will be posted to the Settlement website, www.PattersonSecuritiesClassAction.com.

If you are a Member of the Class, your rights will be affected by the pending Action and the Settlement, and you may be entitled to share in the Settlement Fund. If you have not yet received the Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys’ Fees and Litigation Expenses (the “Settlement Notice”) and Proof of Claim and Release Form (“Claim Form”), you may obtain copies of these documents by visiting the Settlement website, www.PattersonSecuritiesClassAction.com, or by contacting the Claims Administrator at:

Patterson Securities Litigation
Claims Administrator
c/o Gilardi & Co. LLC
P.O. Box 43391
Providence, RI 02940-3391
1-888-729-5720
info@PattersonSecuritiesClassAction.com

Copies of the Settlement Notice and Claim Form are also available by accessing the Court docket in this case, for a fee, through the Court’s Public Access to Court Electronic Records (PACER) system at <https://ecf.mnd.uscourts.gov/>, or by visiting the Office of the Clerk, Diana E. Murphy United States Courthouse, 300 South Fourth Street, Suite 202, Minneapolis, MN 55415, (612) 664-5000, during normal business hours.

Inquiries, other than requests for the Settlement Notice or a Claim Form or for information about the status of a claim, may be made to Lead Counsel:

ROBBINS GELLER RUDMAN & DOWD LLP
ELLEN GUSIKOFF STEWART
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 1-800-449-4900

SAXENA WHITE P.A.
LESTER HOOKER
7777 Glades Road, Suite 300
Boca Raton, FL 33434
Telephone: 561-394-3399

If you are a Class Member, to be eligible to share in the distribution of the Settlement Fund, you must submit a Claim Form **postmarked or submitted online (no later than May 25, 2022)**. If you are a Class Member and do not submit a proper Claim Form, you will not be eligible to share in the distribution of the net proceeds of the Settlement but you will nevertheless be bound by any judgments or orders entered by the Court in the Action.

If you are a Class Member that did not previously request exclusion from the Class in response to the Notice of Pendency of Class Action, and wish to exclude yourself from the Class, you must submit a written request for exclusion in accordance with the requirements set by the Court and the instructions set forth in the Settlement Notice so that it is **postmarked no later than May 19, 2022**. If you properly exclude yourself from the Class, you will not be bound by any judgments or orders entered by the Court, whether favorable or unfavorable, and you will not be eligible to share in the distribution of the Net Settlement Fund.

Any objections to the proposed Settlement, Lead Counsel’s motion for attorneys’ fees and litigation expenses, and/or the proposed Plan of Allocation must be filed with the Court, either by mail or in person, and be mailed to counsel for the Settling Parties in accordance with the instructions in the Settlement Notice, such that they are **received no later than May 19, 2022**.

PLEASE DO NOT CONTACT THE COURT, DEFENDANTS, OR DEFENDANTS’ COUNSEL REGARDING THIS NOTICE.

DATED: February 3, 2022

BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

1 The Stipulation can be viewed and/or obtained at www.PattersonSecuritiesClassAction.com.

ANNOUNCEMENTS

LAWSUITS FILED

We pay all court costs
Nations Top Attorneys
(800) 838-8816 call 24hrs

Your Book

Professional Biographers Write
the Story of Your Life & Business
Success. For Family or to Publish.
(904) 293-9893 Since 1999
LegaciesandMemories.com

AVIATION

Exclusive King Air

Fractional ownership
opportunities available for the
Milwaukee and Chicago region.
Contact: LS2Aviation@outlook.com

BUSINESS OPPORTUNITIES

PRO SPORTFISHING ROD & TACKLE SHOP

TURN-KEY 37+ year track record!
2M+ Gross. 400K+ Net benefit to Owner!
Retail - Wholesale - E-commerce
Email: inquire@sfl-tackleshopforsale.com

INVESTOR & PARTNER-MEDICAL DEVICE
For Cerebral Vascular Syndrome Sufferer's Computer Game's
USPTO UTILITY PATENT # 9,927,890
Web Site: www.nrmmedicalmouse.com (view video)
NO OTHER COMPUTER MOUSE LIKE IT!
CALL PEPERMAN (561) 628-0885 or
e-mail: percad@aol.com
Trademark Reg. Dr. Mouse Logo
"I AM A CURED CTS SUFFERER"

PUBLIC NOTICES

THE HIGH COURT

2022 No. 25 C05

IN THE MATTER OF MALLINCKRODT PUBLIC LIMITED
COMPANY (IN EXAMINATION)

AND IN THE MATTER OF PART 10 OF THE COMPANIES
ACT 2014

TAKE NOTICE that by Order of Mr. Justice Quinn
of the High Court on Monday 28 February 2022, Mr
Michael McAteer of Grant Thornton, 13-18, City Quay,
Dublin 2 was appointed Examiner of Mallinckrodt
Public Limited Company having its registered address
at College Business & Technology Park, Cruiseraht,
Blanchardstown, Dublin 15, Dublin, in accordance with
the Companies Act 2014.

Date: 2 March 2022

A&L Goodbody
Solicitors for the Examiner
International Financial Services Centre
North Wall Quay
Dublin 1

THE WALL STREET JOURNAL.

THE MARKETPLACE

ADVERTISE TODAY
(800) 366-3975

For more information visit:

[wsj.com/classifieds](https://www.wsj.com/classifieds)

© 2022 Dow Jones & Company, Inc.
All Rights Reserved.

Declaration of Publication

I, Carla Peak, as Vice President, Legal Notification Services at Gilardi & Co. LLC, a KCC Class Action Services Company in San Rafael, California, hereby certify that I caused the attached notice to be printed in said publication on March 3, 2022:

Name of Publication: The Wall Street Journal

Address: 1211 Avenue of the Americas

City, State, Zip: New York, NY 10036

Phone #: 1-800-568-7625

State of: New York

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 3rd day of March 2022, at Deer Valley, Utah.

A handwritten signature in black ink, reading "Carla Peak", written over a horizontal line.

Carla Peak



Robbins Geller Rudman & Dowd LLP and Saxena White P.A. Announce Proposed Settlement in the Patterson Companies, Inc. Securities Litigation

March 09, 2022 05:20 PM Eastern Standard Time

SAN DIEGO--([BUSINESS WIRE](#))--The following statement is being issued by Robbins Geller Rudman & Dowd LLP and Saxena White P.A. regarding the Patterson Companies, Inc. Securities Settlement:

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY	) Civ. No. 0:18-cv-00871-MJD-HB
RETIREMENT SYSTEM,)
Individually and on Behalf of All	) <u>CLASS ACTION</u>
Others Similarly Situated,)
	) SUMMARY NOTICE OF (I) PROPOSED SETTLEMENT AND PLAN
Plaintiffs,	) OF ALLOCATION; (II) SETTLEMENT HEARING; AND (III) MOTION
	) FOR AN AWARD OF ATTORNEYS' FEES AND LITIGATION
vs.	) EXPENSES
)
PATTERSON COMPANIES INC., et)	
al.,	
Defendants.	

TO: ALL PERSONS OR ENTITIES WHO PURCHASED OR OTHERWISE ACQUIRED PATTERSON COMPANIES, INC. ("PATTERSON") COMMON STOCK BETWEEN JUNE 26, 2013 AND FEBRUARY 28, 2018, INCLUSIVE, AND WHO ARE NOT OTHERWISE EXCLUDED FROM THE CLASS ("CLASS" OR "CLASS MEMBERS")

THIS NOTICE WAS AUTHORIZED BY THE COURT. IT IS NOT A LAWYER SOLICITATION. PLEASE READ THIS NOTICE CAREFULLY AND IN ITS ENTIRETY.

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the District of Minnesota (the "Court"), that Court-appointed Class Representatives, on behalf of themselves and all members of the certified Class, and defendants Patterson and Scott P. Anderson (collectively, "Defendants"), have reached a proposed settlement of the claims in the above-captioned action (the "Action") in the amount of \$63 million (the "Settlement").

A hearing will be held on June 9, 2022, at 11:00 a.m., before the Honorable Michael J. Davis, Senior United States District Judge, either in person or remotely at the Court's discretion, United States District Court for the District of Minnesota, Diana E. Murphy United States Courthouse, Courtroom 13E, 300 South Fourth Street, Minneapolis, MN 55415 to determine, among other things, whether: (1) the proposed Settlement should be approved by the Court as fair, reasonable and adequate; (2) the Judgment as provided under the Stipulation of Settlement (the "Stipulation") should be entered dismissing the Action with prejudice; (3) Lead Counsel's application for an award of attorneys' fees and expenses should be approved; and (4) the Plan of Allocation should be approved by the Court as fair and reasonable. The capitalized terms herein shall have the same meaning as they have in the Stipulation.¹ The Court reserves the right to approve the Settlement, the Plan of Allocation, and Lead Counsel's motion for an award of attorneys' fees and expenses and/or consider any other matter related to the Settlement at or after the Settlement Hearing without further notice to the Members of the Class.

The ongoing COVID-19 health emergency is a fluid situation that creates the possibility that the Court may decide to conduct the Settlement Hearing by video or telephonic conference, or otherwise allow Class Members to appear at the hearing by phone or video conference, without further written notice to the Class. To determine whether the date and time of the Settlement Hearing have changed, or whether Class Members must or may participate by phone or video conference, it is important that you monitor the Court's docket and the Settlement website, before making any plans to attend the Settlement Hearing. Any updates regarding the Settlement Hearing, including any changes to the date or time of the hearing or updates regarding in-person, telephonic or video conference appearances at the hearing, will also be posted to the Settlement website, www.PattersonSecuritiesClassAction.com. Also, if the Court requires or allows Class Members to participate in the Settlement Hearing by telephone or video conference, the phone number for accessing the telephonic conference or the website for accessing the video conference will be posted to the Settlement website, www.PattersonSecuritiesClassAction.com.

If you are a Member of the Class, your rights will be affected by the pending Action and the Settlement, and you may be entitled to share in the Settlement Fund. If you have not yet received the Notice of (I) Proposed Settlement and Plan of Allocation; (II) Settlement Hearing; and (III) Motion for an Award of Attorneys' Fees and Litigation Expenses (the "Settlement Notice") and Proof of Claim and Release Form ("Claim Form"), you may obtain copies of these documents by visiting the Settlement website, www.PattersonSecuritiesClassAction.com, or by contacting the Claims Administrator at:

Patterson Securities Litigation
 Claims Administrator
 c/o Gilardi & Co. LLC
 P.O. Box 43391
 Providence, RI 02940-3391
 1-888-729-5720
info@PattersonSecuritiesClassAction.com

Copies of the Settlement Notice and Claim Form are also available by accessing the Court docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.mnd.uscourts.gov/>, or by visiting the Office of the Clerk, Diana E. Murphy United States Courthouse, 300 South Fourth Street, Suite 202, Minneapolis, MN 55415, (612) 664-5000, during normal business hours.

Inquiries, other than requests for the Settlement Notice or a Claim Form or for information about the status of a claim, may be made to Lead Counsel:

ROBBINS GELLER RUDMAN & DOWD LLP
 ELLEN GUSIKOFF STEWART
 655 West Broadway, Suite 1900
 San Diego, CA 92101
 Telephone: 1-800-449-4900

SAXENA WHITE P.A.
 LESTER HOOKER
 7777 Glades Road, Suite 300

If you are a Class Member, to be eligible to share in the distribution of the Settlement Fund, you must submit a Claim Form **postmarked or submitted online (no later than May 25, 2022)**. If you are a Class Member and do not submit a proper Claim Form, you will not be eligible to share in the distribution of the net proceeds of the Settlement but you will nevertheless be bound by any judgments or orders entered by the Court in the Action.

If you are a Class Member that did not previously request exclusion from the Class in response to the Notice of Pendency of Class Action, and wish to exclude yourself from the Class, you must submit a written request for exclusion in accordance with the requirements set by the Court and the instructions set forth in the Settlement Notice so that it is **postmarked no later than May 19, 2022**. If you properly exclude yourself from the Class, you will not be bound by any judgments or orders entered by the Court, whether favorable or unfavorable, and you will not be eligible to share in the distribution of the Net Settlement Fund.

Any objections to the proposed Settlement, Lead Counsel's motion for attorneys' fees and litigation expenses, and/or the proposed Plan of Allocation must be filed with the Court, either by mail or in person, and be mailed to counsel for the Settling Parties in accordance with the instructions in the Settlement Notice, such that they are **received no later than May 19, 2022**.

PLEASE DO NOT CONTACT THE COURT, DEFENDANTS, OR DEFENDANTS' COUNSEL REGARDING THIS NOTICE.

DATED: February 3, 2022 BY ORDER OF THE COURT
UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

¹ The Stipulation can be viewed and/or obtained at www.PattersonSecuritiesClassAction.com.

Contacts

Media:

Robbins Geller Rudman & Dowd LLP

Shareholder Relations

Rick Nelson

(619) 231-1058

Declaration of Publication

I, Carla Peak, as Vice President, Legal Notification Services at Gilardi & Co. LLC, a KCC Class Action Services Company in San Rafael, California, hereby certify that I caused the attached notice to be published as a press release by the following wire service:

Name of Publication: BusinessWire

Address: 101 California Street 20th Floor

City, ST Zip: San Francisco, CA 94111

Phone #: 415-986-4422

State of: California

The press release was distributed on March 9, 2022 to the following media circuits offered by the above-referenced wire service:

1. US1 National Newslne

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 9th day of March 2022, at Sellersville, Pennsylvania.

A handwritten signature in black ink, appearing to read "Carla Peak", written over a horizontal line.

Carla Peak

EXHIBIT B

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT
SYSTEM, Individually and on Behalf of
All Others Similarly Situated,

Plaintiffs,

vs.

PATTERSON COMPANIES, INC., et al.,

Defendants.

) Civ. No. 0:18-cv-00871-MJD-HB

) CLASS ACTION

) DECLARATION OF DAVID SULLIVAN

) IN SUPPORT OF: (1) FINAL

) APPROVAL OF SETTLEMENT; (2)

) APPROVAL OF PLAN OF

) ALLOCATION; AND (3) AN AWARD

) OF ATTORNEYS' FEES AND

) EXPENSES AND AWARDS TO LEAD

) PLAINTIFFS

1. I, David Sullivan, am the Executive Director of Plymouth County Retirement Association (“Plymouth County”). Plymouth County is the retirement system for the benefit of the employees of cities, town, districts, and authorities within Plymouth County, Massachusetts. I have personal knowledge of the statements herein and, if called as a witness, could and would testify competently hereto.

2. Plymouth County, along with Pembroke Pines Pension Fund for Firefighters and Police Officers (“Pembroke Pines F&P”), Central Laborers Pension Plan (“Central Laborers”), and Gwinnett County Public Employees Retirement System (“Gwinnett County”), (collectively, “Plaintiffs,” “Lead Plaintiffs,” or “Class Representatives”), is one of the Lead Plaintiffs and Class Representatives, appointed pursuant to Rule 23 of the Federal Rules of Civil Procedure to pursue claims alleged on behalf of a class of Patterson Companies, Inc. shareholders (the “Class”) under the Securities Exchange Act of 1934 (“Exchange Act”) in the above-captioned action. I am the person primarily responsible for monitoring and directing this litigation on behalf of Plymouth County.

3. I respectfully submit this declaration in support of: (a) final approval of the \$63,000,000 settlement (the “Settlement”) of the litigation reached between the Lead Plaintiffs, on behalf of the Class, and Defendants in the litigation; and (b) approval of Lead Counsel’s application for an award of attorneys’ fees and expenses.

4. In seeking appointment as Lead Plaintiff and Class Representative, Plymouth County understood its fiduciary duty to serve the interests of the Members of the Class by supervising the management and prosecution of the case.

5. On August 30, 2018, the Court issued an order appointing Plymouth County as Lead Plaintiff, along with Pembroke Pines F&P, Central Laborers, and Gwinnett County. ECF No. 63. On September 28, 2020, this Court issued an order certifying the Class and appointing Plymouth County as Class Representative, along with Pembroke Pines F&P, Central Laborers, and Gwinnett County. ECF No. 175.

6. Plymouth County expended substantial time actively participating in the prosecution of this case, including:

- (a) initiating the Action;
- (b) selecting Saxena White P.A. as Lead Counsel;
- (c) working closely with and regularly corresponding with Lead Counsel;
- (d) reviewing pleadings and motions filed in this litigation, including the Initial and Amended Complaints, Lead Plaintiffs' opposition to Defendants' motion to dismiss, Lead Plaintiffs' motion for class certification, Lead Plaintiffs' oppositions to Defendants' motion for summary judgment and motion to exclude the expert testimony of Lead Plaintiffs' expert, and other orders of the Court;
- (e) responding to discovery requests, including searching for and producing documents and responding to interrogatories;
- (f) preparing for and providing deposition testimony in connection with Lead Plaintiffs' motion for class certification (ECF No. 134); and
- (g) actively participating in settlement discussions.

7. Plymouth County has also evaluated the risks of continuing this litigation, including the possibility of a nominal recovery or no recovery at all, and authorized Lead

Counsel to settle this litigation for \$63,000,000. Plymouth County believes this Settlement is fair and reasonable, represents an excellent recovery and is in the best interest of the Members of the Class.

8. While Plymouth County recognizes that any determination of fees is left to the Court, Plymouth County believes that Lead Counsel's application for 33-1/3% of the Settlement in legal fees and expenses not to exceed \$2,000,000 is fair and reasonable as this Settlement would not have been possible without the diligent and aggressive prosecutorial efforts of Lead Counsel.

9. Plymouth County understands that a Lead Plaintiff's and Class Representative's reasonable expenses are authorized under §21D(a)(4) of the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4(a)(4). Plymouth County seeks reimbursement of my time as Executive Director of Plymouth County relating to the representation of the Class in this litigation. A summary of the time expended by Plymouth County is as follows:

Name	Hours	Rate	Amount
David Sullivan, Executive Director	84.25 hours Review of pleadings and relevant documents; prepare for and provide deposition testimony; and correspondence and conference calls regarding case strategy, oversight, and settlement discussions.	\$84.13	\$7,087.95

10. Plymouth County respectfully requests that the Court grant final approval of the Settlement and approve Lead Counsel's application for an award of attorneys' fees and expenses. Plymouth County also respectfully requests that the Court approve payment of

\$7,087.95 to Plymouth County representing the respective hourly billing rate of \$84.13 for myself for time expended in the case in representing Class Members in the Litigation.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 29th day of April, 2022.

A handwritten signature in black ink, appearing to read 'David Sullivan', is written over a horizontal line.

DAVID SULLIVAN, EXECUTIVE DIRECTOR
PLYMOUTH COUNTY RETIREMENT
ASSOCIATION

EXHIBIT C

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF JAMES FISHER IN
	)	SUPPORT OF: (1) FINAL APPROVAL
vs.	)	OF SETTLEMENT; (2) APPROVAL OF
	)	PLAN OF ALLOCATION; AND (3) AN
PATTERSON COMPANIES, INC., et al.,	)	AWARD OF ATTORNEYS' FEES AND
	)	EXPENSES AND AWARDS TO LEAD
Defendants.	)	PLAINTIFFS
)	

1. I, James Fisher, am the Plan Administrator of Pembroke Pines Pension Fund for Firefighters and Police Officers (“Pembroke Pines F&P”). Pembroke Pines F&P provides retirement benefits to firefighters and police officers in Pembroke Pines, Florida. I have personal knowledge of the statements herein and, if called as a witness, could and would testify competently hereto.

2. Pembroke Pines F&P, along with Plymouth County Retirement Association (“Plymouth County”), Central Laborers Pension Plan (“Central Laborers”), and Gwinnett County Public Employees Retirement System (“Gwinnett County”), (collectively, “Plaintiffs,” “Lead Plaintiffs,” or “Class Representatives”), is one of the Lead Plaintiffs and Class Representatives, appointed pursuant to Rule 23 of the Federal Rules of Civil Procedure to pursue claims alleged on behalf of a class of Patterson Companies, Inc. shareholders (the “Class”) under the Securities Exchange Act of 1934 (“Exchange Act”) in the above-captioned action. I am the person primarily responsible for monitoring and directing this litigation on behalf of Pembroke Pines F&P.

3. I respectfully submit this declaration in support of: (a) final approval of the \$63,000,000 settlement (the “Settlement”) of the litigation reached between the Lead Plaintiffs, on behalf of the Class, and Defendants in the litigation; and (b) approval of Lead Counsel’s application for an award of attorneys’ fees and expenses.

4. In seeking appointment as Lead Plaintiff and Class Representative, Pembroke Pines F&P understood its fiduciary duty to serve the interests of the Members of the Class by supervising the management and prosecution of the case.

5. On August 30, 2018, the Court issued an order appointing Pembroke Pines F&P as Lead Plaintiff, along with Plymouth County, Central Laborers, and Gwinnett County. ECF No. 63. On September 28, 2020, this Court issued an order certifying the Class and appointing Pembroke Pines F&P as Class Representative, along with Plymouth County, Central Laborers, and Gwinnett County. ECF No. 175.

6. Pembroke Pines F&P expended substantial time actively participating in the prosecution of this case, including:

- (a) selecting Saxena White P.A. as Lead Counsel;
- (b) working closely with and regularly corresponding with Lead Counsel;
- (c) reviewing pleadings and motions filed in this litigation, including the Amended Complaint, Lead Plaintiffs' opposition to Defendants' motion to dismiss, Lead Plaintiffs' motion for class certification, Lead Plaintiffs' oppositions to Defendants' motion for summary judgment and motion to exclude the expert testimony of Lead Plaintiffs' expert, and other orders of the Court;
- (d) responding to discovery requests, including searching for and producing documents and responding to interrogatories;
- (e) preparing for and providing deposition testimony in connection with Lead Plaintiffs' motion for class certification (ECF No. 134); and
- (f) actively participating in settlement discussions.

7. Pembroke Pines F&P has also evaluated the risks of continuing this litigation, including the possibility of a nominal recovery or no recovery at all, and authorized Lead Counsel to settle this litigation for \$63,000,000. Pembroke Pines F&P

believes this Settlement is fair and reasonable, represents an excellent recovery and is in the best interest of the Members of the Class.

8. While Pembroke Pines F&P recognizes that any determination of fees is left to the Court, Pembroke Pines F&P believes that Lead Counsel's application for 33-1/3% of the Settlement in legal fees and expenses not to exceed \$2,000,000 is fair and reasonable as this Settlement would not have been possible without the diligent and aggressive prosecutorial efforts of Lead Counsel.

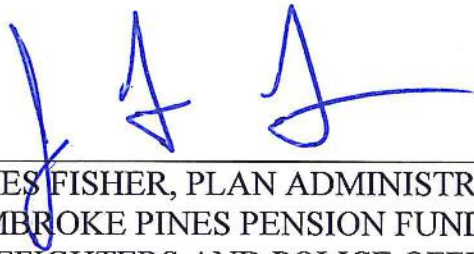
9. Pembroke Pines F&P understands that a Lead Plaintiff's and Class Representative's reasonable expenses are authorized under §21D(a)(4) of the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u4(a)(4). Pembroke Pines F&P seeks reimbursement of my time as Plan Administrator of Pembroke Pines F&P relating to the representation of the Class in this litigation. A summary of the time expended by Pembroke Pines F&P is as follows:

Name	Hours	Rate	Amount
James Fisher, Plan Administrator	78.75 hours Review of pleadings and relevant documents; prepare for and provide deposition testimony; and correspondence and conference calls regarding case strategy, oversight, and settlement discussions.	\$72.58	\$5,715.68

10. Pembroke Pines F&P respectfully requests that the Court grant final approval of the Settlement and approve Lead Counsel's application for an award of attorneys' fees and expenses. Pembroke Pines F&P also respectfully requests that the Court approve payment of \$5,715.68 to Pembroke Pines F&P representing the respective hourly billing

rate of \$72.58 for myself for time expended in the case in representing Class Members in the Litigation.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 29 day of APRIL, 2022.



JAMES FISHER, PLAN ADMINISTRATOR
PEMBROKE PINES PENSION FUND FOR
FIREFIGHTERS AND POLICE OFFICERS

EXHIBIT D

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF KENTON DAY IN
	)	SUPPORT OF: (1) FINAL APPROVAL
vs.	)	OF SETTLEMENT; (2) APPROVAL OF
	)	PLAN OF ALLOCATION; AND (3) AN
PATTERSON COMPANIES, INC., et al.,	)	AWARD OF ATTORNEYS' FEES AND
	)	EXPENSES AND AWARDS TO LEAD
Defendants.	)	PLAINTIFFS
)	

1. I, Kenton Day, am the Executive Director¹ of Central Laborers Pension Plan (“Central Laborers”). Central Laborers is organized under the Taft-Hartley Act and serves as a multi-employer defined benefit fund covering the geographic area of the state of Illinois, excluding the metropolitan Chicago area and certain counties in west central Illinois. I have personal knowledge of the statements herein and, if called as a witness, could and would testify competently hereto.

2. Central Laborers, along with Plymouth County Retirement Association (“Plymouth County”), Pembroke Pines Pension Fund for Firefighters and Police Officers (“Pembroke Pines F&P”), and Gwinnett County Public Employees Retirement System (“Gwinnett County”), (collectively, “Plaintiffs,” “Lead Plaintiffs,” or “Class Representatives”), is one of the Lead Plaintiffs and Class Representatives, appointed pursuant to Rule 23 of the Federal Rules of Civil Procedure to pursue claims alleged on behalf of a class of Patterson Companies, Inc. shareholders (the “Class”) under the Securities Exchange Act of 1934 (“Exchange Act”) in the above-captioned action. I am the person primarily responsible for monitoring and directing this litigation on behalf of Central Laborers.

3. I respectfully submit this declaration in support of: (a) final approval of the \$63,000,000 settlement (the “Settlement”) of the litigation reached between the Lead Plaintiffs, on behalf of the Class, and Defendants in the litigation; and (b) approval of Lead Counsel’s application for an award of attorneys’ fees and expenses.

¹ Kenton Day was appointed Executive Director of Central Laborers upon the retiring of Dan Koeppel on January 1, 2022, as Executive Director.

4. In seeking appointment as Lead Plaintiff and Class Representative, Central Laborers understood its fiduciary duty to serve the interests of the Members of the Class by supervising the management and prosecution of the case.

5. On August 30, 2018, the Court issued an order appointing Central Laborers as Lead Plaintiff, along with Plymouth County, Pembroke Pines F&P, and Gwinnett County. ECF No. 63. On September 28, 2020, this Court issued an order certifying the Class and appointing Central Laborers as Class Representative, along with Plymouth County, Pembroke Pines F&P, and Gwinnett County. ECF No. 175.

6. Central Laborers expended substantial time actively participating in the prosecution of this case, including:

- (a) selecting Saxena White P.A. as Lead Counsel;
- (b) working closely with and regularly corresponding with Lead Counsel;
- (c) reviewing pleadings and motions filed in this litigation, including the Amended Complaint, Lead Plaintiffs' opposition to Defendants' motion to dismiss, Lead Plaintiffs' motion for class certification, Lead Plaintiffs' oppositions to Defendants' motion for summary judgment and motion to exclude the expert testimony of Lead Plaintiffs' expert, and other orders of the Court;
- (d) responding to discovery requests, including searching for and producing documents and responding to interrogatories;
- (e) preparing for and providing deposition testimony in connection with Lead Plaintiffs' motion for class certification (ECF No. 134); and
- (f) actively participating in settlement discussions.

7. Central Laborers has also evaluated the risks of continuing this litigation, including the possibility of a nominal recovery or no recovery at all, and authorized Lead Counsel to settle this litigation for \$63,000,000. Central Laborers believes this Settlement is fair and reasonable, represents an excellent recovery and is in the best interest of the Members of the Class.

8. While Central Laborers recognizes that any determination of fees is left to the Court, Central Laborers believes that Lead Counsel's application for 33-1/3% of the Settlement in legal fees and expenses not to exceed \$2,000,000 is fair and reasonable as this Settlement would not have been possible without the diligent and aggressive prosecutorial efforts of Lead Counsel.

9. Central Laborers understands that a Lead Plaintiff's and Class Representative's reasonable expenses are authorized under §21D(a)(4) of the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4(a)(4). Central Laborers seeks reimbursement of my and Dan Koeppel's time as Executive Director of Central Laborers relating to the representation of the Class in this litigation. A summary of the time expended by Central Laborers is as follows:

Name	Hours	Rate	Amount
Kenton Day and Dan Koeppel, Executive Directors	64.25 hours Review of pleadings and relevant documents; prepare for and provide deposition testimony; and correspondence and conference calls regarding case strategy, oversight, and settlement discussions.	\$138	\$8,866.50

10. Central Laborers respectfully requests that the Court grant final approval of the Settlement and approve Lead Counsel's application for an award of attorneys' fees and

expenses. Central Laborers also respectfully requests that the Court approve payment of \$8,866.50 to Central Laborers representing the respective hourly billing rate of \$138 for myself and Dan Koeppel for time expended in the case in representing Class Members in the Litigation.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 29th day of APRIL, 2022.



KENTON DAY, EXECUTIVE DIRECTOR
CENTRAL LABORERS PENSION PLAN

EXHIBIT E

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF MICHAEL P.
	)	LUDWICZAK IN SUPPORT OF:
vs.	)	(1) FINAL APPROVAL OF
	)	SETTLEMENT; (2) APPROVAL OF
PATTERSON COMPANIES, INC., et al.,	)	PLAN OF ALLOCATION; AND (3) AN
	)	AWARD OF ATTORNEYS' FEES AND
Defendants.	)	EXPENSES AND AWARDS TO LEAD
	)	PLAINTIFFS

1. I, Michael P. Ludwiczak, am the County Attorney in the Law Department of Gwinnett County Government, with the County seat located in Lawrenceville, Georgia. I also serve as the Chairman of the Development Committee for the Retirement Plans Management Committee of the Gwinnett County Public Employees Retirement System ("Gwinnett County"). Gwinnett County governs and administers its participants' local pension, other post-employment benefits, and retirement savings programs. I have personal knowledge of the statements herein and, if called as a witness, could and would testify competently hereto.

2. Gwinnett County, along with Plymouth County Retirement System ("Plymouth County"), Pembroke Pines Pension Fund for Firefighters and Police Officers ("Pembroke Pines F&P"), and Central Laborers Pension Plan ("Central Laborers") (collectively, "Plaintiffs," "Lead Plaintiffs," or "Class Representatives"), is one of the Lead Plaintiffs and Class Representatives, appointed pursuant to Rule 23 of the Federal Rules of Civil Procedure to pursue claims alleged on behalf of a class of Patterson Companies, Inc. shareholders (the "Class") under the Securities Exchange Act of 1934 ("Exchange Act") in the above-captioned action. I am the person primarily responsible for monitoring and directing this litigation on behalf of Gwinnett County.

3. I respectfully submit this declaration in support of: (a) final approval of the \$63,000,000 settlement (the "Settlement") of the litigation reached between the Lead Plaintiffs, on behalf of the Class, and Defendants in the litigation; and (b) approval of Lead Counsel's application for an award of attorneys' fees and expenses.

4. In seeking appointment as Lead Plaintiff and Class Representative, Gwinnett County understood its fiduciary duty to serve the interests of the Members of the Class by supervising the management and prosecution of the case.

5. On August 30, 2018, the Court issued an order appointing Gwinnett County as Lead Plaintiff, along with Plymouth County, Pembroke Pines F&P, and Central Laborers. ECF No. 63. On September 28, 2020, this Court issued an order certifying the Class and appointing Gwinnett County as Class Representative, along with Plymouth County, Pembroke Pines F&P, and Central Laborers. ECF No. 175.

6. Gwinnett County expended substantial time actively participating in the prosecution of this case, including:

- (a) selecting Robbins Geller Rudman & Dowd LLP as Lead Counsel;
- (b) attending the Lead Plaintiff hearing in Minnesota;
- (c) working closely with and regularly corresponding with Lead Counsel;
- (d) reviewing pleadings and motions filed in this litigation, including the Amended Complaint, Lead Plaintiffs' opposition to Defendants' motion to dismiss, Lead Plaintiffs' motion for class certification, Lead Plaintiffs' oppositions to Defendants' motion for summary judgment and motion to exclude the expert testimony of Lead Plaintiffs' expert, and other orders of the Court;

- (e) responding to discovery requests, including searching for and producing documents and responding to interrogatories;

- (f) preparing for and providing deposition testimony in connection with Lead Plaintiffs' motion for class certification (ECF No. 134); and

(g) actively participating in settlement discussions.

7. Gwinnett County has also evaluated the risks of continuing this litigation, including the possibility of a nominal recovery or no recovery at all, and authorized Lead Counsel to settle this litigation for \$63,000,000. Gwinnett County believes this Settlement is fair and reasonable, represents an excellent recovery and is in the best interest of the Members of the Class.

8. While Gwinnett County recognizes that any determination of fees is left to the Court, Gwinnett County believes that Lead Counsel's application for 33-1/3% of the Settlement in legal fees and expenses not to exceed \$2,000,000 is fair and reasonable as this Settlement would not have been possible without the diligent and aggressive prosecutorial efforts of Lead Counsel.

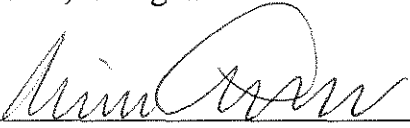
9. Gwinnett County understands that a Lead Plaintiff's and Class Representative's reasonable expenses are authorized under §21D(a)(4) of the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4(a)(4). Gwinnett County seeks reimbursement of my time as County Attorney for Gwinnett County relating to the representation of the Class in this litigation. A summary of the time expended by Gwinnett County is as follows:

Name	Hours	Rate	Amount
Michael P. Ludwiczak, County Attorney	75 hours Review of pleadings and relevant documents; prepare for and provide deposition testimony; and correspondence and conference calls regarding case strategy, oversight, and settlement discussions.	\$125	\$9,375

10. Gwinnett County respectfully requests that the Court grant final approval of the Settlement and approve Lead Counsel's application for an award of attorneys' fees and expenses. Gwinnett County also respectfully requests that the Court approve payment of \$9,375 to Gwinnett County representing the respective hourly billing rate of \$125 for myself for time expended in the case in representing Class Members in the Litigation.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 4 day of ~~November~~, 202~~1~~², at Lawrenceville, Georgia.

January 2



MICHAEL P. LUDWICZAK, County Attorney
GWINNETT COUNTY PUBLIC
EMPLOYEES RETIREMENT SYSTEM

EXHIBIT F

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF LUCAS F. OLTS
	)	FILED ON BEHALF OF ROBBINS
vs.	)	GELLER RUDMAN & DOWD LLP IN
	)	SUPPORT OF APPLICATION FOR
PATTERSON COMPANIES, INC., et al.,	)	AWARD OF ATTORNEYS' FEES AND
	)	EXPENSES
Defendants.)	
)	

I, LUCAS F. OLTS, declare as follows:

1. I am a member of the firm of Robbins Geller Rudman & Dowd LLP (“Robbins Geller” or the “Firm”). I am submitting this declaration in support of the application for an award of attorneys’ fees, expenses and charges (“expenses”) in connection with services rendered in the above-entitled action (the “Litigation”).

2. This Firm is Lead Counsel of record, along with the Saxena White P.A. firm, for Lead Plaintiffs Plymouth County Retirement System, Pembroke Pines Pension Fund for Firefighters and Police Officers, Central Laborers Pension Plan, and Gwinnett County Public Employees Retirement System, and the Class herein.

3. The information in this declaration regarding the Firm’s time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I am one of the partners who oversaw and/or conducted the day-to-day activities in the Litigation and I reviewed these reports (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries on the printouts as well as the necessity for, and reasonableness of, the time and expenses committed to the Litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. Based on this review and the adjustments made, I believe that the time reflected in the Firm’s lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the Litigation. In addition, I believe that

these expenses are reasonable and were necessary for the effective and efficient prosecution and resolution of the Litigation.

4. After the reductions referred to above, the number of hours spent on the Litigation by the Firm is 11,441.45. A breakdown of the lodestar is provided in the attached Exhibit A. The lodestar amount for attorney/paraprofessional time based on the Firm's current rates is \$7,383,382.00. The hourly rates shown in Exhibit A are the Firm's regular rates in contingent cases set by the Firm for each individual. These hourly rates are consistent with hourly rates submitted by the Firm to state and federal courts in other securities class action litigation. The Firm's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side. For personnel who are no longer employed by the Firm, the "current rate" used for the lodestar calculation is based upon the rate for that person in his or her final year of employment with the Firm.

5. The Firm seeks an award of \$772,166.44 in expenses and charges in connection with the prosecution of the Litigation. Those expenses and charges are summarized by category in the attached Exhibit B.

6. The following is additional information regarding certain of these expenses:

(a) Transportation, Hotels & Meals: \$31,211.16. In connection with the prosecution of this case, the Firm has paid for travel expenses to, among other things, attend court hearings, meet with clients, witnesses, mediators and opposing counsel and take or defend depositions. The date, destination and purpose of each trip is set forth in the attached Exhibit C.

(b) Court Hearing Transcripts and Deposition Reporting, Transcripts and Videography: \$21,072.46. The vendors who were paid for these services are listed in the attached Exhibit D. Additional amounts were paid out of the litigation expense fund (*see* Exhibit F hereto).

(c) Consultants (Tasta Group dba Caliber Advisors, Inc.) (“Caliber”): \$30,637.50. Prior to the creation of the litigation expense fund described below in ¶(h), Robbins Geller made payments to Caliber for consulting services. A more detailed description of the work performed can be found on Exhibit F hereto.

(d) Photocopies: \$257.75. In connection with this case, the Firm made 1,249 in-house copies. Robbins Geller requests \$0.15 per copy for a total of \$187.35. Each time an in-house copy machine is used, our billing system requires that a case or administrative billing code be entered and that is how the number of in-house copies were identified as related to the Litigation. The Firm also paid \$70.40 to outside vendors. A breakdown of these outside charges by date and vendor is set forth in the attached Exhibit E.

(e) Class Action Notice (Gilardi & Co. LLC): \$142,412.95. This amount represents a portion of the expenses for printing and mailing the Notice of Pendency of Class Action to Class Members and publishing a summary notice pursuant to the Court’s Order of May 25, 2021. An additional payment was made to Gilardi & Co. LLC out of the litigation expense fund (*see* Exhibit F hereto).

(f) Online Legal and Financial Research: \$12,194.49. This category includes vendors such as LexisNexis, PACER, Thomson Financial, and Westlaw. These resources were used to obtain access to SEC filings, factual databases, legal research, and for

cite-checking of briefs. This expense represents the expenses incurred by Robbins Geller for use of these services in connection with this Litigation. The charges for these vendors vary depending upon the type of services requested. For example, Robbins Geller has flat-rate contracts with some of these providers for use of their services. When Robbins Geller utilizes online services provided by a vendor with a flat-rate contract, access to the service is by a billing code entered for the specific case being litigated. At the end of each billing period in which such service is used, Robbins Geller's costs for such services are allocated to specific cases based on the percentage of use in connection with that specific case in the billing period. As a result of the contracts negotiated by Robbins Geller with certain providers, the Class enjoys substantial savings in comparison with the "market-rate" for *a la carte* use of such services which some law firms pass on to their clients. For example, the "market-rate" charged to others by LexisNexis for the types of services used by Robbins Geller is more expensive than the rates negotiated by Robbins Geller.

(g) eDiscovery Database Hosting: \$43,278.50. Robbins Geller requests \$43,278.50 for hosting eDiscovery related to this Litigation. Robbins Geller has installed top tier database software, infrastructure, and security. The platform implemented, Relativity, is offered by over 100 vendors and is currently being used by 198 of the AmLaw200. Over 30 servers are dedicated to Robbins Geller's Relativity hosting environment with all data stored in a secure SSAE 16 Type II data center with automatic replication to a datacenter located in a different geographic location. By hosting in-house, Robbins Geller is able to charge a reduced, all-in rate that includes many services which are often charged as extra fees when hosted by a third-party vendor. Robbins Geller's hosting fee includes user logins, ingestion,

processing, OCRing, TIFFing, bates stamping, productions and archiving – all at no additional cost. Also included is unlimited structured and conceptual analytics (*i.e.*, email threading, inclusive detection, near-dupe detection, concept searching, active learning, clustering, and more). Robbins Geller is able to provide all these services for a rate that is typically much lower than outsourcing to a third-party vendor. Utilizing a secure, advanced platform in-house has allowed Robbins Geller to prosecute actions more efficiently and has reduced the time and expense associated with maintaining and searching electronic discovery databases. Similar to third-party vendors, Robbins Geller uses a tiered rate system to calculate hosting charges. The amount requested reflects charges for the hosting of over nine hundred thousand pages of documents produced by defendants, plaintiffs and non-parties in this action.

(h) My Firm maintained a litigation expense fund for certain common expenses in connection with the prosecution of this case. The category entitled “Litigation Fund Contributions” in each plaintiffs’ counsel’s fee and expense declaration represents contributions to this expense fund. A breakdown of the contributions to and payments made from the litigation expense fund is attached as Exhibit F.

7. The expenses pertaining to this case are reflected in the books and records of this Firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

8. The identification and background of my Firm and its partners is attached hereto as Exhibit G.

I declare under penalty of perjury that the foregoing is true and correct. Executed this
5th day of May, 2022, at San Diego, California.

s/Lucas F. Olts

LUCAS F. OLTS

EXHIBIT A

EXHIBIT A

Plymouth Cnty. Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
 Robbins Geller Rudman & Dowd LLP
 Inception through April 13, 2022

NAME		HOURS	RATE	LODESTAR
Bays, Lea M.	(P)	11.20	840	\$ 9,408.00
Caringal, Jennifer N.	(P)	2,141.20	770	1,648,724.00
Goldstein, Jonah H.	(P)	163.60	1025	167,690.00
Gusikoff Stewart, Ellen A.	(P)	79.90	1080	86,292.00
Myers, Danielle S.	(P)	7.45	950	7,077.50
Olts, Lucas F.	(P)	1,565.60	870	1,362,072.00
Robbins, Darren J.	(P)	10.10	1350	13,635.00
Sanchez, Juan Carlos	(P)	40.80	675	27,540.00
Pfeffer-Gillett, Alexi H.	(A)	1,615.70	475	767,457.50
Schlesier, Heather	(A)	825.60	450	371,520.00
Alexander, Susan K.	(OC)	61.40	1150	70,610.00
Herman, Dennis J.	(OC)	9.00	1040	9,360.00
McCormick, Tricia	(OC)	98.20	955	93,781.00
Prado, Svenna	(OC)	2,057.00	840	1,727,880.00
Walton, David C.	(OC)	7.20	1090	7,848.00
Kerkhoff, Lauren G.	(SA)	294.00	445	130,830.00
Rice, Kimberly D.	(SA)	1,385.00	420	581,700.00
Aronica, R. Steven	(FA)	7.00	775	5,425.00
Barhoum, Anthony J.	(EA)	5.75	430	2,472.50
Topp, Jennifer M.	(EA)	10.60	335	3,551.00
Villalovas, Frank E.	(EA)	6.95	420	2,919.00
Roelen, Scott R.	(RA)	15.30	295	4,513.50
Brandon, Kelley T.	(I)	15.00	290	4,350.00
Angotti, Madison S.	(LS)	21.00	150	3,150.00
Camozzi, Miranda C.	(LS)	6.60	230	1,518.00
Freer, Brad C.	(LS)	258.70	290	75,023.00
Lewis, Bradley P.	(LS)	37.50	175	6,562.50
Torres, Michael	(LS)	20.50	400	8,200.00
Paralegals		425.90	275-375	150,772.50

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Document Clerks		152.60	150	22,890.00
Shareholder Relations		85.10	100-150	8,610.00
<i>TOTAL</i>		<i>11,441.45</i>		<i>\$ 7,383,382.00</i>

(P) Partner

(A) Associate

(OC) Of Counsel

(SA) Staff Attorney

(FA) Forensic Accountant

(EA) Economic Analyst

(RA) Research Analyst

(I) Investigator

(LS) Litigation Support

EXHIBIT B

EXHIBIT B

Plymouth Cnty. Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
 Robbins Geller Rudman & Dowd LLP
 Inception through January 12, 2022

<i>CATEGORY</i>		<i>AMOUNT</i>
Transportation, Hotels & Meals		\$ 31,211.16
Telephone, Facsimile		114.02
Postage		4.10
Messenger, Overnight Delivery		983.51
Class Action Notice		142,412.95
Court Hearing Transcripts and Deposition Reporting, Transcripts and Videography		21,072.46
Consultants (Tasta Group d/b/a Caliber Advisors, Inc.)		30,637.50
Photocopies		257.75
Outside	\$ 70.40	
In-house (1,249 copies @ \$0.15 per page)	187.35	
Online Legal and Financial Research		12,194.49
eDiscovery Database Hosting		43,278.50
Litigation Fund Contributions		490,000.00
<i>TOTAL</i>		<i>\$ 772,166.44</i>

EXHIBIT C

EXHIBIT C

Plymouth Cnty. Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
Robbins Geller Rudman & Dowd LLP

Transportation, Hotels & Meals: \$31,211.16

<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Myers, Danielle S.	04/12/18 – 04/13/18	Lawrence, GA	Prepare for and attend client presentation re: lead plaintiff motion
Sanches, Juan Carlos	04/12/18 – 04/13/18	Lawrence, GA	Prepare for and attend meeting with potential client (Gwinnett County Public Employees Retirement System)
Ludwiczak, Michael	08/05/18 – 08/06/18	St. Paul, MN	Attend lead plaintiff motion hearing
McCormick, Tricia	08/05/18 – 08/06/18	St. Paul, MN	Prepare for and attend lead plaintiff motion hearing
Olts, Lucas	05/12/19 – 05/13/19	St. Paul, MN	Prepare for and attend hearing on motion to dismiss
Pfeffer-Gillett, Alexi	05/12/19 – 05/13/19	St. Paul, MN	Prepare for and attend motion to dismiss hearing
Caringal, Jennifer	11/04/19 – 11/05/19	Minneapolis, MN	Prepare for and attend mediation
Goldstein, Jonah H.	11/04/19 – 11/05/19	Minneapolis, MN	Prepare for and attend mediation
Olts, Lucas	11/04/19 – 11/05/19	Minneapolis, MN	Prepare for and attend mediation
Pfeffer-Gillett, Alexi	11/04/19 – 11/05/19	Minneapolis, MN	Prepare for and attend mediation
Caringal, Jennifer	03/02/20 – 03/04/20	Boca Raton, FL	Prepare for and attend Pembroke Pines Pension Fund for Firefighters and Police Officers and Plymouth County Retirement System 30(b)(6) depositions
Caringal, Jennifer	03/09/20 – 03/11/20	Atlanta, GA	Prepare for and attend Gwinnett County Public Employees Retirement System 30(b)(6) deposition
Olts, Lucas	03/09/20 – 03/11/20	Atlanta, GA	Prepare for and defend Gwinnett County Public Employees Retirement System 30(b)(6) deposition

<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Pfeffer-Gillett, Alexi	03/09/20 – 03/11/20	Jacksonville, IL	Prepare for and attend Central Laborers Pension Plan 30(b)(6) deposition

EXHIBIT D

EXHIBIT D

Plymouth Cnty. Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
Robbins Geller Rudman & Dowd LLP

Court Hearing Transcripts and Deposition Reporting, Transcripts and Videography: \$21,072.46

DATE	VENDOR	PURPOSE
08/06/18	Lori A. Simpson	Transcript of proceedings held on 08/06/18
05/20/19	Lori A. Simpson	Transcript of proceedings held on 05/13/19
06/03/20	Veritext Corp.	Digitizing of Witness: Brian Washkowiak 30(b)(6) Videography
06/04/20	Veritext Corp.	Digitizing & Transcript Synchronization of Witness: Jeff Kusmierz 30(b)(6) Videography
06/04/20	Veritext Corp.	Certified Transcript of Witness: Jeff Kusmierz
06/05/20	Veritext Corp.	Digitizing of Witness: Charles (Chip) B. Reed 30(b)(6) Videography
08/28/20	Veritext Corp.	Certified Transcript of Witness: Anthony Fruehauf Deposition Transcript
09/23/20	Veritext Corp.	Video of witness Josh Killian
10/07/20	Veritext Corp.	Original with One Certified Transcript of Witness: Joseph Stanford Leply Deposition Transcripts
10/08/20	Veritext Corp.	Original with One Certified Transcript of Witness: Shelley E. Beckler Videography
11/09/20	Veritext Corp.	Original with One Certified Transcript of Witness: David Misiak Deposition Transcripts
11/18/20	Veritext Corp.	Original with One Certified Transcript of Witness: Wesley Dean Fields Deposition Transcripts
11/23/20	Veritext Corp.	Certified Transcript of Witness: Charles F. Cohen, 30(b)(6) Deposition Transcripts
11/23/20	Veritext Corp.	Digitizing & Transcript Synchronization of Witness: Charles F. Cohen, 30(b)(6) Videography

EXHIBIT E

EXHIBIT E

Plymouth Cnty. Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
 Robbins Geller Rudman & Dowd LLP

Photocopies: \$257.75

In-house: \$187.35 (1,249 copies at \$0.15 per copy)

Outside Photocopies: \$70.40 (detailed below)

<i>DATE</i>	<i>VENDOR</i>	<i>PURPOSE</i>
06/09/20	FedEx Office	Copy Documents
06/11/20	FedEx Office	Copy Documents
09/02/20	FedEx Office	Copy Documents
11/23/20	The UPS Store	Document Printing
01/07/21	FedEx Office	Document Printing

EXHIBIT F

EXHIBIT F

Plymouth Cnty. Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
Robbins Geller Rudman & Dowd LLP
Litigation Expense Fund Breakdown

Contributions:	Robbins Geller Rudman & Dowd LLP:	\$ 490,000.00
	Saxena White P.A.	<u>490,000.00</u>
	Total Contributions:	\$ 980,000.00

<i>CATEGORY</i>	<i>AMOUNT</i>
Filing and Other Fees ¹ (Class Action Research & Litigation Support Services, Inc.)	\$ 5,056.90
Court Hearing Transcripts and Deposition Reporting, Transcripts and Videography ²	
Veritext Litigation Solutions	58,923.22
Lynne M. Krenz, RMR, CRR, CRC	51.30
HD Legal Video LLC	7,082.50
Consultants ³	
Global Economics Group LLC	36,982.50
Tasta Group (d/b/a Caliber Advisors, Inc.)	94,762.50
Bates White LLC	748,071.77
Mediation Fees ⁴ (Judicate West)	14,740.00
Class Notice ⁵ (Gilardi & Co. LLC)	11,829.31
Document Production ⁶ (Dorsey & Whitney LLC)	2,500.00
<i>TOTAL</i>	<i>\$ 980,000.00</i>

¹ Class Action Research & Litigation Support Services, Inc. payments were for Delivery of copies of documents for Judge's chambers on 08/23/19, 10/23/19, 02/24/20, 07/22/20, John Wright on 09/18/20; Service of Process on The Burkhart Dental Supply, Henry Schein, Inc., Benco Dental Supply Co. on 02/19/20, Service of Process on Peter Cousins on 09/09/20, Service of Process on Shelley Beckler on 09/15/20, Service of Process on Neal McFadden on 10/08/20, Service of Process on Kenneth L. Racowski on 10/14/20, Service of Process on James Wiltz and Wesley Fields on 10/15/20, Service of Process on Henry Schein, Inc. on 10/16/20, Return Service of Colin Kass on 10/16/20, Service of Process on Ann Gugino on 10/20/20, Courtesy copies to Judge's chambers on 10/20/20, 05/03/21, 05/17/21, 05/20/21, 06/08/21, 07/19/21.

² Veritext Litigation Solutions: Video deposition/transcript of depositions of Richard Todd Vingers on 05/28/20, Brian Washkowiak on 06/03/20, Charles Reed on 06/05/20, Paul Gompers on 07/06/20, Tim Rogan on 07/24/20, Anthony Fruehauf on 08/28/20, Josh Killan on 09/23/20, Matthew Hamblin on 10/01/20, Travis Almquist on 10/02/20, Wesley Fields on 11/18/20, Scott Anderson on

11/19/20, Matthew Cain on 03/03/21, Paul Gompers on 04/02/21, Lawrence Wu on 04/15/21.

Lynne M. Krenz, RMR, CRR, CRC: Transcript of class certification hearing held 08/12/20.

HD Legal Video LLC: Court reporting, video and transcript charges for depositions of James Fisher on 03/03/20, David Sullivan on 03/04/20, Danny Koepfel on 03/10/20, Michael P. Ludwiczak on 03/11/20.

³ Global Economics Group LLC: Lead Plaintiffs retained Global Economics Group LLC and Matthew D. Cain, Ph.D., to offer opinions and testify regarding materiality, loss causation and damages related to Patterson common stock. Dr. Cain is a Senior Fellow at the Berkeley Center for Law and Business and a Senior Visiting Scholar at Berkeley Law School, University of California. He previously worked at the U.S. Securities and Exchange Commission (“SEC”) and provided economic analysis and expert witness testimony on behalf of the SEC in a wide variety of enforcement investigations, settlement negotiations and litigation, including cases alleging accounting fraud, improper revenue recognition practices, and disclosure violations. Dr. Cain and his team spent a significant amount of time studying the record and public information, including analyst reports, SEC filings, and certain other documents. Dr. Cain provided an expert report on materiality, loss causation, and damages and also sat for a deposition in this matter.

Tasta Group (d/b/a Caliber Advisors, Inc.) (“Caliber”): Lead Plaintiffs retained the services of Caliber, a valuations and economic consulting firm and its managing director, Bjorn Steinholt, CFA, to assist in the economic analysis in the initial investigation, estimation of damages, and efficiency of the market that Patterson common stock traded in. Caliber specializes in financial analyses and related economic consulting services with Mr. Steinholt having more than 25 years of experience providing capital markets consulting. Mr. Steinholt provided Lead Plaintiffs with an expert report in connection with their motion for class certification, analyzing market efficiency, as well as explaining how class-wide damages can be calculated in this case.

Bates White LLC: Bates White LLC is an economic consulting firm and Lead Plaintiffs retained Eric R. Emch, Ph.D., who has significant experience assessing economic issues related to competition and antitrust in litigation, regulatory and policy settings. Dr. Emch has over two decades of experience in economics analysis of competition policy issues. Dr. Emch provided an expert report for Lead Plaintiffs, assessing the economics of collusion and applying the economic theory of collusion to assess the behavior of Patterson and its competitors in connection with buying groups. Dr. Emch was also deposed in this matter.

⁴ Judicate West: Mediation on 09/13/19 and 08/03/20 (case management fee, full day rate, travel & incidentals), and post-mediation services on 11/25/20.

- ⁵ Gilardi & Co. LLC: This amount represents a portion of the expenses for printing and mailing the Notice of Pendency of Class Action to Class Members and publishing a summary notice pursuant to the Court's Order of May 25, 2021.
- ⁶ Dorsey & Whitney LLC: Document production fee for the production of over 12,000 documents from non-party Burkhart Dental Supply, which required restoration of documents from backup tapes and processing of the documents for production.

EXHIBIT G

FIRM RESUME

TABLE OF CONTENTS

Introduction

Practice Areas and Services

Securities Fraud.....	2
Shareholder Derivative and Corporate Governance Litigation.....	9
Options Backdating Litigation.....	12
Corporate Takeover Litigation.....	12
Antitrust.....	15
Consumer Fraud and Privacy.....	16
Human Rights, Labor Practices, and Public Policy.....	20
Environment and Public Health.....	21
Pro Bono.....	22

Institutional Clients

Public Fund Clients.....	24
Multi-Employer Clients.....	24
International Investors.....	25
Additional Institutional Investors.....	25

Prominent Cases, Precedent-Setting Decisions, and Judicial Commendations

Prominent Cases.....	26
Precedent-Setting Decisions.....	35
Additional Judicial Commendations.....	42

Attorney Biographies

Partners.....	50
Of Counsel.....	134
Special Counsel.....	157
Forensic Accountants.....	158

INTRODUCTION

Robbins Geller Rudman & Dowd LLP (“Robbins Geller” or the “Firm”) is a 200-lawyer firm with offices in Boca Raton, Chicago, Manhattan, Melville, Nashville, San Diego, San Francisco, Philadelphia, and Washington, D.C. (www.rgrdlaw.com). The Firm is actively engaged in complex litigation, emphasizing securities, consumer, antitrust, insurance, healthcare, human rights, and employment discrimination class actions. The Firm’s unparalleled experience and capabilities in these fields are based upon the talents of its attorneys, who have successfully prosecuted thousands of class action lawsuits and numerous individual cases, recovering billions of dollars.

This successful track record stems from our experienced attorneys, including many who came to the Firm from federal or state law enforcement agencies. The Firm also includes several dozen former federal and state judicial clerks.

The Firm is committed to practicing law with the highest level of integrity in an ethical and professional manner. We are a diverse firm with lawyers and staff from all walks of life. Our lawyers and other employees are hired and promoted based on the quality of their work and their ability to treat others with respect and dignity.

We strive to be good corporate citizens and work with a sense of global responsibility. Contributing to our communities and environment is important to us. We often take cases on a *pro bono* basis and are committed to the rights of workers, and to the extent possible, we contract with union vendors. We care about civil rights, workers’ rights and treatment, workplace safety, and environmental protection. Indeed, while we have built a reputation as the finest securities and consumer class action law firm in the nation, our lawyers have also worked tirelessly in less high-profile, but no less important, cases involving human rights and other social issues.

PRACTICE AREAS AND SERVICES

Securities Fraud

As recent corporate scandals demonstrate clearly, it has become all too common for companies and their executives – often with the help of their advisors, such as bankers, lawyers, and accountants – to manipulate the market price of their securities by misleading the public about the company’s financial condition or prospects for the future. This misleading information has the effect of artificially inflating the price of the company’s securities above their true value. When the underlying truth is eventually revealed, the prices of these securities plummet, harming those innocent investors who relied upon the company’s misrepresentations.

Robbins Geller is the leader in the fight to protect investors from corporate securities fraud. We utilize a wide range of federal and state laws to provide investors with remedies, either by bringing a class action on behalf of all affected investors or, where appropriate, by bringing individual cases.

The Firm’s reputation for excellence has been repeatedly noted by courts and has resulted in the appointment of Firm attorneys to lead roles in hundreds of complex class-action securities and other cases. In the securities area alone, the Firm’s attorneys have been responsible for a number of outstanding recoveries on behalf of investors. Currently, Robbins Geller attorneys are lead or named counsel in hundreds of securities class action or large institutional-investor cases. Some notable current and past cases include:

- ***In re Enron Corp. Sec. Litig.***, No. H-01-3624 (S.D. Tex.). Robbins Geller attorneys and lead plaintiff The Regents of the University of California aggressively pursued numerous defendants, including many of Wall Street’s biggest banks, and successfully obtained settlements in excess of **\$7.2 billion** for the benefit of investors. ***This is the largest securities class action recovery in history.***
- ***Jaffe v. Household Int’l, Inc.***, No. 02-C-05893 (N.D. Ill.). As sole lead counsel, Robbins Geller obtained a record-breaking settlement of **\$1.575 billion** after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a securities fraud verdict in favor of the class. In 2015, the Seventh Circuit Court of Appeals upheld the jury’s verdict that defendants made false or misleading statements of material fact about the company’s business practices and financial results, but remanded the case for a new trial on the issue of whether the individual defendants “made” certain false statements, whether those false statements caused plaintiffs’ losses, and the amount of damages. The parties reached an agreement to settle the case just hours before the retrial was scheduled to begin on June 6, 2016. ***The \$1.575 billion settlement, approved in October 2016, is the largest ever following a securities fraud class action trial, the largest securities fraud settlement in the Seventh Circuit and the seventh-largest settlement ever in a post-PSLRA securities fraud case.*** According to published reports, the case was just the seventh securities fraud case tried to a verdict since the passage of the PSLRA.

- ***In re Valeant Pharms. Int'l, Inc. Sec. Litig.***, No. 3:15-cv-07658 (D.N.J.). As sole lead counsel, Robbins Geller attorneys obtained a \$1.2 billion settlement in the securities case that *Vanity Fair* reported as “the corporate scandal of its era” that had raised “fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations.” The settlement resolves claims that defendants made false and misleading statements regarding Valeant’s business and financial performance during the class period, attributing Valeant’s dramatic growth in revenues and profitability to “innovative new marketing approaches” as part of a business model that was low risk and “durable and sustainable.” *Valeant* is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever.
- ***In re Am. Realty Cap. Props., Inc. Litig.***, No. 1:15-mc-00040 (S.D.N.Y.). As sole lead counsel, Robbins Geller attorneys zealously litigated the case arising out of ARCP’s manipulative accounting practices and obtained a \$1.025 billion settlement. For five years, the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and the Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages of any major PSLRA case prior to trial and includes the largest personal contributions by individual defendants in history.
- ***In re UnitedHealth Grp. Inc. PSLRA Litig.***, No. 06-CV-1691 (D. Minn.). Robbins Geller represented the California Public Employees’ Retirement System (“CalPERS”) and demonstrated its willingness to vigorously advocate for its institutional clients, even under the most difficult circumstances. The Firm obtained an \$895 million recovery on behalf of UnitedHealth shareholders, and former CEO William A. McGuire paid \$30 million and returned stock options representing more than three million shares to the shareholders, bringing the total recovery for the class to over \$925 million, the largest stock option backdating recovery ever, and ***a recovery that is more than four times larger than the next largest options backdating recovery***. Moreover, Robbins Geller obtained unprecedented corporate governance reforms, including election of a shareholder-nominated member to the company’s board of directors, a mandatory holding period for shares acquired by executives via option exercise, and executive compensation reforms that tie pay to performance.
- ***Alaska Elec. Pension Fund v. CitiGroup, Inc. (In re WorldCom Sec. Litig.)***, No. 03 Civ. 8269 (S.D.N.Y.). Robbins Geller attorneys represented more than 50 private and public institutions that opted out of the class action case and sued WorldCom’s bankers, officers and directors, and auditors in courts around the country for losses related to WorldCom bond offerings from 1998 to 2001. The Firm’s attorneys recovered more than \$650 million for their clients, substantially more than they would have recovered as part of the class.
- ***Luther v. Countrywide Fin. Corp.***, No. 12-cv-05125 (C.D. Cal.). Robbins Geller attorneys secured a \$500 million settlement for institutional and individual investors in what is the largest RMBS purchaser class action settlement in history, and one of the largest class action securities settlements of all time. The unprecedented settlement resolves claims against Countrywide and Wall Street banks that issued the securities. The action was the first securities class action case filed against originators and Wall Street banks as a result of the credit crisis. As co-lead counsel Robbins Geller forged through six years of hard-fought litigation, oftentimes litigating issues of first impression, in order to secure the landmark settlement for its clients and the class.
- ***In re Wachovia Preferred Sec. & Bond/Notes Litig.***, No. 09-cv-06351 (S.D.N.Y.). On behalf of investors in bonds and preferred securities issued between 2006 and 2008, Robbins Geller and co-

counsel obtained a significant settlement with Wachovia successor Wells Fargo & Company and Wachovia auditor KPMG LLP. ***The total settlement – \$627 million – is one of the largest credit-crisis settlements involving Securities Act claims and one of the 20 largest securities class action recoveries in history.*** The settlement is also one of the biggest securities class action recoveries arising from the credit crisis. The lawsuit focused on Wachovia’s exposure to “pick-a-pay” loans, which the bank’s offering materials said were of “pristine credit quality,” but which were actually allegedly made to subprime borrowers, and which ultimately massively impaired the bank’s mortgage portfolio. Robbins Geller served as co-lead counsel representing the City of Livonia Employees’ Retirement System, Hawaii Sheet Metal Workers Pension Fund, and the investor class.

- ***In re Cardinal Health, Inc. Sec. Litig.***, No. C2-04-575 (S.D. Ohio). As sole lead counsel representing Cardinal Health shareholders, Robbins Geller obtained a recovery of \$600 million for investors on behalf of the lead plaintiffs, Amalgamated Bank, the New Mexico State Investment Council, and the California Ironworkers Field Trust Fund. At the time, the \$600 million settlement was the tenth-largest settlement in the history of securities fraud litigation and is the largest-ever recovery in a securities fraud action in the Sixth Circuit.
- ***AOL Time Warner Cases I & II***, JCCP Nos. 4322 & 4325 (Cal. Super. Ct., Los Angeles Cnty.). Robbins Geller represented The Regents of the University of California, six Ohio state pension funds, Rabo Bank (NL), the Scottish Widows Investment Partnership, several Australian public and private funds, insurance companies, and numerous additional institutional investors, both domestic and international, in state and federal court opt-out litigation stemming from Time Warner’s disastrous 2001 merger with Internet high flier America Online. After almost four years of litigation involving extensive discovery, the Firm secured combined settlements for its opt-out clients totaling over \$629 million just weeks before The Regents’ case pending in California state court was scheduled to go to trial. The Regents’ gross recovery of \$246 million is the largest individual opt-out securities recovery in history.
- ***In re HealthSouth Corp. Sec. Litig.***, No. CV-03-BE-1500-S (N.D. Ala.). As court-appointed co-lead counsel, Robbins Geller attorneys obtained a combined recovery of \$671 million from HealthSouth, its auditor Ernst & Young, and its investment banker, UBS, for the benefit of stockholder plaintiffs. The settlement against HealthSouth represents one of the larger settlements in securities class action history and is considered among the top 15 settlements achieved after passage of the PSLRA. Likewise, the settlement against Ernst & Young is one of the largest securities class action settlements entered into by an accounting firm since the passage of the PSLRA.
- ***Jones v. Pfizer Inc.***, No. 1:10-cv-03864 (S.D.N.Y.). Lead plaintiff Stichting Philips Pensioenfond obtained a \$400 million settlement on behalf of class members who purchased Pfizer common stock during the January 19, 2006 to January 23, 2009 class period. The settlement against Pfizer resolves accusations that it misled investors about an alleged off-label drug marketing scheme. As sole lead counsel, Robbins Geller attorneys helped achieve this exceptional result after five years of hard-fought litigation against the toughest and the brightest members of the securities defense bar by litigating this case all the way to trial.
- ***In re Dynegey Inc. Sec. Litig.***, No. H-02-1571 (S.D. Tex.). As sole lead counsel representing The Regents of the University of California and the class of Dynegey investors, Robbins Geller attorneys obtained a combined settlement of \$474 million from Dynegey, Citigroup, Inc., and Arthur Andersen LLP for their involvement in a clandestine financing scheme known as Project Alpha. Most notably, the settlement agreement provides that Dynegey will appoint two board members to be nominated by The Regents, which Robbins Geller and The Regents believe will benefit all of Dynegey’s stockholders.

- ***In re Qwest Commc'ns Int'l, Inc. Sec. Litig.***, No. 01-cv-1451 (D. Colo.). In July 2001, the Firm filed the initial complaint in this action on behalf of its clients, long before any investigation into Qwest's financial statements was initiated by the SEC or Department of Justice. After five years of litigation, lead plaintiffs entered into a settlement with Qwest and certain individual defendants that provided a \$400 million recovery for the class and created a mechanism that allowed the vast majority of class members to share in an additional \$250 million recovered by the SEC. In 2008, Robbins Geller attorneys recovered an additional \$45 million for the class in a settlement with defendants Joseph P. Nacchio and Robert S. Woodruff, the CEO and CFO, respectively, of Qwest during large portions of the class period.
- ***Fort Worth Emps.' Ret. Fund v. J.P. Morgan Chase & Co.***, No. 1:09-cv-03701 (S.D.N.Y.). Robbins Geller attorneys served as lead counsel for a class of investors and obtained court approval of a \$388 million recovery in nine 2007 residential mortgage-backed securities offerings issued by J.P. Morgan. The settlement represents, on a percentage basis, the largest recovery ever achieved in an MBS purchaser class action. The result was achieved after more than five years of hard-fought litigation and an extensive investigation.
- ***Smilovits v. First Solar, Inc.***, No. 2:12-cv-00555 (D. Ariz.). As sole lead counsel, Robbins Geller obtained a \$350 million settlement in *Smilovits v. First Solar, Inc.* The settlement, which was reached after a long legal battle and on the day before jury selection, resolves claims that First Solar violated §§10(b) and 20(a) of the Securities Exchange Act of 1934 and SEC Rule 10b-5. The settlement is the fifth-largest PSLRA settlement ever recovered in the Ninth Circuit.
- ***NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.***, No. 1:08-cv-10783 (S.D.N.Y.). As sole lead counsel, Robbins Geller obtained a \$272 million settlement on behalf of Goldman Sachs' shareholders. The settlement concludes one of the last remaining mortgage-backed securities purchaser class actions arising out of the global financial crisis. The remarkable result was achieved following seven years of extensive litigation. After the claims were dismissed in 2010, Robbins Geller secured a landmark victory from the Second Circuit Court of Appeals that clarified the scope of permissible class actions asserting claims under the Securities Act of 1933 on behalf of MBS investors. Specifically, the Second Circuit's decision rejected the concept of "tranche" standing and concluded that a lead plaintiff in an MBS class action has class standing to pursue claims on behalf of purchasers of other securities that were issued from the same registration statement and backed by pools of mortgages originated by the same lenders who had originated mortgages backing the lead plaintiff's securities.
- ***Schuh v. HCA Holdings, Inc.***, No. 3:11-cv-01033 (M.D. Tenn.). As sole lead counsel, Robbins Geller obtained a groundbreaking \$215 million settlement for former HCA Holdings, Inc. shareholders – the largest securities class action recovery ever in Tennessee. Reached shortly before trial was scheduled to commence, the settlement resolves claims that the Registration Statement and Prospectus HCA filed in connection with the company's massive \$4.3 billion 2011 IPO contained material misstatements and omissions. The recovery achieved represents more than 30% of the aggregate classwide damages, far exceeding the typical recovery in a securities class action.
- ***In re AT&T Corp. Sec. Litig.***, MDL No. 1399 (D.N.J.). Robbins Geller attorneys served as lead counsel for a class of investors that purchased AT&T common stock. The case charged defendants AT&T and its former Chairman and CEO, C. Michael Armstrong, with violations of the federal securities laws in connection with AT&T's April 2000 initial public offering of its wireless tracking stock, one of the largest IPOs in American history. After two weeks of trial, and on the eve of scheduled testimony by Armstrong and infamous telecom analyst Jack Grubman, defendants agreed to settle the case for \$100 million.

- ***Silverman v. Motorola, Inc.***, No. 1:07-cv-04507 (N.D. Ill.). The Firm served as lead counsel on behalf of a class of investors in Motorola, Inc., ultimately recovering \$200 million for investors just two months before the case was set for trial. This outstanding result was obtained despite the lack of an SEC investigation or any financial restatement.
- ***City of Pontiac Gen. Emps.' Ret. Sys. v. Wal-Mart Stores, Inc.***, No. 5:12-cv-05162 (W.D. Ark.). Robbins Geller attorneys and lead plaintiff City of Pontiac General Employees' Retirement System achieved a \$160 million settlement in a securities class action case arising from allegations published by *The New York Times* in an article released on April 21, 2012 describing an alleged bribery scheme that occurred in Mexico. The case charged that Wal-Mart portrayed itself to investors as a model corporate citizen that had proactively uncovered potential corruption and promptly reported it to law enforcement, when in truth, a former in-house lawyer had blown the whistle on Wal-Mart's corruption years earlier, and Wal-Mart concealed the allegations from law enforcement by refusing its own in-house and outside counsel's calls for an independent investigation. Robbins Geller "achieved an exceptional [s]ettlement with skill, perseverance, and diligent advocacy," said Judge Hickey when granting final approval.
- ***Bennett v. Sprint Nextel Corp.***, No. 2:09-cv-02122 (D. Kan.). As co-lead counsel, Robbins Geller obtained a \$131 million recovery for a class of Sprint investors. The settlement, secured after five years of hard-fought litigation, resolved claims that former Sprint executives misled investors concerning the success of Sprint's ill-advised merger with Nextel and the deteriorating credit quality of Sprint's customer base, artificially inflating the value of Sprint's securities.
- ***In re LendingClub Sec. Litig.***, No. 3:16-cv-02627 (N.D. Cal.). Robbins Geller attorneys obtained a \$125 million settlement for the court-appointed lead plaintiff Water and Power Employees' Retirement, Disability and Death Plan of the City of Los Angeles and the class. The settlement resolved allegations that LendingClub promised investors an opportunity to get in on the ground floor of a revolutionary lending market fueled by the highest standards of honesty and integrity. The settlement ranks among the top ten largest securities recoveries ever in the Northern District of California.
- ***Knurr v. Orbital ATK, Inc.***, No. 1:16-cv-01031 (E.D. Va.). In the *Orbital* securities class action, Robbins Geller obtained court approval of a \$108 million recovery for the class. The Firm succeeded in overcoming two successive motions to dismiss the case, and during discovery were required to file ten motions to compel, all of which were either negotiated to a resolution or granted in large part, which resulted in the production of critical evidence in support of plaintiffs' claims. Believed to be the fourth-largest securities class action settlement in the history of the Eastern District of Virginia, the settlement provides a recovery for investors that is more than ten times larger than the reported median recovery of estimated damages for all securities class action settlements in 2018.
- ***Hsu v. Puma Biotechnology***, No. SACV15-0865 (C.D. Cal.). After a two-week jury trial, Robbins Geller attorneys won a complete plaintiffs' verdict against both defendants on both claims, with the jury finding that Puma Biotechnology, Inc. and its CEO, Alan H. Auerbach, committed securities fraud. The Puma case is only the fifteenth securities class action case tried to a verdict since the Private Securities Litigation Reform Act was enacted in 1995.
- ***Marcus v. J.C. Penney Co., Inc.***, No. 13-cv-00736 (E.D. Tex.). Robbins Geller attorneys obtained a \$97.5 million recovery on behalf of J.C. Penney shareholders. The result resolves claims that J.C. Penney and certain officers and directors made misstatements and/or omissions regarding the company's financial position that resulted in artificially inflated stock prices. Specifically, defendants failed to disclose and/or misrepresented adverse facts, including that J.C. Penney

would have insufficient liquidity to get through year-end and would require additional funds to make it through the holiday season, and that the company was concealing its need for liquidity so as not to add to its vendors' concerns.

- ***Monroe County Employees' Retirement System v. The Southern Company***, No. 1:17-cv-00241 (N.D. Ga.). As lead counsel, Robbins Geller obtained an \$87.5 million settlement in a securities class action on behalf of plaintiffs Monroe County Employees' Retirement System and Roofers Local No. 149 Pension Fund. The settlement resolves claims for violations of the Securities Exchange Act of 1934 stemming from defendants' issuance of materially misleading statements and omissions regarding the status of construction of a first-of-its-kind "clean coal" power plant in Kemper County, Mississippi. Plaintiffs alleged that these misstatements caused The Southern Company's stock price to be artificially inflated during the class period. Prior to resolving the case, Robbins Geller uncovered critical documentary evidence and deposition testimony supporting plaintiffs' claims. In granting final approval of the settlement, the court praised Robbins Geller for its "hard-fought litigation in the Eleventh Circuit" and its "experience, reputation, and abilities of [its] attorneys," and highlighted that the firm is "well-regarded in the legal community, especially in litigating class-action securities cases
- ***Chicago Laborers Pension Fund v. Alibaba Grp. Holding Ltd.***, No. CIV535692 (Cal. Super. Ct., San Mateo Cnty.). Robbins Geller attorneys and co-counsel obtained a \$75 million settlement in the Alibaba Group Holding Limited securities class action, resolving investors' claims that Alibaba violated the Securities Act of 1933 in connection with its September 2014 initial public offering. Chicago Laborers Pension Fund served as a plaintiff in the action.
- ***Luna v. Marvell Tech. Grp., Ltd.***, No. 3:15-cv-05447 (N.D. Cal.). In the *Marvell* litigation, Robbins Geller attorneys represented the Plumbers and Pipefitters National Pension Fund and obtained a \$72.5 million settlement. The case involved claims that Marvell reported revenue and earnings during the class period that were misleading as a result of undisclosed pull-in and concession sales. The settlement represents approximately 24% to 50% of the best estimate of classwide damages suffered by investors who purchased shares during the February 19, 2015 through December 7, 2015 class period.
- ***Garden City Emps.' Ret. Sys. v. Psychiatric Sols., Inc.***, No. 3:09-cv-00882 (M.D. Tenn.). In the *Psychiatric Solutions* case, Robbins Geller represented lead plaintiff and class representative Central States, Southeast and Southwest Areas Pension Fund in litigation spanning more than four years. Psychiatric Solutions and its top executives were accused of insufficiently staffing their in-patient hospitals, downplaying the significance of regulatory investigations and manipulating their malpractice reserves. Just days before trial was set to commence, attorneys from Robbins Geller achieved a \$65 million settlement that was the fourth-largest securities recovery ever in the district and one of the largest in a decade.
- ***Plumbers & Pipefitters Nat'l Pension Fund v. Burns***, No. 3:05-cv-07393 (N.D. Ohio). After 11 years of hard-fought litigation, Robbins Geller attorneys secured a \$64 million recovery for shareholders in a case that accused the former heads of Dana Corp. of securities fraud for trumpeting the auto parts maker's condition while it actually spiraled toward bankruptcy. The Firm's Appellate Practice Group successfully appealed to the Sixth Circuit Court of Appeals twice, reversing the district court's dismissal of the action.
- ***Villella v. Chemical and Mining Company of Chile Inc.***, No. 1:15-cv-02106 (S.D.N.Y.) Robbins Geller attorneys, serving as lead counsel, obtained a \$62.5 million settlement against Sociedad

Química y Minera de Chile S.A. (“SQM”), a Chilean mining company. The case alleged that SQM violated the Securities Exchange Act of 1934 by issuing materially false and misleading statements regarding the company’s failure to disclose that money from SQM was channeled illegally to electoral campaigns for Chilean politicians and political parties as far back as 2009. SQM had also filed millions of dollars’ worth of fictitious tax receipts with Chilean authorities in order to conceal bribery payments from at least 2009 through fiscal 2014. Due to the company being based out of Chile and subject to Chilean law and rules, the Robbins Geller litigation team put together a multilingual litigation team with Chilean expertise. Depositions are considered unlawful in the country of Chile, so Robbins Geller successfully moved the court to compel SQM to bring witnesses to the United States.

- ***In re BHP Billiton Ltd. Sec. Litig.***, No. 1:16-cv-01445 (S.D.N.Y.). As lead counsel, Robbins Geller obtained a \$50 million class action settlement against BHP, a Australian-based mining company that was accused of failing to disclose significant safety problems at the Fundão iron-ore dam, in Brazil. The Firm achieved this result for lead plaintiffs City of Birmingham Retirement and Relief System and City of Birmingham Firemen’s and Policemen’s Supplemental Pension System, on behalf of purchasers of the American Depositary Shares (“ADRs”) of defendants BHP Billiton Limited and BHP Billiton Plc (together, “BHP”) from September 25, 2014 to November 30, 2015.
- ***In re St. Jude Med., Inc. Sec. Litig.***, No. 0:10-cv-00851 (D. Minn.). After four and a half years of litigation and mere weeks before the jury selection, Robbins Geller obtained a \$50 million settlement on behalf of investors in medical device company St. Jude Medical. The settlement resolves accusations that St. Jude Medical misled investors by utilizing heavily discounted end-of-quarter bulk sales to meet quarterly expectations, which created a false picture of demand by increasing customer inventory due of St. Jude Medical devices. The complaint alleged that the risk of St. Jude Medical’s reliance on such bulk sales manifested when it failed to meet its forecast guidance for the third quarter of 2009, which the company had reaffirmed only weeks earlier.
- ***Deka Investment GmbH v. Santander Consumer USA Holdings Inc.***, No. 3:15-cv-02129 (N.D. Tex.). Robbins Geller and co-counsel secured a \$47 million settlement in a securities class action against Santander Consumer USA Holdings Inc. (“SCUSA”). The case alleges that SCUSA, 2 of its officers, 10 of its directors, as well as 17 underwriters of its January 23, 2014 multi-billion dollar IPO violated §§11, 12(a)(2), and 15 of the Securities Act of 1933 as a result of their negligence in connection with misrepresentations in the prospectus and registration statement for the IPO (“Offering Documents”). The complaint also alleged that SCUSA and two of its officers violated §§10(b) and 20(a) of the Securities Exchange Act of 1934 and Rule 10b-5 as a result of their fraud in issuing misleading statements in the IPO Offering Documents as well as in subsequent statements to investors.
- ***Snap Inc. Securities Cases***, JCCP No. 4960 (Cal. Super. Ct., Los Angeles Cnty). Robbins Geller, along with co-counsel, reached a settlement in the Snap, Inc. securities class action, providing for the payment of \$32,812,500 to eligible settlement class members. The securities class action sought remedies under §§11, 12(a)(2) and 15 of the Securities Act of 1933. The case alleged that Snap, certain Snap officers and directors, and the underwriters for Snap’s Initial Public Offering (“IPO”) were liable for materially false and misleading statements and omissions in the Registration Statement for the IPO, related to trends and uncertainties in Snap’s growth metrics, a potential patent-infringement action, and stated risk factors.

Robbins Geller’s securities practice is also strengthened by the existence of a strong appellate department, whose collective work has established numerous legal precedents. The securities practice also utilizes an

extensive group of in-house economic and damage analysts, investigators, and forensic accountants to aid in the prosecution of complex securities issues.

Shareholder Derivative and Corporate Governance Litigation

The Firm's shareholder derivative and corporate governance practice is focused on preserving corporate assets and enhancing long-term shareowner value. Shareowner derivative actions are often brought by institutional investors to vindicate the rights of the corporation injured by its executives' misconduct, which can effect violations of the nation's securities, anti-corruption, false claims, cyber-security, labor, environmental, and/or health & safety laws.

Robbins Geller attorneys have aided Firm clients in significantly enhancing shareowner value by obtaining hundreds of millions of dollars in financial clawbacks and successfully negotiating corporate governance enhancements. Robbins Geller has worked with its institutional clients to address corporate misconduct such as options backdating, bribery of foreign officials, pollution, off-label marketing, and insider trading and related self-dealing. Additionally, the Firm works closely with noted corporate governance consultants Robert Monks and Richard Bennett and their firm, ValueEdge Advisors LLC, to shape corporate governance practices that will benefit shareowners.

Robbins Geller's efforts have conferred substantial benefits upon shareowners, and the market effect of these benefits measures in the billions of dollars. The Firm's significant achievements include:

- ***City of Westland Police & Fire Ret. Sys. v. Stumpf (Wells Fargo Derivative Litigation)***, No. 3:11-cv-02369 (N.D. Cal.). Prosecuted shareholder derivative action on behalf of Wells Fargo & Co. alleging that Wells Fargo's executives allowed participation in the mass-processing of home foreclosure documents by engaging in widespread robo-signing, *i.e.*, the execution and submission of false legal documents in courts across the country without verification of their truth or accuracy, and failed to disclose Wells Fargo's lack of cooperation in a federal investigation into the bank's mortgage and foreclosure practices. In settlement of the action, Wells Fargo agreed to provide \$67 million in homeowner down-payment assistance, credit counseling, and improvements to its mortgage servicing system. The initiatives will be concentrated in cities severely impacted by the bank's foreclosure practices and the ensuing mortgage foreclosure crisis. Additionally, Wells Fargo agreed to change its procedures for reviewing shareholder proposals and a strict ban on stock pledges by Wells Fargo board members.
- ***In re Ormat Techs., Inc. Derivative Litig.***, No. CV10-00759 (Nev. Dist. Ct., Washoe Cnty.). Robbins Geller brought derivative claims for breach of fiduciary duty and unjust enrichment against the directors and certain officers of Ormat Technologies, Inc., a leading geothermal and recovered energy power business. During the relevant time period, these Ormat insiders caused the company to engage in accounting manipulations that ultimately required restatement of the company's financial statements. The settlement in this action includes numerous corporate governance reforms designed to, among other things: (i) increase director independence; (ii) provide continuing education to directors; (iii) enhance the company's internal controls; (iv) make the company's board more independent; and (iv) strengthen the company's internal audit function.
- ***In re Alphatec Holdings, Inc. Derivative S'holder Litig.***, No. 37-2010-00058586 (Cal. Super. Ct., San Diego Cnty.). Obtained sweeping changes to Alphatec's governance, including separation of the Chairman and CEO positions, enhanced conflict of interest procedures to address related-party transactions, rigorous director independence standards requiring that at least a majority of directors be outside independent directors, and ongoing director education and training.

- ***In re Finisar Corp. Derivative Litig.***, No. C-06-07660 (N.D. Cal.). Prosecuted shareholder derivative action on behalf of Finisar against certain of its current and former directors and officers for engaging in an alleged nearly decade-long stock option backdating scheme that was alleged to have inflicted substantial damage upon Finisar. After obtaining a reversal of the district court's order dismissing the complaint for failing to adequately allege that a pre-suit demand was futile, Robbins Geller lawyers successfully prosecuted the derivative claims to resolution obtaining over \$15 million in financial clawbacks for Finisar. Robbins Geller attorneys also obtained significant changes to Finisar's stock option granting procedures and corporate governance. As a part of the settlement, Finisar agreed to ban the repricing of stock options without first obtaining specific shareholder approval, prohibit the retrospective selection of grant dates for stock options and similar awards, limit the number of other boards on which Finisar directors may serve, require directors to own a minimum amount of Finisar shares, annually elect a Lead Independent Director whenever the position of Chairman and CEO are held by the same person, and require the board to appoint a Trading Compliance officer responsible for ensuring compliance with Finisar's insider trading policies.
- ***Loizides v. Schramm (Maxwell Technology Derivative Litigation)***, No. 37-2010-00097953 (Cal. Super. Ct., San Diego Cnty.). Prosecuted shareholder derivative claims arising from the company's alleged violations of the Foreign Corrupt Practices Act of 1977 ("FCPA"). As a result of Robbins Geller's efforts, Maxwell insiders agreed to adopt significant changes in Maxwell's internal controls and systems designed to protect Maxwell against future potential violations of the FCPA. These corporate governance changes included establishing the following, among other things: a compliance plan to improve board oversight of Maxwell's compliance processes and internal controls; a clear corporate policy prohibiting bribery and subcontracting kickbacks, whereby individuals are accountable; mandatory employee training requirements, including the comprehensive explanation of whistleblower provisions, to provide for confidential reporting of FCPA violations or other corruption; enhanced resources and internal control and compliance procedures for the audit committee to act quickly if an FCPA violation or other corruption is detected; an FCPA and Anti-Corruption Compliance department that has the authority and resources required to assess global operations and detect violations of the FCPA and other instances of corruption; a rigorous ethics and compliance program applicable to all directors, officers, and employees, designed to prevent and detect violations of the FCPA and other applicable anti-corruption laws; an executive-level position of Chief Compliance Officer with direct board-level reporting responsibilities, who shall be responsible for overseeing and managing compliance issues within the company; a rigorous insider trading policy buttressed by enhanced review and supervision mechanisms and a requirement that all trades are timely disclosed; and enhanced provisions requiring that business entities are only acquired after thorough FCPA and anti-corruption due diligence by legal, accounting, and compliance personnel at Maxwell.
- ***In re SciClone Pharms., Inc. S'holder Derivative Litig.***, No. CIV 499030 (Cal. Super. Ct., San Mateo Cnty.). Robbins Geller attorneys successfully prosecuted the derivative claims on behalf of nominal party SciClone Pharmaceuticals, Inc., resulting in the adoption of state-of-the-art corporate governance reforms. The corporate governance reforms included the establishment of an FCPA compliance coordinator; the adoption of an FCPA compliance program and code; and the adoption of additional internal controls and compliance functions.
- ***Policemen & Firemen Ret. Sys. of the City of Detroit v. Cornelison (Halliburton Derivative Litigation)***, No. 2009-29987 (Tex. Dist. Ct., Harris Cnty.). Prosecuted shareholder derivative claims on behalf of Halliburton Company against certain Halliburton insiders for breaches of fiduciary duty arising from Halliburton's alleged violations of the FCPA. In the settlement, Halliburton agreed, among other things, to adopt strict intensive controls and systems designed to detect and deter the payment of bribes and other improper payments to foreign officials, to

enhanced executive compensation clawback, director stock ownership requirements, a limitation on the number of other boards that Halliburton directors may serve, a lead director charter, enhanced director independence standards, and the creation of a management compliance committee.

- ***In re UnitedHealth Grp. Inc. PSLRA Litig.***, No. 06-CV-1691 (D. Minn.). In the *UnitedHealth* case, our client, CalPERS, obtained sweeping corporate governance improvements, including the election of a shareholder-nominated member to the company's board of directors, a mandatory holding period for shares acquired by executives via option exercises, as well as executive compensation reforms that tie pay to performance. In addition, the class obtained \$925 million, the largest stock option backdating recovery ever and four times the next largest options backdating recovery.
- ***In re Fossil, Inc. Derivative Litig.***, No. 3:06-cv-01672 (N.D. Tex.). The settlement agreement included the following corporate governance changes: declassification of elected board members; retirement of three directors and addition of five new independent directors; two-thirds board independence requirements; corporate governance guidelines providing for "Majority Voting" election of directors; lead independent director requirements; revised accounting measurement dates of options; addition of standing finance committee; compensation clawbacks; director compensation standards; revised stock option plans and grant procedures; limited stock option granting authority, timing, and pricing; enhanced education and training; and audit engagement partner rotation and outside audit firm review.
- ***Pirelli Armstrong Tire Corp. Retiree Med. Benefits Tr. v. Sinegal (Costco Derivative Litigation)***, No. 2:08-cv-01450 (W.D. Wash.). The parties agreed to settlement terms providing for the following corporate governance changes: the amendment of Costco's bylaws to provide "Majority Voting" election of directors; the elimination of overlapping compensation and audit committee membership on common subject matters; enhanced Dodd-Frank requirements; enhanced internal audit standards and controls, and revised information-sharing procedures; revised compensation policies and procedures; revised stock option plans and grant procedures; limited stock option granting authority, timing, and pricing; and enhanced ethics compliance standards and training.
- ***In re F5 Networks, Inc. Derivative Litig.***, No. C-06-0794 (W.D. Wash.). The parties agreed to the following corporate governance changes as part of the settlement: revised stock option plans and grant procedures; limited stock option granting authority, timing, and pricing; "Majority Voting" election of directors; lead independent director requirements; director independence standards; elimination of director perquisites; and revised compensation practices.

- ***In re Community Health Sys., Inc. S'holder Derivative Litig.***, No. 3:11-cv-00489 (M.D. Tenn.). Robbins Geller obtained unprecedented corporate governance reforms on behalf of Community Health Systems, Inc. in a case against the company's directors and officers for breaching their fiduciary duties by causing Community Health to develop and implement admissions criteria that systematically steered patients into unnecessary inpatient admissions, in contravention of Medicare and Medicaid regulations. The governance reforms obtained as part of the settlement include two shareholder-nominated directors, the creation of a Healthcare Law Compliance Coordinator with specified qualifications and duties, a requirement that the board's compensation committee be comprised solely of independent directors, the implementation of a compensation clawback that will automatically recover compensation improperly paid to the company's CEO or CFO in the event of a restatement, the establishment of an insider trading controls committee, and the adoption of a political expenditure disclosure policy. In addition to these reforms, \$60 million in financial relief was obtained, which is the largest shareholder derivative recovery ever in Tennessee and the Sixth Circuit.

Options Backdating Litigation

As has been widely reported in the media, the stock options backdating scandal suddenly engulfed hundreds of publicly traded companies throughout the country in 2006. Robbins Geller was at the forefront of investigating and prosecuting options backdating derivative and securities cases. The Firm has recovered over \$1 billion in damages on behalf of injured companies and shareholders.

- ***In re KLA-Tencor Corp. S'holder Derivative Litig.***, No. C-06-03445 (N.D. Cal.). After successfully opposing the special litigation committee of the board of directors' motion to terminate the derivative claims, Robbins Geller recovered \$43.6 million in direct financial benefits for KLA-Tencor, including \$33.2 million in cash payments by certain former executives and their directors' and officers' insurance carriers.
- ***In re Marvell Tech. Grp. Ltd. Derivative Litig.***, No. C-06-03894 (N.D. Cal.). Robbins Geller recovered \$54.9 million in financial benefits, including \$14.6 million in cash, for Marvell, in addition to extensive corporate governance reforms related to Marvell's stock option granting practices, board of directors' procedures, and executive compensation.
- ***In re KB Home S'holder Derivative Litig.***, No. 06-CV-05148 (C.D. Cal.). Robbins Geller served as co-lead counsel for the plaintiffs and recovered more than \$31 million in financial benefits, including \$21.5 million in cash, for KB Home, plus substantial corporate governance enhancements relating to KB Home's stock option granting practices, director elections, and executive compensation practices.

Corporate Takeover Litigation

Robbins Geller has earned a reputation as the leading law firm in representing shareholders in corporate takeover litigation. Through its aggressive efforts in prosecuting corporate takeovers, the Firm has secured for shareholders billions of dollars of additional consideration as well as beneficial changes for shareholders in the context of mergers and acquisitions.

The Firm regularly prosecutes merger and acquisition cases post-merger, often through trial, to maximize the benefit for its shareholder class. Some of these cases include:

- ***In re Tesla Motors, Inc. S'holder Litig.***, No. 12711-VCS (Del. Ch.). Robbins Geller, along with co-counsel, secured a \$60 million partial settlement after nearly four years of litigation against Tesla. This partial settlement is one of the largest derivative recoveries in a stockholder action challenging a merger. This partial settlement resolves the claims brought against defendants Kimbal Musk, Antonio J. Gracias, Stephen T. Jurvetson, Brad W. Buss, Ira Ehrenpreis, and Robyn M. Denholm, but not the claims against defendant Elon Musk.
- ***In re Kinder Morgan, Inc. S'holders Litig.***, No. 06-C-801 (Kan. Dist. Ct., Shawnee Cnty.). In the largest recovery ever for corporate takeover class action litigation, the Firm negotiated a settlement fund of \$200 million in 2010.
- ***In re Dole Food Co., Inc. S'holder Litig.***, No. 8703-VCL (Del. Ch.). Robbins Geller and co-counsel went to trial in the Delaware Court of Chancery on claims of breach of fiduciary duty on behalf of Dole Food Co., Inc. shareholders. The litigation challenged the 2013 buyout of Dole by its billionaire Chief Executive Officer and Chairman, David H. Murdock. On August 27, 2015, the court issued a post-trial ruling that Murdock and fellow director C. Michael Carter – who also served as Dole's General Counsel, Chief Operating Officer, and Murdock's top lieutenant – had engaged in fraud and other misconduct in connection with the buyout and are liable to Dole's former stockholders for over \$148 million, the largest trial verdict ever in a class action challenging a merger transaction.
- ***Nieman v. Duke Energy Corp.***, No. 3:12-cv-00456 (W.D.N.C.). Robbins Geller, along with co-counsel, obtained a \$146.25 million settlement on behalf of Duke Energy Corporation investors. The settlement resolves accusations that defendants misled investors regarding Duke's future leadership following its merger with Progress Energy, Inc., and specifically, their premeditated coup to oust William D. Johnson (CEO of Progress) and replace him with Duke's then-CEO, John Rogers. This historic settlement represents the largest recovery ever in a North Carolina securities fraud action, and one of the five largest recoveries in the Fourth Circuit.
- ***In re Rural Metro Corp. S'holders Litig.***, No. 6350-VCL (Del. Ch.). Robbins Geller and co-counsel were appointed lead counsel in this case after successfully objecting to an inadequate settlement that did not take into account evidence of defendants' conflicts of interest. In a post-trial opinion, Delaware Vice Chancellor J. Travis Laster found defendant RBC Capital Markets, LLC liable for aiding and abetting Rural/Metro's board of directors' fiduciary duty breaches in the \$438 million buyout of Rural/Metro, citing "the magnitude of the conflict between RBC's claims and the evidence." RBC was ordered to pay nearly \$110 million as a result of its wrongdoing, the largest damage award ever obtained against a bank over its role as a merger adviser. The Delaware Supreme Court issued a landmark opinion affirming the judgment on November 30, 2015, *RBC Cap. Mkts., LLC v. Jervis*, 129 A.3d 816 (Del. 2015).
- ***In re Del Monte Foods Co. S'holders Litig.***, No. 6027-VCL (Del. Ch.). Robbins Geller exposed the unseemly practice by investment bankers of participating on both sides of large merger and acquisition transactions and ultimately secured an \$89 million settlement for shareholders of Del Monte. For efforts in achieving these results, the Robbins Geller lawyers prosecuting the case were named Attorneys of the Year by *California Lawyer* magazine in 2012.
- ***In re TD Banknorth S'holders Litig.***, No. 2557-VCL (Del. Ch.). After objecting to a modest recovery of just a few cents per share, the Firm took over the litigation and obtained a common fund settlement of \$50 million.

- ***In re Chaparral Res., Inc. S'holders Litig.***, No. 2633-VCL (Del. Ch.). After a full trial and a subsequent mediation before the Delaware Chancellor, the Firm obtained a common fund settlement of \$41 million (or 45% increase above merger price) for both class and appraisal claims.
- ***Laborers' Local #231 Pension Fund v. Websense, Inc.***, No. 37-2013-00050879-CU-BT-CTL (Cal. Super. Ct., San Diego Cnty.). Robbins Geller successfully obtained a record-breaking \$40 million in *Websense*, which is believed to be the largest post-merger common fund settlement in California state court history. The class action challenged the May 2013 buyout of Websense by Vista Equity Partners (and affiliates) for \$24.75 per share and alleged breach of fiduciary duty against the former Websense board of directors, and aiding and abetting against Websense's financial advisor, Merrill Lynch, Pierce, Fenner & Smith, Inc. Claims were pursued by the plaintiff in both California state court and the Delaware Court of Chancery.
- ***In re Onyx Pharms., Inc. S'holder Litig.***, No. CIV523789 (Cal. Super. Ct., San Mateo Cnty.). Robbins Geller obtained \$30 million in a case against the former Onyx board of directors for breaching its fiduciary duties in connection with the acquisition of Onyx by Amgen Inc. for \$125 per share at the expense of shareholders. At the time of the settlement, it was believed to set the record for the largest post-merger common fund settlement in California state court history. Over the case's three years, Robbins Geller defeated defendants' motions to dismiss, obtained class certification, took over 20 depositions, and reviewed over one million pages of documents. Further, the settlement was reached just days before a hearing on defendants' motion for summary judgment was set to take place, and the result is now believed to be the second largest post-merger common fund settlement in California state court history.
- ***Harrah's Entertainment***, No. A529183 (Nev. Dist. Ct., Clark Cnty.). The Firm's active prosecution of the case on several fronts, both in federal and state court, assisted Harrah's shareholders in securing an additional \$1.65 billion in merger consideration.
- ***In re Chiron S'holder Deal Litig.***, No. RG 05-230567 (Cal. Super. Ct., Alameda Cnty.). The Firm's efforts helped to obtain an additional \$800 million in increased merger consideration for Chiron shareholders.
- ***In re Dollar Gen. Corp. S'holder Litig.***, No. 07MD-1 (Tenn. Cir. Ct., Davidson Cnty.). As lead counsel, the Firm secured a recovery of up to \$57 million in cash for former Dollar General shareholders on the eve of trial.
- ***In re Prime Hosp., Inc. S'holders Litig.***, No. 652-N (Del. Ch.). The Firm objected to a settlement that was unfair to the class and proceeded to litigate breach of fiduciary duty issues involving a sale of hotels to a private equity firm. The litigation yielded a common fund of \$25 million for shareholders.
- ***In re UnitedGlobalCom, Inc. S'holder Litig.***, No. 1012-VCS (Del. Ch.). The Firm secured a common fund settlement of \$25 million just weeks before trial.
- ***In re eMachines, Inc. Merger Litig.***, No. 01-CC-00156 (Cal. Super. Ct., Orange Cnty.). After four years of litigation, the Firm secured a common fund settlement of \$24 million on the brink of trial.
- ***In re PeopleSoft, Inc. S'holder Litig.***, No. RG-03100291 (Cal. Super. Ct., Alameda Cnty.). The Firm successfully objected to a proposed compromise of class claims arising from takeover defenses by PeopleSoft, Inc. to thwart an acquisition by Oracle Corp., resulting in shareholders receiving an increase of over \$900 million in merger consideration.

- ***ACS S'holder Litig.***, No. CC-09-07377-C (Tex. Cty. Ct., Dallas Cnty.). The Firm forced ACS's acquirer, Xerox, to make significant concessions by which shareholders would not be locked out of receiving more money from another buyer.

Antitrust

Robbins Geller's antitrust practice focuses on representing businesses and individuals who have been the victims of price-fixing, unlawful monopolization, market allocation, tying, and other anti-competitive conduct. The Firm has taken a leading role in many of the largest federal and state price-fixing, monopolization, market allocation, and tying cases throughout the United States.

- ***In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation***, MDL No. 1720 (E.D.N.Y.). Robbins Geller attorneys, serving as co-lead counsel on behalf of merchants, obtained a settlement amount of \$5.5 billion. In approving the settlement, the court noted that Robbins Geller and co-counsel "demonstrated the utmost professionalism despite the demands of the extreme perseverance that this case has required, litigating on behalf of a class of over 12 million for over fourteen years, across a changing legal landscape, significant motion practice, and appeal and remand. Class counsel's pedigree and efforts alone speak to the quality of their representation."
- ***Dahl v. Bain Cap. Partners, LLC***, No. 07-cv-12388 (D. Mass). Robbins Geller attorneys served as co-lead counsel on behalf of shareholders in this antitrust action against the nation's largest private equity firms that colluded to restrain competition and suppress prices paid to shareholders of public companies in connection with leveraged buyouts. Robbins Geller attorneys recovered more than \$590 million for the class from the private equity firm defendants, including Goldman Sachs Group Inc. and Carlyle Group LP.
- ***Alaska Elec. Pension Fund v. Bank of Am. Corp.***, No. 14-cv-07126 (S.D.N.Y.). Robbins Geller attorneys prosecuted antitrust claims against 14 major banks and broker ICAP plc who were alleged to have conspired to manipulate the ISDAfix rate, the key interest rate for a broad range of interest rate derivatives and other financial instruments in contravention of the competition laws. The class action was brought on behalf of investors and market participants who entered into interest rate derivative transactions between 2006 and 2013. Final approval has been granted to settlements collectively yielding \$504.5 million from all defendants.
- ***In re Currency Conversion Fee Antitrust Litig.***, 01 MDL No. 1409 (S.D.N.Y.). Robbins Geller attorneys served as lead counsel and recovered \$336 million for a class of credit and debit cardholders. The court praised the Firm as "indefatigable," noting that the Firm's lawyers "vigorously litigated every issue against some of the ablest lawyers in the antitrust defense bar."
- ***In re SSA Bonds Antitrust Litig.***, No. 1:16-cv-03711 (S.D.N.Y.). Robbins Geller attorneys are serving as co-lead counsel in a case against several of the world's largest banks and the traders of certain specialized government bonds. They are alleged to have entered into a wide-ranging price-fixing and bid-rigging scheme costing pension funds and other investors hundreds of millions. To date, three of the more than a dozen corporate defendants have settled for \$95.5 million.
- ***In re Aftermarket Auto. Lighting Prods. Antitrust Litig.***, 09 MDL No. 2007 (C.D. Cal.). Robbins Geller attorneys served as co-lead counsel in this multi-district litigation in which plaintiffs allege that defendants conspired to fix prices and allocate markets for automotive lighting products. The last defendants settled just before the scheduled trial, resulting in total settlements of more than \$50 million. Commenting on the quality of representation, the court commended the Firm for

“expend[ing] substantial and skilled time and efforts in an efficient manner to bring this action to conclusion.”

- ***In re Dynamic Random Access Memory (DRAM) Antitrust Litig.***, 02 MDL No. 1486 (N.D. Cal.). Robbins Geller attorneys served on the executive committee in this multi-district class action in which a class of purchasers of dynamic random access memory (or DRAM) chips alleged that the leading manufacturers of semiconductor products fixed the price of DRAM chips from the fall of 2001 through at least the end of June 2002. The case settled for more than \$300 million.
- ***Microsoft I-V Cases***, JCCP No. 4106 (Cal. Super. Ct., San Francisco Cnty.). Robbins Geller attorneys served on the executive committee in these consolidated cases in which California indirect purchasers challenged Microsoft’s illegal exercise of monopoly power in the operating system, word processing, and spreadsheet markets. In a settlement approved by the court, class counsel obtained an unprecedented \$1.1 billion worth of relief for the business and consumer class members who purchased the Microsoft products.

Consumer Fraud and Privacy

In our consumer-based economy, working families who purchase products and services must receive truthful information so they can make meaningful choices about how to spend their hard-earned money. When financial institutions and other corporations deceive consumers or take advantage of unequal bargaining power, class action suits provide, in many instances, the only realistic means for an individual to right a corporate wrong.

Robbins Geller attorneys represent consumers around the country in a variety of important, complex class actions. Our attorneys have taken a leading role in many of the largest federal and state consumer fraud, privacy, environmental, human rights, and public health cases throughout the United States. The Firm is also actively involved in many cases relating to banks and the financial services industry, pursuing claims on behalf of individuals victimized by abusive telemarketing practices, abusive mortgage lending practices, market timing violations in the sale of variable annuities, and deceptive consumer credit lending practices in violation of the Truth-In-Lending Act. Below are a few representative samples of our robust, nationwide consumer and privacy practice.

- ***In re Nat’l Prescription Opiate Litig.*** Robbins Geller serves on the Plaintiffs’ Executive Committee to spearhead more than 2,900 federal lawsuits brought on behalf of governmental entities and other plaintiffs in the sprawling litigation concerning the nationwide prescription opioid epidemic. In reporting on the selection of the lawyers to lead the case, *The National Law Journal* reported that “[t]he team reads like a ‘Who’s Who’ in mass torts.”
- ***Apple Inc. Device Performance Litigation.*** Robbins Geller serves on the Plaintiffs’ Executive Committee to advance judicial interests of efficiency and protect the interests of the proposed class in the *Apple* litigation. The case alleges Apple misrepresented its iPhone devices and the nature of updates to its mobile operating system (iOS), which allegedly included code that significantly reduced the performance of older-model iPhones and forced users to incur expenses replacing these devices or their batteries.
- ***In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Pracs. & Antitrust Litig.*** Robbins Geller serves as co-lead counsel in a case against Mylan Pharmaceuticals and Pfizer for engaging in crippling anti-competitive behavior that allowed the price of their ubiquitous and life-saving EpiPen auto-injector devices to rise over 600%, bilking American children and adults for hundreds of millions of dollars.

- ***Cordova v. Greyhound Lines, Inc.*** Robbins Geller represented California bus passengers *pro bono* in a landmark consumer and civil rights case against Greyhound for subjecting them to discriminatory immigration raids. Robbins Geller achieved a watershed court ruling that a private company may be held liable under California law for allowing border patrol to harass and racially profile its customers. The case heralds that Greyhound passengers do not check their rights and dignity at the bus door and has had an immediate impact, not only in California but nationwide. Within weeks of Robbins Geller filing the case, Greyhound added “know your rights” information to passengers to its website and on posters in bus stations around the country, along with adopting other business reforms.
- ***In re Volkswagen “Clean Diesel” Mktg., Sales Pracs., & Prods. Liab. Litig.*** As part of the Plaintiffs’ Steering Committee, Robbins Geller reached a series of settlements on behalf of purchasers, lessees, and dealers that total well over \$17 billion, the largest settlement in history, concerning illegal “defeat devices” that Volkswagen installed on many of its diesel-engine vehicles. The device tricked regulators into believing the cars were complying with emissions standards, while the cars were actually emitting between 10 and 40 times the allowable limit for harmful pollutants.
- ***In re Facebook Biometric Info. Privacy Litig.***, No. 3:15-cv-03747 (N.D. Cal.). Robbins Geller served as co-lead class counsel in a cutting-edge certified class action, securing a record-breaking \$650 million all-cash settlement, the largest privacy settlement in history. The case concerned Facebook’s alleged privacy violations through its collection of its users’ biometric identifiers without informed consent through its “Tag Suggestions” feature, which uses proprietary facial recognition software to extract from user-uploaded photographs the unique biometric identifiers (*i.e.*, graphical representations of facial features, also known as facial geometry) associated with people’s faces and identify who they are. The Honorable James Donato called the settlement “a groundbreaking settlement in a novel area” and praised the unprecedented 22% claims rate as “pretty phenomenal” and “a pretty good day in class settlement history.”
- ***Yahoo Data Breach Class Action.*** Robbins Geller helped secure final approval of a \$117.5 million settlement in a class action lawsuit against Yahoo, Inc. arising out of Yahoo’s reckless disregard for the safety and security of its customers’ personal, private information. In September 2016, Yahoo revealed that personal information associated with at least 500 million user accounts, including names, email addresses, telephone numbers, dates of birth, hashed passwords, and security questions and answers, was stolen from Yahoo’s user database in late 2014. The company made another announcement in December 2016 that personal information associated with more than one billion user accounts was extracted in August 2013. Ten months later, Yahoo announced that the breach in 2013 actually affected all three billion existing accounts. This was the largest data breach in history, and caused severe financial and emotional damage to Yahoo account holders. In 2017, Robbins Geller was appointed to the Plaintiffs’ Executive Committee charged with overseeing the litigation.
- ***Trump University.*** After six and a half years of tireless litigation and on the eve of trial, Robbins Geller, serving as co-lead counsel, secured a historic recovery on behalf of Trump University students around the country. The settlement provides \$25 million to approximately 7,000 consumers, including senior citizens who accessed retirement accounts and maxed out credit cards to enroll in Trump University. The extraordinary result means individual class members are eligible for upwards of \$35,000 in restitution. The settlement resolves claims that President Donald J. Trump and Trump University violated federal and state laws by misleadingly marketing “Live Events” seminars and mentorships as teaching Trump’s “real-estate techniques” through his “hand-picked” “professors” at his so-called “university.” Robbins Geller represented the class on a *pro bono* basis.

- ***In re Morning Song Bird Food Litig.*** Robbins Geller obtained final approval of a settlement in a civil Racketeer Influenced and Corrupt Organizations Act consumer class action against The Scotts Miracle-Gro Company and its CEO James Hagedorn. The settlement of up to \$85 million provides full refunds to consumers around the country and resolves claims that Scotts Miracle-Gro knowingly sold wild bird food treated with pesticides that are hazardous to birds. In approving the settlement, Judge Houston commended Robbins Geller's "skill and quality of work [as] extraordinary" and the case as "aggressively litigated." The Robbins Geller team battled a series of dismissal motions before achieving class certification for the plaintiffs in March 2017, with the court finding that "Plaintiffs would not have purchased the bird food if they knew it was poison." Defendants then appealed the class certification to the Ninth Circuit, which was denied, and then tried to have the claims from non-California class members thrown out, which was also denied.
- ***Bank Overdraft Fees Litigation.*** The banking industry charges consumers exorbitant amounts for "overdraft" of their checking accounts, even if the customer did not authorize a charge beyond the available balance and even if the account would not have been overdrawn had the transactions been ordered chronologically as they occurred – that is, banks reorder transactions to maximize such fees. The Firm brought lawsuits against major banks to stop this practice and recover these false fees. These cases have recovered over \$500 million thus far from a dozen banks and we continue to investigate other banks engaging in this practice.
- ***Visa and MasterCard Fees.*** After years of litigation and a six-month trial, Robbins Geller attorneys won one of the largest consumer-protection verdicts ever awarded in the United States. The Firm's attorneys represented California consumers in an action against Visa and MasterCard for intentionally imposing and concealing a fee from cardholders. The court ordered Visa and MasterCard to return \$800 million in cardholder losses, which represented 100% of the amount illegally taken, plus 2% interest. In addition, the court ordered full disclosure of the hidden fee.
- ***Sony Gaming Networks & Customer Data Security Breach Litigation.*** The Firm served as a member of the Plaintiffs' Steering Committee, helping to obtain a precedential opinion denying in part Sony's motion to dismiss plaintiffs' claims involving the breach of Sony's gaming network, leading to a \$15 million settlement.
- ***Tobacco Litigation.*** Robbins Geller attorneys have led the fight against Big Tobacco since 1991. As an example, Robbins Geller attorneys filed the case that helped get rid of Joe Camel, representing various public and private plaintiffs, including the State of Arkansas, the general public in California, the cities of San Francisco, Los Angeles, and Birmingham, 14 counties in California, and the working men and women of this country in the Union Pension and Welfare Fund cases that have been filed in 40 states. In 1992, Robbins Geller attorneys filed the first case in the country that alleged a conspiracy by the Big Tobacco companies.

- ***Garment Workers Sweatshop Litigation.*** Robbins Geller attorneys represented a class of 30,000 garment workers who alleged that they had worked under sweatshop conditions in garment factories in Saipan that produced clothing for top U.S. retailers such as The Gap, Target, and J.C. Penney. In the first action of its kind, Robbins Geller attorneys pursued claims against the factories and the retailers alleging violations of RICO, the Alien Tort Claims Act, and the Law of Nations based on the alleged systemic labor and human rights abuses occurring in Saipan. This case was a companion to two other actions, one which alleged overtime violations by the garment factories under the Fair Labor Standards Act and local labor law, and another which alleged violations of California's Unfair Practices Law by the U.S. retailers. These actions resulted in a settlement of approximately \$20 million that included a comprehensive monitoring program to address past violations by the factories and prevent future ones. The members of the litigation team were honored as Trial Lawyers of the Year by the Trial Lawyers for Public Justice in recognition of the team's efforts at bringing about the precedent-setting settlement of the actions.
- ***In re Intel Corp. CPU Mktg., Sales Pracs. & Prods. Liab. Litig.*** Robbins Geller serves on the Plaintiffs' Steering Committee in *Intel*, a massive multidistrict litigation pending in the United States District Court for the District of Oregon. *Intel* concerns serious security vulnerabilities – known as “Spectre” and “Meltdown” – that infect nearly all of Intel's x86 processors manufactured and sold since 1995, the patching of which results in processing speed degradation of the impacted computer, server or mobile device.
- ***Hauck v. Advanced Micro Devices, Inc.*** An attorney from Robbins Geller serves as co-lead counsel in a case against Advanced Micro Devices, Inc. (“AMD”), which alleges that AMD's processors are incapable of operating as intended and at processing speeds represented by AMD without exposing users to the Spectre vulnerability, which allows hackers to covertly access sensitive information stored within the CPU's kernel.
- ***West Telemarketing Case.*** Robbins Geller attorneys secured a \$39 million settlement for class members caught up in a telemarketing scheme where consumers were charged for an unwanted membership program after purchasing Tae-Bo exercise videos. Under the settlement, consumers were entitled to claim between one and one-half to three times the amount of all fees they unknowingly paid.
- ***Dannon Activia®.*** Robbins Geller attorneys secured the largest ever settlement for a false advertising case involving a food product. The case alleged that Dannon's advertising for its Activia® and DanActive® branded products and their benefits from “probiotic” bacteria were overstated. As part of the nationwide settlement, Dannon agreed to modify its advertising and establish a fund of up to \$45 million to compensate consumers for their purchases of Activia® and DanActive®.
- ***Mattel Lead Paint Toys.*** In 2006-2007, toy manufacturing giant Mattel and its subsidiary Fisher-Price announced the recall of over 14 million toys made in China due to hazardous lead and dangerous magnets. Robbins Geller attorneys filed lawsuits on behalf of millions of parents and other consumers who purchased or received toys for children that were marketed as safe but were later recalled because they were dangerous. The Firm's attorneys reached a landmark settlement for millions of dollars in refunds and lead testing reimbursements, as well as important testing requirements to ensure that Mattel's toys are safe for consumers in the future.
- ***Tenet Healthcare Cases.*** Robbins Geller attorneys were co-lead counsel in a class action alleging a fraudulent scheme of corporate misconduct, resulting in the overcharging of uninsured patients

by the Tenet chain of hospitals. The Firm's attorneys represented uninsured patients of Tenet hospitals nationwide who were overcharged by Tenet's admittedly "aggressive pricing strategy," which resulted in price gouging of the uninsured. The case was settled with Tenet changing its practices and making refunds to patients.

- ***Pet Food Products Liability Litigation.*** Robbins Geller served as co-lead counsel in this massive, 100+ case products liability MDL in the District of New Jersey concerning the death of and injury to thousands of the nation's cats and dogs due to tainted pet food. The case settled for \$24 million.

Human Rights, Labor Practices, and Public Policy

Robbins Geller attorneys have a long tradition of representing the victims of unfair labor practices and violations of human rights. These include:

- ***Does I v. The Gap, Inc.***, No. 01 0031 (D. N. Mar. I.). In this groundbreaking case, Robbins Geller attorneys represented a class of 30,000 garment workers who alleged that they had worked under sweatshop conditions in garment factories in Saipan that produced clothing for top U.S. retailers such as The Gap, Target, and J.C. Penney. In the first action of its kind, Robbins Geller attorneys pursued claims against the factories and the retailers alleging violations of RICO, the Alien Tort Claims Act, and the Law of Nations based on the alleged systemic labor and human rights abuses occurring in Saipan. This case was a companion to two other actions: ***Does I v. Advance Textile Corp.***, No. 99 0002 (D. N. Mar. I.), which alleged overtime violations by the garment factories under the Fair Labor Standards Act and local labor law, and ***UNITE v. The Gap, Inc.***, No. 300474 (Cal. Super. Ct., San Francisco Cty.), which alleged violations of California's Unfair Practices Law by the U.S. retailers. These actions resulted in a settlement of approximately \$20 million that included a comprehensive monitoring program to address past violations by the factories and prevent future ones. The members of the litigation team were honored as Trial Lawyers of the Year by the Trial Lawyers for Public Justice in recognition of the team's efforts at bringing about the precedent-setting settlement of the actions.
- ***Liberty Mutual Overtime Cases***, No. JCCP 4234 (Cal. Super. Ct., Los Angeles Cnty.). Robbins Geller attorneys served as co-lead counsel on behalf of 1,600 current and former insurance claims adjusters at Liberty Mutual Insurance Company and several of its subsidiaries. Plaintiffs brought the case to recover unpaid overtime compensation and associated penalties, alleging that Liberty Mutual had misclassified its claims adjusters as exempt from overtime under California law. After 13 years of complex and exhaustive litigation, Robbins Geller secured a settlement in which Liberty Mutual agreed to pay \$65 million into a fund to compensate the class of claims adjusters for unpaid overtime. The Liberty Mutual action is one of a few claims adjuster overtime actions brought in California or elsewhere to result in a successful outcome for plaintiffs since 2004.
- ***Veliz v. Cintas Corp.***, No. 5:03-cv-01180 (N.D. Cal.). Brought against one of the nation's largest commercial laundries for violations of the Fair Labor Standards Act for misclassifying truck drivers as salesmen to avoid payment of overtime.
- ***Kasky v. Nike, Inc.***, 27 Cal. 4th 939 (2002). The California Supreme Court upheld claims that an apparel manufacturer misled the public regarding its exploitative labor practices, thereby violating California statutes prohibiting unfair competition and false advertising. The court rejected defense contentions that any misconduct was protected by the First Amendment, finding the heightened constitutional protection afforded to noncommercial speech inappropriate in such a circumstance.

Shareholder derivative litigation brought by Robbins Geller attorneys at times also involves stopping anti-union activities, including:

- ***Southern Pacific/Overnite***. A shareholder action stemming from several hundred million dollars in loss of value in the company due to systematic violations by Overnite of U.S. labor laws.
- ***Massey Energy***. A shareholder action against an anti-union employer for flagrant violations of environmental laws resulting in multi-million-dollar penalties.
- ***Crown Petroleum***. A shareholder action against a Texas-based oil company for self-dealing and breach of fiduciary duty while also involved in a union lockout.

Environment and Public Health

Robbins Geller attorneys have also represented plaintiffs in class actions related to environmental law. The Firm's attorneys represented, on a *pro bono* basis, the Sierra Club and the National Economic Development and Law Center as *amici curiae* in a federal suit designed to uphold the federal and state use of project labor agreements ("PLAs"). The suit represented a legal challenge to President Bush's Executive Order 13202, which prohibits the use of project labor agreements on construction projects receiving federal funds. Our *amici* brief in the matter outlined and stressed the significant environmental and socio-economic benefits associated with the use of PLAs on large-scale construction projects.

Attorneys with Robbins Geller have been involved in several other significant environmental cases, including:

- ***Public Citizen v. U.S. D.O.T.*** Robbins Geller attorneys represented a coalition of labor, environmental, industry, and public health organizations including Public Citizen, The International Brotherhood of Teamsters, California AFL-CIO, and California Trucking Industry in a challenge to a decision by the Bush administration to lift a Congressionally-imposed "moratorium" on cross-border trucking from Mexico on the basis that such trucks do not conform to emission controls under the Clean Air Act, and further, that the administration did not first complete a comprehensive environmental impact analysis as required by the National Environmental Policy Act. The suit was dismissed by the United States Supreme Court, the court holding that because the D.O.T. lacked discretion to prevent crossborder trucking, an environmental assessment was not required.
- ***Sierra Club v. AK Steel***. Brought on behalf of the Sierra Club for massive emissions of air and water pollution by a steel mill, including homes of workers living in the adjacent communities, in violation of the Federal Clean Air Act, the Resource Conservation Recovery Act, and the Clean Water Act.
- ***MTBE Litigation***. Brought on behalf of various water districts for befouling public drinking water with MTBE, a gasoline additive linked to cancer.
- ***Exxon Valdez***. Brought on behalf of fisherman and Alaska residents for billions of dollars in damages resulting from the greatest oil spill in U.S. history.
- ***Avila Beach***. A citizens' suit against UNOCAL for leakage from the oil company pipeline so severe it literally destroyed the town of Avila Beach, California.

Federal laws such as the Clean Water Act, the Clean Air Act, and the Resource Conservation and Recovery Act and state laws such as California's Proposition 65 exist to protect the environment and the public from abuses by corporate and government organizations. Companies can be found liable for negligence, trespass, or intentional environmental damage, be forced to pay for reparations, and to come into compliance with existing laws. Prominent cases litigated by Robbins Geller attorneys include representing more than 4,000 individuals suing for personal injury and property damage related to the Stringfellow Dump Site in Southern California, participation in the Exxon Valdez oil spill litigation, and litigation involving the toxic spill arising from a Southern Pacific train derailment near Dunsmuir, California.

Robbins Geller attorneys have led the fight against Big Tobacco since 1991. As an example, Robbins Geller attorneys filed the case that helped get rid of Joe Camel, representing various public and private plaintiffs, including the State of Arkansas, the general public in California, the cities of San Francisco, Los Angeles, and Birmingham, 14 counties in California, and the working men and women of this country in the Union Pension and Welfare Fund cases that have been filed in 40 states. In 1992, Robbins Geller attorneys filed the first case in the country that alleged a conspiracy by the Big Tobacco companies.

Pro Bono

Robbins Geller provides counsel to those unable to afford legal representation as part of a continuous and longstanding commitment to the communities in which it serves. Over the years the Firm has dedicated a considerable amount of time, energy, and a full range of its resources for many *pro bono* and charitable actions.

Robbins Geller has been honored for its *pro bono* efforts by the California State Bar (including a nomination for the President's Pro Bono Law Firm of the Year award) and the San Diego Volunteer Lawyer's Program, among others.

Some of the Firm's and its attorneys' *pro bono* and charitable actions include:

- Representing public school children and parents in Tennessee challenging the state's private school voucher law, known as the Education Savings Account (ESA) Pilot Program. Robbins Geller helped achieve favorable rulings enjoining implementation of the ESA for violating the Home Rule provision of the Tennessee Constitution, which prohibits the General Assembly from passing laws that target specific counties without local approval.
- Representing California bus passengers *pro bono* in a landmark consumer and civil rights case against Greyhound for subjecting them to discriminatory immigration raids. Robbins Geller achieved a watershed court ruling that a private company may be held liable under California law for allowing border patrol to harass and racially profile its customers. The case heralds that Greyhound passengers do not check their rights and dignity at the bus door and has had an immediate impact, not only in California but nationwide. Within weeks of Robbins Geller filing the case, Greyhound added "know your rights" information to passengers to its website and on posters in bus stations around the country, along with adopting other business reforms.

- Working with the Homeless Action Center (HAC) to provide no-cost, barrier-free, culturally competent legal representation that makes it possible for people who are homeless (or at risk of becoming homeless) to access social safety net programs that help restore dignity and provide sustainable income, healthcare, mental health treatment, and housing. Based in Oakland and Berkeley, the non-profit is the only program in the Bay Area that specializes in legal services to those who are chronically homeless. In 2016, HAC provided assistance to 1,403 men and 936 women, and 1,691 cases were completed. An additional 1,357 cases were still pending when the year ended. The results include 512 completed SSI cases with a success rate of 87%.
- Representing Trump University students in two class actions against President Donald J. Trump. The historic settlement provides \$25 million to approximately 7,000 consumers. This means individual class members are eligible for upwards of \$35,000 in restitution – an extraordinary result.
- Representing children diagnosed with Autism Spectrum Disorder, as well as children with significant disabilities, in New York to remedy flawed educational policies and practices that cause substantial harm to these and other similar children year after year.
- Representing 19 San Diego County children diagnosed with Autism Spectrum Disorder in their appeal of the San Diego Regional Center's termination of funding for a crucial therapy. The victory resulted in a complete reinstatement of funding and set a precedent that allows other children to obtain the treatments they need.
- Serving as Northern California and Hawaii District Coordinator for the United States Court of Appeals for the Ninth Circuit's Pro Bono program since 1993.
- Representing the Sierra Club and the National Economic Development and Law Center as *amici curiae* before the U.S. Supreme Court.
- Obtaining political asylum, after an initial application had been denied, for an impoverished Somali family whose ethnic minority faced systematic persecution and genocidal violence in Somalia, as well as forced female mutilation.
- Working with the ACLU in a class action filed on behalf of welfare applicants subject to San Diego County's "Project 100%" program. Relief was had when the County admitted that food-stamp eligibility could not hinge upon the Project 100% "home visits," and again when the district court ruled that unconsented "collateral contacts" violated state regulations. The decision was noted by the *Harvard Law Review*, *The New York Times*, and *The Colbert Report*.
- Filing numerous *amicus curiae* briefs on behalf of religious organizations and clergy that support civil rights, oppose government-backed religious-viewpoint discrimination, and uphold the American traditions of religious freedom and church-state separation.
- Serving as *amicus* counsel in a Ninth Circuit appeal from a Board of Immigration Appeals deportation decision. In addition to obtaining a reversal of the BIA's deportation order, the Firm consulted with the Federal Defenders' Office on cases presenting similar fact patterns, which resulted in a precedent-setting *en banc* decision from the Ninth Circuit resolving a question of state and federal law that had been contested and conflicted for decades.

INSTITUTIONAL CLIENTS

Public Fund Clients

Robbins Geller advises or has represented numerous public funds, including:

- Alaska Department of Revenue
- Alaska State Pension Investment Board
- California Public Employees' Retirement System
- California State Teachers' Retirement System
- City of Birmingham Retirement & Relief Fund
- Illinois State Board of Investment
- Los Angeles County Employees Retirement Association
- Milwaukee Employees' Retirement System
- New Mexico Educational Retirement Board
- New Mexico Public Employees Retirement Association
- New Mexico State Investment Council
- Ohio Bureau of Workers' Compensation
- Ohio Police and Fire Pension Fund
- Ohio Public Employees' Retirement System
- Ohio State Highway Patrol Retirement System
- Public Employee Retirement System of Idaho
- School Employees Retirement System of Ohio
- State Teachers Retirement System of Ohio
- State Universities Retirement System of Illinois
- Teachers' Retirement System of the State of Illinois
- Tennessee Consolidated Retirement System
- The Regents of the University of California
- Vermont Pension Investment Committee
- Washington State Investment Board
- West Virginia Investment Management Board

Multi-Employer Clients

Robbins Geller advises or has represented numerous multi-employer funds, including:

- 1199 SEIU Greater New York Pension Fund
- Alaska Electrical Pension Fund
- Alaska Ironworkers Pension Trust
- Carpenters Pension Fund of Illinois
- Carpenters Pension Fund of West Virginia
- Central States, Southeast and Southwest Areas Pension Fund
- Construction Workers Pension Trust Fund - Lake County and Vicinity
- Employer-Teamsters Local Nos. 175 & 505 Pension Trust Fund
- Heavy & General Laborers' Local 472 & 172 Pension & Annuity Funds
- IBEW Local 90 Pension Fund
- IBEW Local Union No. 58 Pension Fund
- Indiana Laborers Pension Fund
- International Brotherhood of Electrical Workers Local 697 Pension Fund
- Laborers Local 100 and 397 Pension Fund

- Laborers Pension Trust Fund for Northern Nevada
- Massachusetts Laborers' Annuity Fund
- Material Yard Workers Local 1175 Benefit Funds
- National Retirement Fund
- New England Carpenters Guaranteed Annuity Fund
- New England Carpenters Pension Fund
- New England Health Care Employees Pension Fund
- Operating Engineers Construction Industry and Miscellaneous Pension Fund
- Pipefitters Local No. 636 Defined Benefit Plan
- Plumbers and Pipefitters Local Union No. 630 Pension-Annuity Trust Fund
- Plumbers and Pipefitters National Pension Fund
- Plumbers Local Union No. 519 Pension Trust Fund
- Plumbers' Union Local No. 12 Pension Fund
- SEIU Pension Plans Master Trust
- Southwest Carpenters Pension Trust
- Western Pennsylvania Electrical Employees Pension Fund

International Investors

Robbins Geller advises or has represented numerous international investors, including:

- Abu Dhabi Commercial Bank
- China Development Industrial Bank
- Commerzbank AG
- Global Investment Services Limited
- Gulf International Bank B.S.C
- ING Investment Management
- Mn Services B.V.
- National Agricultural Cooperative Federation
- Ontario Municipal Employees Retirement System
- Royal Park Investments
- Scottish Widows Investment Partnership Limited
- Stichting Philips Pensioenfond
- The Bank of N.T. Butterfield & Son Limited
- The City of Edinburgh Council on Behalf of the Lothian Pension Fund
- The Council of the Borough of South Tyneside Acting in its Capacity as the Administering Authority of the Tyne and Wear Pension Fund
- The London Pensions Fund Authority
- Wirral MBC on Behalf of the Merseyside Pension Fund
- Wolverhampton City Council, Administering Authority for the West Midlands Metropolitan Authorities Pension Fund

Additional Institutional Investors

Robbins Geller advises or has represented additional institutional investors, including:

- Northwestern Mutual Life Insurance Company
- Standard Life Investments
- The Union Central Life Insurance Company

PROMINENT CASES, PRECEDENT-SETTING DECISIONS, AND JUDICIAL COMMENDATIONS

Prominent Cases

Over the years, Robbins Geller attorneys have obtained outstanding results in some of the most notorious and well-known cases, frequently earning judicial commendations for the quality of their representation.

- *In re Enron Corp. Sec. Litig.*, No. H-01-3624 (S.D. Tex.). Investors lost billions of dollars as a result of the massive fraud at Enron. In appointing Robbins Geller lawyers as sole lead counsel to represent the interests of Enron investors, the court found that the Firm's zealous prosecution and level of "insight" set it apart from its peers. Robbins Geller attorneys and lead plaintiff The Regents of the University of California aggressively pursued numerous defendants, including many of Wall Street's biggest banks, and successfully obtained settlements in excess of **\$7.2 billion** for the benefit of investors. *This is the largest securities class action recovery in history.*

The court overseeing this action had utmost praise for Robbins Geller's efforts and stated that "[t]he experience, ability, and reputation of the attorneys of [Robbins Geller] is not disputed; it is one of the most successful law firms in securities class actions, if not the preeminent one, in the country." *In re Enron Corp. Sec., Derivative & "ERISA" Litig.*, 586 F. Supp. 2d 732, 797 (S.D. Tex. 2008).

The court further commented: "[I]n the face of extraordinary obstacles, the skills, expertise, commitment, and tenacity of [Robbins Geller] in this litigation cannot be overstated. Not to be overlooked are the unparalleled results, . . . which demonstrate counsel's clearly superlative litigating and negotiating skills." *Id.* at 789.

The court stated that the Firm's attorneys "are to be commended for their zealousness, their diligence, their perseverance, their creativity, the enormous breadth and depth of their investigations and analysis, and their expertise in all areas of securities law on behalf of the proposed class." *Id.*

In addition, the court noted, "This Court considers [Robbins Geller] 'a lion' at the securities bar on the national level," noting that the Lead Plaintiff selected Robbins Geller because of the Firm's "outstanding reputation, experience, and success in securities litigation nationwide." *Id.* at 790.

The court further stated that "Lead Counsel's fearsome reputation and successful track record undoubtedly were substantial factors in . . . obtaining these recoveries." *Id.*

Finally, Judge Harmon stated: "As this Court has explained [this is] an extraordinary group of attorneys who achieved the largest settlement fund ever despite the great odds against them." *Id.* at 828.

- *Jaffe v. Household Int'l, Inc.*, No. 02-C-05893 (N.D. Ill). As sole lead counsel, Robbins Geller obtained a record-breaking settlement of **\$1.575 billion** after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a securities fraud verdict in favor of the class. In 2015, the Seventh Circuit Court of Appeals upheld the jury's verdict that defendants made false or misleading statements of material fact about the company's business practices and financial results, but remanded the case for a new trial on the issue of whether the individual defendants "made" certain false statements, whether those false statements caused plaintiffs' losses, and the amount of

damages. The parties reached an agreement to settle the case just hours before the retrial was scheduled to begin on June 6, 2016. *The \$1.575 billion settlement, approved in October 2016, is the largest ever following a securities fraud class action trial, the largest securities fraud settlement in the Seventh Circuit and the seventh-largest settlement ever in a post-PSLRA securities fraud case.* According to published reports, the case was just the seventh securities fraud case tried to a verdict since the passage of the PSLRA.

In approving the settlement, the Honorable Jorge L. Alonso noted the team's "skill and determination" while recognizing that "Lead Counsel prosecuted the case vigorously and skillfully over 14 years against nine of the country's most prominent law firms" and "achieved an exceptionally significant recovery for the class." The court added that the team faced "significant hurdles" and "uphill battles" throughout the case and recognized that "[c]lass counsel performed a very high-quality legal work in the context of a thorny case in which the state of the law has been and is in flux." The court succinctly concluded that the settlement was "a spectacular result for the class." *Jaffe v. Household Int'l, Inc.*, No. 02-C-5892, 2016 U.S. Dist. LEXIS 156921, at *8 (N.D. Ill. Nov. 10, 2016); *Jaffe v. Household Int'l, Inc.*, No. 02-C-05893, Transcript at 56, 65 (N.D. Ill. Oct. 20, 2016).

- ***In re Valeant Pharms. Int'l, Inc. Sec. Litig.***, No. 3:15-cv-07658 (D.N.J.). As sole lead counsel, Robbins Geller attorneys obtained a \$1.2 billion settlement in the securities case that *Vanity Fair* reported as "the corporate scandal of its era" that had raised "fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations." The settlement resolves claims that defendants made false and misleading statements regarding Valeant's business and financial performance during the class period, attributing Valeant's dramatic growth in revenues and profitability to "innovative new marketing approaches" as part of a business model that was low risk and "durable and sustainable." *Valeant* is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever.
- ***In re Am. Realty Cap. Props., Inc. Litig.***, No. 1:15-mc-00040 (S.D.N.Y.). As sole lead counsel, Robbins Geller attorneys zealously litigated the case arising out of ARCP's manipulative accounting practices and obtained a \$1.025 billion settlement. For five years, the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages of any major PSLRA case prior to trial and includes the largest personal contributions by individual defendants in history.

In approving the settlement, the Honorable Alvin K. Hellerstein lauded the Robbins Geller litigation team, noting: "My own observation is that plaintiffs' representation is adequate and that the role of lead counsel was fulfilled in an extremely fine fashion by [Robbins Geller]. At every juncture, the representations made to me were reliable, the arguments were cogent, and the representation of their client was zealous."

- ***In re UnitedHealth Grp. Inc. PSLRA Litig.***, No. 06-CV-1691 (D. Minn.). In the *UnitedHealth* case, Robbins Geller represented the California Public Employees' Retirement System ("CalPERS") and demonstrated its willingness to vigorously advocate for its institutional clients, even under the most difficult circumstances. For example, in 2006, the issue of high-level executives backdating stock options made national headlines. During that time, many law firms, including Robbins Geller, brought shareholder derivative lawsuits against the companies' boards of directors for breaches of their fiduciary duties or for improperly granting backdated options. Rather than pursuing a shareholder derivative case, the Firm filed a securities fraud class action against the company on behalf of CalPERS. In doing so, Robbins Geller faced significant and unprecedented legal

obstacles with respect to loss causation, *i.e.*, that defendants' actions were responsible for causing the stock losses. Despite these legal hurdles, Robbins Geller obtained an \$895 million recovery on behalf of the UnitedHealth shareholders. Shortly after reaching the \$895 million settlement with UnitedHealth, the remaining corporate defendants, including former CEO William A. McGuire, also settled. McGuire paid \$30 million and returned stock options representing more than three million shares to the shareholders. The total recovery for the class was over \$925 million, the largest stock option backdating recovery ever, and **a recovery that is more than four times larger than the next largest options backdating recovery**. Moreover, Robbins Geller obtained unprecedented corporate governance reforms, including election of a shareholder-nominated member to the company's board of directors, a mandatory holding period for shares acquired by executives via option exercise, and executive compensation reforms that tie pay to performance.

- ***Alaska Elec. Pension Fund v. CitiGroup, Inc. (In re WorldCom Sec. Litig.)***, No. 03 Civ. 8269 (S.D.N.Y.). Robbins Geller attorneys represented more than 50 private and public institutions that opted out of the class action case and sued WorldCom's bankers, officers and directors, and auditors in courts around the country for losses related to WorldCom bond offerings from 1998 to 2001. The Firm's clients included major public institutions from across the country such as CalPERS, CalSTRS, the state pension funds of Maine, Illinois, New Mexico, and West Virginia, union pension funds, and private entities such as AIG and Northwestern Mutual. Robbins Geller attorneys recovered more than \$650 million for their clients, substantially more than they would have recovered as part of the class.
- ***Luther v. Countrywide Fin. Corp.***, No. 12-cv-05125 (C.D. Cal.). Robbins Geller attorneys secured a \$500 million settlement for institutional and individual investors in what is the largest RMBS purchaser class action settlement in history, and one of the largest class action securities settlements of all time. The unprecedented settlement resolves claims against Countrywide and Wall Street banks that issued the securities. The action was the first securities class action case filed against originators and Wall Street banks as a result of the credit crisis. As co-lead counsel Robbins Geller forged through six years of hard-fought litigation, oftentimes litigating issues of first impression, in order to secure the landmark settlement for its clients and the class.

In approving the settlement, Judge Mariana R. Pfaelzer repeatedly complimented plaintiffs' attorneys, noting that it was "beyond serious dispute that Class Counsel has vigorously prosecuted the Settlement Actions on both the state and federal level over the last six years." Judge Pfaelzer also commented that "[w]ithout a settlement, these cases would continue indefinitely, resulting in significant risks to recovery and continued litigation costs. It is difficult to understate the risks to recovery if litigation had continued." *Me. State Ret. Sys. v. Countrywide Fin. Corp.*, No. 2:10-CV-00302, 2013 U.S. Dist. LEXIS 179190, at *44, *56 (C.D. Cal. Dec. 5, 2013).

Judge Pfaelzer further noted that the proposed \$500 million settlement represents one of the "largest MBS class action settlements to date. Indeed, this settlement easily surpasses the next largest . . . MBS settlement." *Id.* at *59.

- ***In re Wachovia Preferred Sec. & Bond/Notes Litig.***, No. 09-cv-06351 (S.D.N.Y.). In litigation over bonds and preferred securities, issued by Wachovia between 2006 and 2008, Robbins Geller and co-counsel obtained a significant settlement with Wachovia successor Wells Fargo & Company (\$590 million) and Wachovia auditor KPMG LLP (\$37 million). ***The total settlement – \$627 million – is one of the largest credit-crisis settlements involving Securities Act claims and one of the 20 largest securities class action recoveries in history.*** The settlement is also one of the biggest securities class action recoveries arising from the credit crisis.

As alleged in the complaint, the offering materials for the bonds and preferred securities misstated and failed to disclose the true nature and quality of Wachovia's mortgage loan portfolio, which exposed the bank and misled investors to tens of billions of dollars in losses on mortgage-related assets. In reality, Wachovia employed high-risk underwriting standards and made loans to subprime borrowers, contrary to the offering materials and their statements of "pristine credit quality." Robbins Geller served as co-lead counsel representing the City of Livonia Employees' Retirement System, Hawaii Sheet Metal Workers Pension Fund, and the investor class.

- ***In re Cardinal Health, Inc. Sec. Litig.***, No. C2-04-575 (S.D. Ohio). As sole lead counsel representing Cardinal Health shareholders, Robbins Geller obtained a recovery of \$600 million for investors. On behalf of the lead plaintiffs, Amalgamated Bank, the New Mexico State Investment Council, and the California Ironworkers Field Trust Fund, the Firm aggressively pursued class claims and won numerous courtroom victories, including a favorable decision on defendants' motion to dismiss. *In re Cardinal Health, Inc. Sec. Litigs.*, 426 F. Supp. 2d 688 (S.D. Ohio 2006). At the time, the \$600 million settlement was the tenth-largest settlement in the history of securities fraud litigation and is the largest-ever recovery in a securities fraud action in the Sixth Circuit. Judge Marbley commented: "[T]his is an extraordinary settlement relative to all the other settlements in cases of this nature and certainly cases of this magnitude. . . . This was an outstanding settlement. . . . [I]n most instances, if you've gotten four cents on the dollar, you've done well. You've gotten twenty cents on the dollar, so that's been extraordinary. *In re Cardinal Health, Inc. Sec. Litig.*, No. 2:04-CV-575, Transcript at 16, 32 (S.D. Ohio Oct. 19, 2007). Judge Marbley further stated:

The quality of representation in this case was superb. Lead Counsel, [Robbins Geller], are nationally recognized leaders in complex securities litigation class actions. The quality of the representation is demonstrated by the substantial benefit achieved for the Class and the efficient, effective prosecution and resolution of this action. Lead Counsel defeated a volley of motions to dismiss, thwarting well-formed challenges from prominent and capable attorneys from six different law firms.

In re Cardinal Health Inc. Sec. Litigs., 528 F. Supp. 2d 752, 768 (S.D. Ohio 2007).

- ***AOL Time Warner Cases I & II***, JCCP Nos. 4322 & 4325 (Cal. Super. Ct., Los Angeles Cnty.). Robbins Geller represented The Regents of the University of California, six Ohio state pension funds, Rabo Bank (NL), the Scottish Widows Investment Partnership, several Australian public and private funds, insurance companies, and numerous additional institutional investors, both domestic and international, in state and federal court opt-out litigation stemming from Time Warner's disastrous 2001 merger with Internet high flier America Online. Robbins Geller attorneys exposed a massive and sophisticated accounting fraud involving America Online's e-commerce and advertising revenue. After almost four years of litigation involving extensive discovery, the Firm secured combined settlements for its opt-out clients totaling over \$629 million just weeks before The Regents' case pending in California state court was scheduled to go to trial. The Regents' gross recovery of \$246 million is the largest individual opt-out securities recovery in history.

- ***Abu Dhabi Commercial Bank v. Morgan Stanley & Co.***, No. 1:08-cv-07508-SAS-DCF (S.D.N.Y.), and ***King County, Washington v. IKB Deutsche Industriebank AG***, No. 1:09-cv-08387-SAS (S.D.N.Y.). The Firm represented multiple institutional investors in successfully pursuing recoveries from two failed structured investment vehicles, each of which had been rated “AAA” by Standard & Poors and Moody’s, but which failed fantastically in 2007. The matter settled just prior to trial in 2013. This result was only made possible after Robbins Geller lawyers beat back the rating agencies’ longtime argument that ratings were opinions protected by the First Amendment.
- ***In re HealthSouth Corp. Sec. Litig.***, No. CV-03-BE-1500-S (N.D. Ala.). As court-appointed co-lead counsel, Robbins Geller attorneys obtained a combined recovery of \$671 million from HealthSouth, its auditor Ernst & Young, and its investment banker, UBS, for the benefit of stockholder plaintiffs. The settlement against HealthSouth represents one of the larger settlements in securities class action history and is considered among the top 15 settlements achieved after passage of the PSLRA. Likewise, the settlement against Ernst & Young is one of the largest securities class action settlements entered into by an accounting firm since the passage of the PSLRA. HealthSouth and its financial advisors perpetrated one of the largest and most pervasive frauds in the history of U.S. healthcare, prompting Congressional and law enforcement inquiry and resulting in guilty pleas of 16 former HealthSouth executives in related federal criminal prosecutions. In March 2009, Judge Karon Bowdre commented in the *HealthSouth* class certification opinion: “The court has had many opportunities since November 2001 to examine the work of class counsel and the supervision by the Class Representatives. The court finds both to be far more than adequate.” *In re HealthSouth Corp. Sec. Litig.*, 257 F.R.D. 260, 275 (N.D. Ala. 2009).
- ***In re Facebook Biometric Info. Privacy Litig.***, No. 3:15-cv-03747 (N.D. Cal.). Robbins Geller served as co-lead class counsel in a cutting-edge certified class action, securing a record-breaking \$650 million all-cash settlement, the largest privacy settlement in history. The case concerned Facebook’s alleged privacy violations through its collection of its users’ biometric identifiers without informed consent through its “Tag Suggestions” feature, which uses proprietary facial recognition software to extract from user-uploaded photographs the unique biometric identifiers (*i.e.*, graphical representations of facial features, also known as facial geometry) associated with people’s faces and identify who they are. The Honorable James Donato called the settlement “a groundbreaking settlement in a novel area” and praised the unprecedented 22% claims rate as “pretty phenomenal” and “a pretty good day in class settlement history.”
- ***In re Dynegy Inc. Sec. Litig.***, No. H-02-1571 (S.D. Tex.). As sole lead counsel representing The Regents of the University of California and the class of Dynegy investors, Robbins Geller attorneys obtained a combined settlement of \$474 million from Dynegy, Citigroup, Inc., and Arthur Andersen LLP for their involvement in a clandestine financing scheme known as Project Alpha. Given Dynegy’s limited ability to pay, Robbins Geller attorneys structured a settlement (reached shortly before the commencement of trial) that maximized plaintiffs’ recovery without bankrupting the company. Most notably, the settlement agreement provides that Dynegy will appoint two board members to be nominated by The Regents, which Robbins Geller and The Regents believe will benefit all of Dynegy’s stockholders.
- ***Jones v. Pfizer Inc.***, No. 1:10-cv-03864 (S.D.N.Y.). Lead plaintiff Stichting Philips Pensioenfond obtained a \$400 million settlement on behalf of class members who purchased Pfizer common stock during the January 19, 2006 to January 23, 2009 class period. The settlement against Pfizer resolves accusations that it misled investors about an alleged off-label drug marketing scheme. As sole lead counsel, Robbins Geller attorneys helped achieve this exceptional result after five years of hard-fought litigation against the toughest and the brightest members of the securities defense bar by litigating this case all the way to trial.

In approving the settlement, United States District Judge Alvin K. Hellerstein commended the Firm, noting that “[w]ithout the quality and the toughness that you have exhibited, our society would not be as good as it is with all its problems. So from me to you is a vote of thanks for devoting yourself to this work and doing it well. . . . You did a really good job. Congratulations.”

- ***In re Qwest Commc’ns Int’l, Inc. Sec. Litig.***, No. 01-cv-1451 (D. Colo.). Robbins Geller attorneys served as lead counsel for a class of investors that purchased Qwest securities. In July 2001, the Firm filed the initial complaint in this action on behalf of its clients, long before any investigation into Qwest’s financial statements was initiated by the SEC or Department of Justice. After five years of litigation, lead plaintiffs entered into a settlement with Qwest and certain individual defendants that provided a \$400 million recovery for the class and created a mechanism that allowed the vast majority of class members to share in an additional \$250 million recovered by the SEC. In 2008, Robbins Geller attorneys recovered an additional \$45 million for the class in a settlement with defendants Joseph P. Nacchio and Robert S. Woodruff, the CEO and CFO, respectively, of Qwest during large portions of the class period.
- ***Fort Worth Emps.’ Ret. Fund v. J.P. Morgan Chase & Co.***, No. 1:09-cv-03701 (S.D.N.Y.). Robbins Geller attorneys served as lead counsel for a class of investors and obtained court approval of a \$388 million recovery in nine 2007 residential mortgage-backed securities offerings issued by J.P. Morgan. The settlement represents, on a percentage basis, the largest recovery ever achieved in an MBS purchaser class action. The result was achieved after more than five years of hard-fought litigation and an extensive investigation. In granting approval of the settlement, the court stated the following about Robbins Geller attorneys litigating the case: “[T]here is no question in my mind that this is a very good result for the class and that the plaintiffs’ counsel fought the case very hard with extensive discovery, a lot of depositions, several rounds of briefing of various legal issues going all the way through class certification.”
- ***Smilovits v. First Solar, Inc.***, No. 2:12-cv-00555 (D. Ariz.). As sole lead counsel, Robbins Geller obtained a \$350 million settlement in *Smilovits v. First Solar, Inc.* The settlement, which was reached after a long legal battle and on the day before jury selection, resolves claims that First Solar violated §§10(b) and 20(a) of the Securities Exchange Act of 1934 and SEC Rule 10b-5. The settlement is the fifth-largest PSLRA settlement ever recovered in the Ninth Circuit.
- ***NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.***, No. 1:08-cv-10783 (S.D.N.Y.). As sole lead counsel, Robbins Geller obtained a \$272 million settlement on behalf of Goldman Sachs’ shareholders. The settlement concludes one of the last remaining mortgage-backed securities purchaser class actions arising out of the global financial crisis. The remarkable result was achieved following seven years of extensive litigation. After the claims were dismissed in 2010, Robbins Geller secured a landmark victory from the Second Circuit Court of Appeals that clarified the scope of permissible class actions asserting claims under the Securities Act of 1933 on behalf of MBS investors. Specifically, the Second Circuit’s decision rejected the concept of “tranche” standing and concluded that a lead plaintiff in an MBS class action has class standing to pursue claims on behalf of purchasers of other securities that were issued from the same registration statement and backed by pools of mortgages originated by the same lenders who had originated mortgages backing the lead plaintiff’s securities.

In approving the settlement, the Honorable Loretta A. Preska of the Southern District of New York complimented Robbins Geller attorneys, noting:

Counsel, thank you for your papers. They were, by the way, extraordinary

papers in support of the settlement, and I will particularly note Professor Miller's declaration in which he details the procedural aspects of the case and then speaks of plaintiffs' counsel's success in the Second Circuit essentially changing the law.

I will also note what counsel have said, and that is that this case illustrates the proper functioning of the statute.

* * *

Counsel, you can all be proud of what you've done for your clients. You've done an extraordinarily good job.

NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co., No. 1:08-cv-10783, Transcript at 10-11 (S.D.N.Y. May 2, 2016).

- ***Schuh v. HCA Holdings, Inc.***, No. 3:11-cv-01033 (M.D. Tenn.). As sole lead counsel, Robbins Geller obtained a groundbreaking \$215 million settlement for former HCA Holdings, Inc. shareholders – the largest securities class action recovery ever in Tennessee. Reached shortly before trial was scheduled to commence, the settlement resolves claims that the Registration Statement and Prospectus HCA filed in connection with the company's massive \$4.3 billion 2011 IPO contained material misstatements and omissions. The recovery achieved represents more than 30% of the aggregate classwide damages, far exceeding the typical recovery in a securities class action. At the hearing on final approval of the settlement, the Honorable Kevin H. Sharp described Robbins Geller attorneys as “gladiators” and commented: “Looking at the benefit obtained, the effort that you had to put into it, [and] the complexity in this case . . . I appreciate the work that you all have done on this.” *Schuh v. HCA Holdings, Inc.*, No. 3:11-CV-01033, Transcript at 12-13 (M.D. Tenn. Apr. 11, 2016).
- ***Silverman v. Motorola, Inc.***, No. 1:07-cv-04507 (N.D. Ill.). The Firm served as lead counsel on behalf of a class of investors in Motorola, ultimately recovering \$200 million for investors just two months before the case was set for trial. This outstanding result was obtained despite the lack of an SEC investigation or any financial restatement. In May 2012, the Honorable Amy J. St. Eve of the Northern District of Illinois commented: “The representation that [Robbins Geller] provided to the class was significant, both in terms of quality and quantity.” *Silverman v. Motorola, Inc.*, No. 07 C 4507, 2012 U.S. Dist. LEXIS 63477, at *11 (N.D. Ill. May 7, 2012), *aff'd*, 739 F.3d 956 (7th Cir. 2013).

In affirming the district court's award of attorneys' fees, the Seventh Circuit noted that “no other law firm was willing to serve as lead counsel. Lack of competition not only implies a higher fee but also suggests that most members of the securities bar saw this litigation as too risky for their practices.” *Silverman v. Motorola Sols., Inc.*, 739 F.3d 956, 958 (7th Cir. 2013).

- ***In re AT&T Corp. Sec. Litig.***, MDL No. 1399 (D.N.J.). Robbins Geller attorneys served as lead counsel for a class of investors that purchased AT&T common stock. The case charged defendants AT&T and its former Chairman and CEO, C. Michael Armstrong, with violations of the federal securities laws in connection with AT&T's April 2000 initial public offering of its wireless tracking stock, one of the largest IPOs in American history. After two weeks of trial, and on the eve of scheduled testimony by Armstrong and infamous telecom analyst Jack Grubman, defendants agreed to settle the case for \$100 million. In granting approval of the settlement, the court stated the following about the Robbins Geller attorneys handling the case:

Lead Counsel are highly skilled attorneys with great experience in prosecuting complex securities action[s], and their professionalism and diligence displayed during [this] litigation substantiates this characterization. The Court notes that Lead Counsel displayed excellent lawyering skills through their consistent preparedness during court proceedings, arguments and the trial, and their well-written and thoroughly researched submissions to the Court. Undoubtedly, the attentive and persistent effort of Lead Counsel was integral in achieving the excellent result for the Class.

In re AT&T Corp. Sec. Litig., MDL No. 1399, 2005 U.S. Dist. LEXIS 46144, at *28-*29 (D.N.J. Apr. 25, 2005), *aff'd*, 455 F.3d 160 (3d Cir. 2006).

- ***In re Dollar Gen. Corp. Sec. Litig.***, No. 01-CV-00388 (M.D. Tenn.). Robbins Geller attorneys served as lead counsel in this case in which the Firm recovered \$172.5 million for investors. The *Dollar General* settlement was the largest shareholder class action recovery ever in Tennessee.
- ***Carpenters Health & Welfare Fund v. Coca-Cola Co.***, No. 00-CV-2838 (N.D. Ga.). As co-lead counsel representing Coca-Cola shareholders, Robbins Geller attorneys obtained a recovery of \$137.5 million after nearly eight years of litigation. Robbins Geller attorneys traveled to three continents to uncover the evidence that ultimately resulted in the settlement of this hard-fought litigation. The case concerned Coca-Cola's shipping of excess concentrate at the end of financial reporting periods for the sole purpose of meeting analyst earnings expectations, as well as the company's failure to properly account for certain impaired foreign bottling assets.
- ***Schwartz v. TXU Corp.***, No. 02-CV-2243 (N.D. Tex.). As co-lead counsel, Robbins Geller attorneys obtained a recovery of over \$149 million for a class of purchasers of TXU securities. The recovery compensated class members for damages they incurred as a result of their purchases of TXU securities at inflated prices. Defendants had inflated the price of these securities by concealing the fact that TXU's operating earnings were declining due to a deteriorating gas pipeline and the failure of the company's European operations.

- ***In re Doral Fin. Corp. Sec. Litig.***, 05 MDL No. 1706 (S.D.N.Y.). In July 2007, the Honorable Richard Owen of the Southern District of New York approved the \$129 million settlement, finding in his order:

The services provided by Lead Counsel [Robbins Geller] were efficient and highly successful, resulting in an outstanding recovery for the Class without the substantial expense, risk and delay of continued litigation. Such efficiency and effectiveness supports the requested fee percentage.

Cases brought under the federal securities laws are notably difficult and notoriously uncertain. . . . Despite the novelty and difficulty of the issues raised, Lead Plaintiffs' counsel secured an excellent result for the Class.

. . . Based upon Lead Plaintiff's counsel's diligent efforts on behalf of the Class, as well as their skill and reputations, Lead Plaintiff's counsel were able to negotiate a very favorable result for the Class. . . . The ability of [Robbins Geller] to obtain such a favorable partial settlement for the Class in the face of such formidable opposition confirms the superior quality of their representation

In re Doral Fin. Corp. Sec. Litig., No. 1:05-md-01706, Order at 4-5 (S.D.N.Y. July 17, 2007).

- ***In re Exxon Valdez***, No. A89 095 Civ. (D. Alaska), and ***In re Exxon Valdez Oil Spill Litig.***, No. 3 AN 89 2533 (Alaska Super. Ct., 3d Jud. Dist.). Robbins Geller attorneys served on the Plaintiffs' Coordinating Committee and Plaintiffs' Law Committee in this massive litigation resulting from the Exxon Valdez oil spill in Alaska in March 1989. The jury awarded hundreds of millions in compensatory damages, as well as \$5 billion in punitive damages (the latter were later reduced by the U.S. Supreme Court to \$507 million).
- ***Mangini v. R.J. Reynolds Tobacco Co.***, No. 939359 (Cal. Super. Ct., San Francisco Cnty.). In this case, R.J. Reynolds admitted that "the *Mangini* action, and the way that it was vigorously litigated, was an early, significant and unique driver of the overall legal and social controversy regarding underage smoking that led to the decision to phase out the Joe Camel Campaign."
- ***Does I v. The Gap, Inc.***, No. 01 0031 (D. N. Mar. I.). In this groundbreaking case, Robbins Geller attorneys represented a class of 30,000 garment workers who alleged that they had worked under sweatshop conditions in garment factories in Saipan that produced clothing for top U.S. retailers such as The Gap, Target, and J.C. Penney. In the first action of its kind, Robbins Geller attorneys pursued claims against the factories and the retailers alleging violations of RICO, the Alien Tort Claims Act, and the Law of Nations based on the alleged systemic labor and human rights abuses occurring in Saipan. This case was a companion to two other actions: ***Does I v. Advance Textile Corp.***, No. 99 0002 (D. N. Mar. I.), which alleged overtime violations by the garment factories under the Fair Labor Standards Act and local labor law, and ***UNITE v. The Gap, Inc.***, No. 300474 (Cal. Super. Ct., San Francisco Cnty.), which alleged violations of California's Unfair Practices Law by the U.S. retailers. These actions resulted in a settlement of approximately \$20 million that included a comprehensive monitoring program to address past violations by the factories and prevent future ones. The members of the litigation team were honored as Trial Lawyers of the Year by the Trial Lawyers for Public Justice in recognition of the team's efforts in bringing about the precedent-setting settlement of the actions.
- ***Hall v. NCAA (Restricted Earnings Coach Antitrust Litigation)***, No. 94-2392 (D. Kan.). Robbins

Geller attorneys were lead counsel and lead trial counsel for one of three classes of coaches in these consolidated price-fixing actions against the National Collegiate Athletic Association. On May 4, 1998, the jury returned verdicts in favor of the three classes for more than \$70 million.

- ***In re Prison Realty Sec. Litig.***, No. 3:99-0452 (M.D. Tenn.). Robbins Geller attorneys served as lead counsel for the class, obtaining a \$105 million recovery.
- ***In re Honeywell Int'l, Inc. Sec. Litig.***, No. 00-cv-03605 (D.N.J.). Robbins Geller attorneys served as lead counsel for a class of investors that purchased Honeywell common stock. The case charged Honeywell and its top officers with violations of the federal securities laws, alleging the defendants made false public statements concerning Honeywell's merger with Allied Signal, Inc. and that defendants falsified Honeywell's financial statements. After extensive discovery, Robbins Geller attorneys obtained a \$100 million settlement for the class.
- ***Schwartz v. Visa Int'l***, No. 822404-4 (Cal. Super. Ct., Alameda Cnty.). After years of litigation and a six-month trial, Robbins Geller attorneys won one of the largest consumer protection verdicts ever awarded in the United States. Robbins Geller attorneys represented California consumers in an action against Visa and MasterCard for intentionally imposing and concealing a fee from their cardholders. The court ordered Visa and MasterCard to return \$800 million in cardholder losses, which represented 100% of the amount illegally taken, plus 2% interest. In addition, the court ordered full disclosure of the hidden fee.
- ***Thompson v. Metro. Life Ins. Co.***, No. 00-cv-5071 (S.D.N.Y.). Robbins Geller attorneys served as lead counsel and obtained \$145 million for the class in a settlement involving racial discrimination claims in the sale of life insurance.
- ***In re Prudential Ins. Co. of Am. Sales Practs. Litig.***, MDL No. 1061 (D.N.J.). In one of the first cases of its kind, Robbins Geller attorneys obtained a settlement of \$4 billion for deceptive sales practices in connection with the sale of life insurance involving the "vanishing premium" sales scheme.

Precedent-Setting Decisions

Robbins Geller attorneys operate at the vanguard of complex class action of litigation. Our work often changes the legal landscape, resulting in an environment that is more-favorable for obtaining recoveries for our clients.

- ***Stoyas v. Toshiba Corp.***, 896 F.3d 933 (9th Cir. 2018), *cert. denied*, 588 U.S. __ (2019). In July 2018, the Ninth Circuit ruled in plaintiffs' favor in the *Toshiba* securities class action. Following appellate briefing and oral argument by Robbins Geller attorneys, a three-judge Ninth Circuit panel reversed the district court's prior dismissal in a unanimous, 36-page opinion, holding that Toshiba ADRs are a "security" and the Securities Exchange Act of 1934 could apply to those ADRs that were purchased in a domestic transaction. *Id.* at 939, 949. The court adopted the Second and Third Circuits' "irrevocable liability" test for determining whether the transactions were domestic and held that plaintiffs must be allowed to amend their complaint to allege that the purchase of Toshiba ADRs on the over-the-counter market was a domestic purchase and that the alleged fraud was in connection with the purchase.
- ***Cyan, Inc. v. Beaver Cnty. Emps. Ret. Fund***, No. 15-1439 (U.S.). In March 2018, the U.S. Supreme Court ruled in favor of investors represented by Robbins Geller, holding that state courts continue to have jurisdiction over class actions asserting violations of the Securities Act of 1933. The court's ruling secures investors' ability to bring Securities Act actions when companies fail to make full and

fair disclosure of relevant information in offering documents. The court confirmed that the Securities Litigation Uniform Standards Act of 1998 was designed to preclude securities class actions asserting violations of state law – not to preclude securities actions asserting federal law violations brought in state courts.

- ***Mineworkers’ Pension Scheme v. First Solar Inc.***, 881 F.3d 750 (9th Cir. 2018), *cert. denied*, 588 U.S. ____ (2019). In January 2018, the Ninth Circuit upheld the district court’s denial of defendants’ motion for summary judgment, agreeing with plaintiffs that the test for loss causation in the Ninth Circuit is a general “proximate cause test,” and rejecting the more stringent revelation of the fraudulent practices standard advocated by the defendants. The opinion is a significant victory for investors, as it forecloses defendants’ ability to immunize themselves from liability simply by refusing to publicly acknowledge their fraudulent conduct.
- ***In re Quality Sys., Inc. Sec. Litig.***, No. 15-55173 (9th Cir.). In July 2017, Robbins Geller’s Appellate Practice Group scored a significant win in the Ninth Circuit in the *Quality Systems* securities class action. On appeal, a three-judge Ninth Circuit panel unanimously reversed the district court’s prior dismissal of the action against Quality Systems and remanded the case to the district court for further proceedings. The decision addressed an issue of first impression concerning “mixed” future and present-tense misstatements. The appellate panel explained that “non-forward-looking portions of mixed statements are not eligible for the safe harbor provisions of the PSLRA Defendants made a number of mixed statements that included projections of growth in revenue and earnings based on the state of QSI’s sales pipeline.” The panel then held *both* the non-forward-looking and forward-looking statements false and misleading and made with scienter, deeming them actionable. Later, although defendants sought rehearing by the Ninth Circuit sitting *en banc*, the circuit court denied their petition.
- ***Local 703, I.B. of T. Grocery & Food Emps. Welfare Fund v. Regions Fin. Corp.***, No. CV-10-J-2847-S (N.D. Ala.). In the *Regions Financial* securities class action, Robbins Geller represented Local 703, I.B. of T. Grocery and Food Employees Welfare Fund and obtained a \$90 million settlement in September 2015 on behalf of purchasers of Regions Financial common stock during the class period. In August 2014, the Eleventh Circuit Court of Appeals affirmed the district court’s decision to certify a class action based upon alleged misrepresentations about Regions Financial’s financial health before and during the recent economic recession, and in November 2014, the U.S. District Court for the Northern District of Alabama denied defendants’ third attempt to avoid plaintiffs’ motion for class certification.
- ***Omnicare, Inc. v. Laborers Dist. Council Constr. Indus. Pension Fund***, No. 13-435 (U.S.). In March 2015, the U.S. Supreme Court ruled in favor of investors represented by Robbins Geller that investors asserting a claim under §11 of the Securities Act of 1933 with respect to a misleading statement of opinion do not, as defendant Omnicare had contended, have to prove that the statement was subjectively disbelieved when made. Rather, the court held that a statement of opinion may be actionable either because it was not believed, or because it lacked a reasonable basis in fact. This decision is significant in that it resolved a conflict among the federal circuit courts and expressly overruled the Second Circuit’s widely followed, more stringent pleading standard for §11 claims involving statements of opinion. The Supreme Court remanded the case back to the district court for determination under the newly articulated standard. In August of 2016, upon remand, the district court applied the Supreme Court’s new test and denied defendants’ motion to dismiss in full.
- ***NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.***, 693 F.3d 145 (2d Cir. 2012). In a

securities fraud action involving mortgage-backed securities, the Second Circuit rejected the concept of “tranche” standing and found that a lead plaintiff has class standing to pursue claims on behalf of purchasers of securities that were backed by pools of mortgages originated by the same lenders who had originated mortgages backing the lead plaintiff’s securities. The court noted that, given those common lenders, the lead plaintiff’s claims as to its purchases implicated “the same set of concerns” that purchasers in several of the other offerings possessed. The court also rejected the notion that the lead plaintiff lacked standing to represent investors in different tranches.

- ***In re VeriFone Holdings, Inc. Sec. Litig.***, 704 F.3d 694 (9th Cir. 2012). The panel reversed in part and affirmed in part the dismissal of investors’ securities fraud class action alleging violations of §§10(b), 20(a), and 20A of the Securities Exchange Act of 1934 and SEC Rule 10b-5 in connection with a restatement of financial results of the company in which the investors had purchased stock.

The panel held that the third amended complaint adequately pleaded the §10(b), §20A, and Rule 10b-5 claims. Considering the allegations of scienter holistically, as the U.S. Supreme Court directed in *Matrixx Initiatives, Inc. v. Siracusano*, 563 U.S. 27, 48-49 (2011), the panel concluded that the inference that the defendant company and its chief executive officer and former chief financial officer were deliberately reckless as to the truth of their financial reports and related public statements following a merger was at least as compelling as any opposing inference.

- ***Fox v. JAMDAT Mobile, Inc.***, 185 Cal. App. 4th 1068 (2010). Concluding that Delaware’s shareholder ratification doctrine did not bar the claims, the California Court of Appeal reversed dismissal of a shareholder class action alleging breach of fiduciary duty in a corporate merger.
- ***In re Constar Int’l Inc. Sec. Litig.***, 585 F.3d 774 (3d Cir. 2009). The Third Circuit flatly rejected defense contentions that where relief is sought under §11 of the Securities Act of 1933, which imposes liability when securities are issued pursuant to an incomplete or misleading registration statement, class certification should depend upon findings concerning market efficiency and loss causation.
- ***Matrixx Initiatives, Inc. v. Siracusano***, 563 U.S. 27 (2011), *aff’g* 585 F.3d 1167 (9th Cir. 2009). In a securities fraud action involving the defendants’ failure to disclose a possible link between the company’s popular cold remedy and a life-altering side effect observed in some users, the U.S. Supreme Court unanimously affirmed the Ninth Circuit’s (a) rejection of a bright-line “statistical significance” materiality standard, and (b) holding that plaintiffs had successfully pleaded a strong inference of the defendants’ scienter.
- ***Alaska Elec. Pension Fund v. Flowserve Corp.***, 572 F.3d 221 (5th Cir. 2009). Aided by former U.S. Supreme Court Justice O’Connor’s presence on the panel, the Fifth Circuit reversed a district court order denying class certification and also reversed an order granting summary judgment to defendants. The court held that the district court applied an incorrect fact-for-fact standard of loss causation, and that genuine issues of fact on loss causation precluded summary judgment.
- ***In re WorldCom Sec. Litig.***, 496 F.3d 245 (2d Cir. 2007). The Second Circuit held that the filing of a class action complaint tolls the limitations period for all members of the class, including those who choose to opt out of the class action and file their own individual actions without waiting to see whether the district court certifies a class – reversing the decision below and effectively overruling multiple district court rulings that *American Pipe* tolling did not apply under these circumstances.

- ***In re F5 Networks, Inc., Derivative Litig.***, 207 P.3d 433 (Wash. 2009). In a derivative action alleging unlawful stock option backdating, the Supreme Court of Washington ruled that shareholders need not make a pre-suit demand on the board of directors where this step would be futile, agreeing with plaintiffs that favorable Delaware case law should be followed as persuasive authority.
- ***Lormand v. US Unwired, Inc.***, 565 F.3d 228 (5th Cir. 2009). In a rare win for investors in the Fifth Circuit, the court reversed an order of dismissal, holding that safe harbor warnings were not meaningful when the facts alleged established a strong inference that defendants knew their forecasts were false. The court also held that plaintiffs sufficiently alleged loss causation.
- ***Institutional Inv'rs Grp. v. Avaya, Inc.***, 564 F.3d 242 (3d Cir. 2009). In a victory for investors in the Third Circuit, the court reversed an order of dismissal, holding that shareholders pled with particularity why the company's repeated denials of price discounts on products were false and misleading when the totality of facts alleged established a strong inference that defendants knew their denials were false.
- ***Alaska Elec. Pension Fund v. Pharmacia Corp.***, 554 F.3d 342 (3d Cir. 2009). The Third Circuit held that claims filed for violation of §10(b) of the Securities Exchange Act of 1934 were timely, adopting investors' argument that because scienter is a critical element of the claims, the time for filing them cannot begin to run until the defendants' fraudulent state of mind should be apparent.
- ***Rael v. Page***, 222 P.3d 678 (N.M. Ct. App. 2009). In this shareholder class and derivative action, Robbins Geller attorneys obtained an appellate decision reversing the trial court's dismissal of the complaint alleging serious director misconduct in connection with the merger of SunCal Companies and Westland Development Co., Inc., a New Mexico company with large and historic landholdings and other assets in the Albuquerque area. The appellate court held that plaintiff's claims for breach of fiduciary duty were direct, not derivative, because they constituted an attack on the validity or fairness of the merger and the conduct of the directors. Although New Mexico law had not addressed this question directly, at the urging of the Firm's attorneys, the court relied on Delaware law for guidance, rejecting the "special injury" test for determining the direct versus derivative inquiry and instead applying more recent Delaware case law.
- ***Lane v. Page***, No. 06-cv-1071 (D.N.M. 2012). In May 2012, while granting final approval of the settlement in the federal component of the Westland cases, Judge Browning in the District of New Mexico commented:

Class Counsel are highly skilled and specialized attorneys who use their substantial experience and expertise to prosecute complex securities class actions. In possibly one of the best known and most prominent recent securities cases, Robbins Geller served as sole lead counsel – *In re Enron Corp. Sec. Litig.*, No. H-01-3624 (S.D. Tex.). *See* Report at 3. The Court has previously noted that the class would "receive high caliber legal representation" from class counsel, and throughout the course of the litigation the Court has been impressed with the quality of representation on each side. *Lane v. Page*, 250 F.R.D. at 647.

Lane v. Page, 862 F. Supp. 2d 1182, 1253-54 (D.N.M. 2012).

In addition, Judge Browning stated: "Few plaintiffs' law firms could have devoted the kind of time, skill, and financial resources over a five-year period necessary to achieve the pre- and post-

Merger benefits obtained for the class here.’ . . . [Robbins Geller is] both skilled and experienced, and used those skills and experience for the benefit of the class [Robbins Geller is] both skilled and experienced, and used those skills and experience for the benefit of the class.” *Id.* at 1254.

- ***Luther v. Countrywide Home Loans Servicing LP***, 533 F.3d 1031 (9th Cir. 2008). In a case of first impression, the Ninth Circuit held that the Securities Act of 1933’s specific non-removal features had not been trumped by the general removal provisions of the Class Action Fairness Act of 2005.
- ***In re Gilead Scis. Sec. Litig.***, 536 F.3d 1049 (9th Cir. 2008). The Ninth Circuit upheld defrauded investors’ loss causation theory as plausible, ruling that a limited temporal gap between the time defendants’ misrepresentation was publicly revealed and the subsequent decline in stock value was reasonable where the public had not immediately understood the impact of defendants’ fraud.
- ***In re Merck & Co. Sec., Derivative & ERISA Litig.***, 493 F.3d 393 (3d Cir. 2007). In a shareholder derivative suit appeal, the Third Circuit held that the general rule that discovery may not be used to supplement demand-futility allegations does not apply where the defendants enter a voluntary stipulation to produce materials relevant to demand futility without providing for any limitation as to their use. In April 2007, the Honorable D. Brooks Smith praised Robbins Geller partner Joe Daley’s efforts in this litigation:

Thank you very much Mr. Daley and a thank you to all counsel. As Judge Cowen mentioned, this was an exquisitely well-briefed case; it was also an extremely well-argued case, and we thank counsel for their respective jobs here in the matter, which we will take under advisement. Thank you.

In re Merck & Co., Inc. Sec., Derivative & ERISA Litig., No. 06-2911, Transcript at 35:37-36:00 (3d Cir. Apr. 12, 2007).

- ***Alaska Elec. Pension Fund v. Brown***, 941 A.2d 1011 (Del. 2007). The Supreme Court of Delaware held that the Alaska Electrical Pension Fund, for purposes of the “corporate benefit” attorney-fee doctrine, was presumed to have caused a substantial increase in the tender offer price paid in a “going private” buyout transaction. The Court of Chancery originally ruled that Alaska’s counsel, Robbins Geller, was not entitled to an award of attorney fees, but Delaware’s high court, in its published opinion, reversed and remanded for further proceedings.
- ***Crandon Cap. Partners v. Shelk***, 157 P.3d 176 (Or. 2007). Oregon’s Supreme Court ruled that a shareholder plaintiff in a derivative action may still seek attorney fees even if the defendants took actions to moot the underlying claims. The Firm’s attorneys convinced Oregon’s highest court to take the case, and reverse, despite the contrary position articulated by both the trial court and the Oregon Court of Appeals.
- ***In re Qwest Commc’ns Int’l***, 450 F.3d 1179 (10th Cir. 2006). In a case of first impression, the Tenth Circuit held that a corporation’s deliberate release of purportedly privileged materials to governmental agencies was not a “selective waiver” of the privileges such that the corporation could refuse to produce the same materials to non-governmental plaintiffs in private securities fraud litigation.
- ***In re Guidant S’holders Derivative Litig.***, 841 N.E.2d 571 (Ind. 2006). Answering a certified question from a federal court, the Supreme Court of Indiana unanimously held that a pre-suit demand in a derivative action is excused if the demand would be a futile gesture. The court adopted a “demand futility” standard and rejected defendants’ call for a “universal demand” standard that might have immediately ended the case.

- ***Denver Area Meat Cutters v. Clayton***, 209 S.W.3d 584 (Tenn. Ct. App. 2006). The Tennessee Court of Appeals rejected an objector's challenge to a class action settlement arising out of Warren Buffet's 2003 acquisition of Tennessee-based Clayton Homes. In their effort to secure relief for Clayton Homes stockholders, the Firm's attorneys obtained a temporary injunction of the Buffet acquisition for six weeks in 2003 while the matter was litigated in the courts. The temporary halt to Buffet's acquisition received national press attention.
- ***DeJulius v. New Eng. Health Care Emps. Pension Fund***, 429 F.3d 935 (10th Cir. 2005). The Tenth Circuit held that the multi-faceted notice of a \$50 million settlement in a securities fraud class action had been the best notice practicable under the circumstances, and thus satisfied both constitutional due process and Rule 23 of the Federal Rules of Civil Procedure.
- ***In re Daou Sys.***, 411 F.3d 1006 (9th Cir. 2005). The Ninth Circuit sustained investors' allegations of accounting fraud and ruled that loss causation was adequately alleged by pleading that the value of the stock they purchased declined when the issuer's true financial condition was revealed.
- ***Barrie v. Intervoice-Brite, Inc.***, 397 F.3d 249 (5th Cir.), *reh'g denied and opinion modified*, 409 F.3d 653 (5th Cir. 2005). The Fifth Circuit upheld investors' accounting-fraud claims, holding that fraud is pled as to both defendants when one knowingly utters a false statement and the other knowingly fails to correct it, even if the complaint does not specify who spoke and who listened.
- ***City of Monroe Emps. Ret. Sys. v. Bridgestone Corp.***, 399 F.3d 651 (6th Cir. 2005). The Sixth Circuit held that a statement regarding objective data supposedly supporting a corporation's belief that its tires were safe was actionable where jurors could have found a reasonable basis to believe the corporation was aware of undisclosed facts seriously undermining the statement's accuracy.
- ***Ill. Mun. Ret. Fund v. Citigroup, Inc.***, 391 F.3d 844 (7th Cir. 2004). The Seventh Circuit upheld a district court's decision that the Illinois Municipal Retirement Fund was entitled to litigate its claims under the Securities Act of 1933 against WorldCom's underwriters before a state court rather than before the federal forum sought by the defendants.
- ***Nursing Home Pension Fund, Local 144 v. Oracle Corp.***, 380 F.3d 1226 (9th Cir. 2004). The Ninth Circuit ruled that defendants' fraudulent intent could be inferred from allegations concerning their false representations, insider stock sales and improper accounting methods.
- ***Southland Sec. Corp. v. INSpire Ins. Sols. Inc.***, 365 F.3d 353 (5th Cir. 2004). The Fifth Circuit sustained allegations that an issuer's CEO made fraudulent statements in connection with a contract announcement.
- ***Smith v. Am. Family Mut. Ins. Co.***, 289 S.W.3d 675 (Mo. Ct. App. 2009). Capping nearly a decade of hotly contested litigation, the Missouri Court of Appeals reversed the trial court's judgment notwithstanding the verdict for auto insurer American Family and reinstated a unanimous jury verdict for the plaintiff class.
- ***Troyk v. Farmers Grp., Inc.***, 171 Cal. App. 4th 1305 (2009). The California Court of Appeal held that Farmers Insurance's practice of levying a "service charge" on one-month auto insurance policies, without specifying the charge in the policy, violated California's Insurance Code.
- ***Lebrilla v. Farmers Grp., Inc.***, 119 Cal. App. 4th 1070 (2004). Reversing the trial court, the California Court of Appeal ordered class certification of a suit against Farmers, one of the largest

automobile insurers in California, and ruled that Farmers' standard automobile policy requires it to provide parts that are as good as those made by vehicle's manufacturer. The case involved Farmers' practice of using inferior imitation parts when repairing insureds' vehicles.

- ***In re Monumental Life Ins. Co.***, 365 F.3d 408, 416 (5th Cir. 2004). The Fifth Circuit Court of Appeals reversed a district court's denial of class certification in a case filed by African-Americans seeking to remedy racially discriminatory insurance practices. The Fifth Circuit held that a monetary relief claim is viable in a Rule 23(b)(2) class if it flows directly from liability to the class as a whole and is capable of classwide "computation by means of objective standards and not dependent in any significant way on the intangible, subjective differences of each class member's circumstances."
- ***Dent v. National Football League***, No. 15-15143 (9th Cir.). In September 2018, the United States Court of Appeals for the Ninth Circuit issued an important decision reversing the district court's previous dismissal of the *Dent v. National Football League* litigation, concluding that the complaint brought by NFL Hall of Famer Richard Dent and others should not be dismissed on labor-law preemption grounds. The case was remanded to the district court for further proceedings.
- ***Kwikset Corp. v. Superior Court***, 51 Cal. 4th 310 (2011). In a leading decision interpreting the scope of Proposition 64's new standing requirements under California's Unfair Competition Law (UCL), the California Supreme Court held that consumers alleging that a manufacturer has misrepresented its product have "lost money or property" within the meaning of the initiative, and thus have standing to sue under the UCL, if they "can truthfully allege that they were deceived by a product's label into spending money to purchase the product, and would not have purchased it otherwise." *Id.* at 317. *Kwikset* involved allegations, proven at trial, that defendants violated California's "Made in the U.S.A." statute by representing on their labels that their products were "Made in U.S.A." or "All-American Made" when, in fact, the products were substantially made with foreign parts and labor.
- ***Safeco Ins. Co. of Am. v. Superior Court***, 173 Cal. App. 4th 814 (2009). In a class action against auto insurer Safeco, the California Court of Appeal agreed that the plaintiff should have access to discovery to identify a new class representative after her standing to sue was challenged.
- ***Consumer Privacy Cases***, 175 Cal. App. 4th 545 (2009). The California Court of Appeal rejected objections to a nationwide class action settlement benefiting Bank of America customers.
- ***Koponen v. Pac. Gas & Elec. Co.***, 165 Cal. App. 4th 345 (2008). The Firm's attorneys obtained a published decision reversing the trial court's dismissal of the action, and holding that the plaintiff's claims for damages arising from the utility's unauthorized use of rights-of-way or easements obtained from the plaintiff and other landowners were not barred by a statute limiting the authority of California courts to review or correct decisions of the California Public Utilities Commission.
- ***Sanford v. MemberWorks, Inc.***, 483 F.3d 956 (9th Cir. 2007). In a telemarketing-fraud case, where the plaintiff consumer insisted she had never entered the contractual arrangement that defendants said bound her to arbitrate individual claims to the exclusion of pursuing class claims, the Ninth Circuit reversed an order compelling arbitration – allowing the plaintiff to litigate on behalf of a class.
- ***Ritt v. Billy Blanks Enters.***, 870 N.E.2d 212 (Ohio Ct. App. 2007). In the Ohio analog to the *West*

case, the Ohio Court of Appeals approved certification of a class of Ohio residents seeking relief under Ohio's consumer protection laws for the same telemarketing fraud.

- *Haw. Med. Ass'n v. Haw. Med. Serv. Ass'n*, 148 P.3d 1179 (Haw. 2006). The Supreme Court of Hawaii ruled that claims of unfair competition were not subject to arbitration and that claims of tortious interference with prospective economic advantage were adequately alleged.
- *Branick v. Downey Sav. & Loan Ass'n*, 39 Cal. 4th 235 (2006). Robbins Geller attorneys were part of a team of lawyers that briefed this case before the Supreme Court of California. The court issued a unanimous decision holding that new plaintiffs may be substituted, if necessary, to preserve actions pending when Proposition 64 was passed by California voters in 2004. Proposition 64 amended California's Unfair Competition Law and was aggressively cited by defense lawyers in an effort to dismiss cases after the initiative was adopted.
- *McKell v. Wash. Mut., Inc.*, 142 Cal. App. 4th 1457 (2006). The California Court of Appeal reversed the trial court, holding that plaintiff's theories attacking a variety of allegedly inflated mortgage-related fees were actionable.
- *West Corp. v. Superior Court*, 116 Cal. App. 4th 1167 (2004). The California Court of Appeal upheld the trial court's finding that jurisdiction in California was appropriate over the out-of-state corporate defendant whose telemarketing was aimed at California residents. Exercise of jurisdiction was found to be in keeping with considerations of fair play and substantial justice.
- *Kruse v. Wells Fargo Home Mortg., Inc.*, 383 F.3d 49 (2d Cir. 2004), and *Santiago v. GMAC Mortg. Grp., Inc.*, 417 F.3d 384 (3d Cir. 2005). In two groundbreaking federal appellate decisions, the Second and Third Circuits each ruled that the Real Estate Settlement Practices Act prohibits marking up home loan-related fees and charges.

Additional Judicial Commendations

Robbins Geller attorneys have been praised by countless judges all over the country for the quality of their representation in class-action lawsuits. In addition to the judicial commendations set forth in the Prominent Cases and Precedent-Setting Decisions sections, judges have acknowledged the successful results of the Firm and its attorneys with the following plaudits:

- On February 4, 2021, in granting final approval of the settlement, the Honorable Mark H. Cohen of the United States District Court for the Northern District of Georgia stated: "Lead Counsel successfully achieved a greater-than-average settlement 'in the face of significant risks.'" Robbins Geller's "hard-fought litigation in the Eleventh Circuit" and "[i]n considering the experience, reputation, and abilities of the attorneys, the Court recognize[d] that Lead Counsel is well-regarded in the legal community, especially in litigating class-action securities cases." *Monroe County Employees' Retirement System v. The Southern Company*, No. 1:17-cv-00241, Order at 8-9 (N.D. Ga. Feb. 4, 2021).
- On December 18, 2020, at the final approval hearing of the settlement, the Honorable Yvonne Gonzalez Rogers of the United States District Court for the Northern District of California commended Robbins Geller, stating: "Counsel performed excellent work in not only investigating and analyzing the core of the issues, but in negotiating and demanding the necessary reforms to prevent malfeasance for the benefit of the shareholders and the consumers. The Court complements counsel for its excellence." *In re RH S'holder Derivative Litig.*, No. 4:18-cv-02452-YGR, Order and Final Judgment at 3 (N.D. Cal. Dec. 18, 2020).

- On October 23, 2020, at the final approval hearing of the settlement, the Honorable P. Kevin Castel of the United States District Court for the Southern District of New York praised the firm, “[Robbins Geller] has been sophisticated and experienced.” He also noted that: “[T]he quality of the representation . . . was excellent. The experience of counsel is also a factor. Robbins Geller certainly has the extensive experience and they were litigating against national powerhouses” *City of Birmingham Ret. & Relief Sys. v. BRF S.A.*, No. 18 Civ. 2213 (PKC), Transcript at 12-13, 18 (S.D.N.Y. Oct. 23, 2020).
- In May 2020, in granting final approval of the settlement, the Honorable Mark L. Wolf praised Robbins Geller: “[T]he class has been represented by excellent honorable counsel [T]he fund was represented by experienced, energetic, able counsel, the fund was engaged and informed, and the fund followed advice of experienced counsel. Counsel for the class have been excellent, and I would say honorable.” Additionally, Judge Wolf noted, “I find that the work that’s been done primarily by Robbins Geller has been excellent and honorable and efficient. . . . [T]his has been a challenging case, and they’ve done an excellent job.” *McGee v. Constant Contact, Inc.*, No. 1:15-cv-13114-MLW, Transcript at 21, 31, 61 (D. Mass. May 27, 2020).
- In December 2019, the Honorable Margo K. Brodie noted in granting final approval of the settlement that “[Robbins Geller and co-counsel] have also demonstrated the utmost professionalism despite the demands of the extreme perseverance that this case has required, litigating on behalf of a class of over 12 million for over fourteen years, across a changing legal landscape, significant motion practice, and appeal and remand. Class counsel’s pedigree and efforts alone speak to the quality of their representation.” *In re Payment Card Interchange Fee & Merch. Disc. Antitrust Litig.*, No. 1:05-md-01720-MKB-JO, Memorandum & Order (E.D.N.Y. Dec. 16, 2019).
- In October 2019, the Honorable Claire C. Cecchi noted that Robbins Geller is “capable of adequately representing the class, both based on their prior experience in class action lawsuits and based on their capable advocacy on behalf of the class in this action.” The court further commended the Firm and co-counsel for “conduct[ing] the [l]itigation . . . with skill, perseverance, and diligent advocacy.” *Lincoln Adventures, LLC v. Those Certain Underwriters at Lloyd’s, London Members*, No. 2:08-cv-00235-CCC-JAD, Order at 4 (D.N.J. Oct. 3, 2019); *Lincoln Adventures, LLC v. Those Certain Underwriters at Lloyd’s, London Members of Syndicates*, No. 2:08-cv-00235-CCC-JAD, Order Awarding Attorneys’ Fees and Expenses/Charges and Service Awards at 3 (D.N.J. Oct. 3, 2019).
- In June 2019, the Honorable T.S. Ellis, III noted that Robbins Geller “achieved the [\$108 million] [s]ettlement with skill, perseverance, and diligent advocacy.” At the final approval hearing, the court further commended Robbins Geller by stating, “I think the case was fully and appropriately litigated [and] you all did a very good job. . . . [T]hank you for your service in the court. . . . [You’re] first-class lawyers” *Knurr v. Orbital ATK, Inc.*, No. 1:16-cv-01031, Order Awarding Attorneys’ Fees and Expenses at 3 (E.D. Va. June 7, 2019); *Knurr v. Orbital ATK, Inc.*, No. 1:16-cv-01031, Transcript at 28-29 (E.D. Va. June 7, 2019).
- In June 2019, in granting final approval of the settlement, the Honorable John A. Houston stated: Robbins Geller’s “skill and quality of work was extraordinary I’ll note from the top that this has been an aggressively litigated action.” *In re Morning Song Bird Food Litig.*, No. 3:12-cv-01592-JAH-AGS, Transcript at 4, 9 (S.D. Cal. June 3, 2019).
- In May 2019, in granting final approval of the settlement, the Honorable Richard H. DuBois

stated: Robbins Geller is “highly experienced and skilled” for obtaining a “fair, reasonable, and adequate” settlement in the “interest of the [c]lass [m]embers” after “extensive investigation.” *Chicago Laborers Pension Fund v. Alibaba Grp. Holding Ltd.*, No. CIV535692, Judgment and Order Granting Final Approval of Class Action Settlement at 3 (Cal. Super. Ct., San Mateo Cnty. May 17, 2019).

- In April 2019, the Honorable Kathaleen St. J. McCormick noted: “[S]ince the inception of this litigation, plaintiffs and their counsel have vigorously prosecuted the claims brought on behalf of the class. . . . When Vice Chancellor Laster appointed lead counsel, he effectively said: Go get a good result. And counsel took that to heart and did it. . . . The proposed settlement was the product of intense litigation and complex mediation. . . . [Robbins Geller has] only built a considerable track record, never burned it, which gave them the credibility necessary to extract the benefits achieved.” *In re Calamos Asset Mgmt., Inc. S’holder Litig.*, No. 2017-0058-JTL, Transcript at 87, 93, 95, 98 (Del. Ch. Apr. 25, 2019).
- In April 2019, the Honorable Susan O. Hickey noted that Robbins Geller “achieved an exceptional [s]ettlement with skill, perseverance, and diligent advocacy.” *City of Pontiac Gen. Emps.’ Ret. Sys. v. Wal-Mart Stores, Inc.*, No. 5:12-cv-5162, Order Awarding Attorneys’ Fees and Expenses at 3 (W.D. Ark. Apr. 8, 2019).
- In January 2019, the Honorable Margo K. Brodie noted that Robbins Geller “has arduously represented a variety of plaintiffs’ groups in this action[,] . . . [has] extensive antitrust class action litigation experience . . . [and] negotiated what [may be] the largest antitrust settlement in history.” *In re Payment Card Interchange Fee & Merch. Disc. Antitrust Litig.*, 330 F.R.D. 11, 34 (E.D.N.Y. 2019).
- On December 20, 2018, at the final approval hearing for the settlement, the court lauded Robbins Geller’s attorneys and their work: “[T]his is a pretty extraordinary settlement, recovery on behalf of the members of the class. . . . I’ve been very impressed with the level of lawyering in the case . . . and with the level of briefing . . . and I wanted to express my appreciation for that and for the work that everyone has done here.” The court concluded, “your clients were all blessed to have you, [and] not just because of the outcome.” *Duncan v. Joy Global, Inc.*, No. 16-CV-1229, Transcript at 12, 20-21 (E.D. Wis. Dec. 20, 2018).
- In October 2017, the Honorable William Alsup noted that Robbins Geller and lead plaintiff “vigorously prosecuted this action.” *In re LendingClub Sec. Litig.*, No. 3:16-cv-02627-WHA, Order at 13 (N.D. Cal. Oct. 20, 2017).
- On November 9, 2018, in granting final approval of the settlement, the Honorable Jesse M. Furman commented: “[Robbins Geller] did an extraordinary job here. . . . [I]t is fair to say [this was] probably the most complicated case I have had since I have been on the bench. . . . I cannot really imagine how complicated it would have been if I didn’t have counsel who had done as admirable [a] job in briefing it and arguing as you have done. You have in my view done an extraordinary service to the class. . . . I think you have done an extraordinary job and deserve thanks and commendation for that.” *Alaska Elec. Pension Fund v. Bank of Am. Corp.*, No. 1:14-cv-07126-JMF-OTW, Transcript at 27-28 (S.D.N.Y. Nov. 9, 2018).

- On September 12, 2018, at the final approval hearing of the settlement, the Honorable William H. Orrick of the Northern District of California praised Robbins Geller’s “high-quality lawyering” in a case that “involved complicated discovery and complicated and novel legal issues,” resulting in an “excellent” settlement for the class. The “lawyering . . . was excellent” and the case was “very well litigated.” *In re Lidoderm Antitrust Litig.*, No. 14-MDL-02521-WHO, Transcript at 11, 14, 22 (N.D. Cal. Sept. 12, 2018).
- On March 31, 2017, in granting final approval of the settlement, the Honorable Gonzalo P. Curiel hailed the settlement as “extraordinary” and “all the more exceptional when viewed in light of the risk” of continued litigation. The court further commended Robbins Geller for prosecuting the case on a *pro bono* basis: “Class Counsel’s exceptional decision to provide nearly seven years of legal services to Class Members on a *pro bono* basis evidences not only a lack of collusion, but also that Class Counsel are in fact representing the best interests of Plaintiffs and the Class Members in this Settlement. Instead of seeking compensation for fees and costs that they would otherwise be entitled to, Class Counsel have acted to allow maximum recovery to Plaintiffs and Class Members. Indeed, that Eligible Class Members may receive recovery of 90% or greater is a testament to Class Counsel’s representation and dedication to act in their clients’ best interest.” In addition, at the final approval hearing, the court commented that “this is a case that has been litigated – if not fiercely, zealously throughout.” *Low v. Trump Univ., LLC*, 246 F. Supp. 3d 1295, 1302, 1312 (S.D. Cal. 2017), *aff’d*, 881 F.3d 1111 (9th Cir. 2018); *Low v. Trump University LLC and Donald J. Trump*, No. 10-cv-0940 GPC-WVG, and *Cohen v. Donald J. Trump*, No. 13-cv-2519-GPC-WVG, Transcript at 7 (S.D. Cal. Mar. 30, 2017).
- In January 2017, at the final approval hearing, the Honorable Kevin H. Sharp of the Middle District of Tennessee commended Robbins Geller attorneys, stating: “It was complicated, it was drawn out, and a lot of work clearly went into this [case] I think there is some benefit to the shareholders that are above and beyond money, a benefit to the company above and beyond money that changed hands.” *In re Community Health Sys., Inc. S’holder Derivative Litig.*, No. 3:11-cv-00489, Transcript at 10 (M.D. Tenn. Jan. 17, 2017).
- In November 2016, at the final approval hearing, the Honorable James G. Carr stated: “I kept throwing the case out, and you kept coming back. . . . And it’s both remarkable and noteworthy and a credit to you and your firm that you did so. . . . [Y]ou persuaded the Sixth Circuit. As we know, that’s no mean feat at all.” Judge Carr further complimented the Firm, noting that it “goes without question or even saying” that Robbins Geller is very well-known nationally and that the settlement is an excellent result for the class. He succinctly concluded that “given the tenacity and the time and the effort that [Robbins Geller] lawyers put into [the case]” makes the class “a lot better off.” *Plumbers & Pipefitters Nat’l Pension Fund v. Burns*, No. 3:05-cv-07393-JGC, Transcript at 4, 10, 14, 17 (N.D. Ohio Nov. 18, 2016).
- In September 2016, in granting final approval of the settlement, Judge Arleo commended the “vigorous and skilled efforts” of Robbins Geller attorneys for obtaining “an excellent recovery.” Judge Arleo added that the settlement was reached after “contentious, hard-fought litigation” that ended with “a very, very good result for the class” in a “risky case.” *City of Sterling Heights Gen. Emps.’ Ret. Sys. v. Prudential Fin., Inc.*, No. 2:12-cv-05275-MCA-LDW, Transcript of Hearing at 18-20 (D.N.J. Sept. 28, 2016).

- In August 2015, at the final approval hearing for the settlement, the Honorable Karen M. Humphreys praised Robbins Geller's "extraordinary efforts" and "excellent lawyering," noting that the settlement "really does signal that the best is yet to come for your clients and for your prodigious labor as professionals. . . . I wish more citizens in our country could have an appreciation of what this [settlement] truly represents." *Bennett v. Sprint Nextel Corp.*, No. 2:09-cv-02122-EFM-KMH, Transcript at 8, 25 (D. Kan. Aug. 12, 2015).
- In August 2015, the Honorable Judge Max O. Cogburn, Jr. noted that "plaintiffs' attorneys were able [to] achieve the big success early" in the case and obtained an "excellent result." The "extraordinary" settlement was because of "good lawyers . . . doing their good work." *Nieman v. Duke Energy Corp.*, No. 3:12-cv-456, Transcript at 21, 23, 30 (W.D.N.C. Aug. 12, 2015).
- In July 2015, in approving the settlement, the Honorable Douglas L. Rayes of the District of Arizona stated: "Settlement of the case during pendency of appeal for more than an insignificant amount is rare. The settlement here is substantial and provides favorable recovery for the settlement class under these circumstances." He continued, noting, "[a]s against the objective measures of . . . settlements [in] other similar cases, [the recovery] is on the high end." *Teamsters Local 617 Pension & Welfare Funds v. Apollo Grp., Inc.*, No. 2:06-cv-02674-DLR, Transcript at 8, 11 (D. Ariz. July 28, 2015).
- In June 2015, at the conclusion of the hearing for final approval of the settlement, the Honorable Susan Richard Nelson of the District of Minnesota noted that it was "a pleasure to be able to preside over a case like this," praising Robbins Geller in achieving "an outstanding [result] for [its] clients," as she was "very impressed with the work done on th[e] case." *In re St. Jude Med., Inc. Sec. Litig.*, No. 0:10-cv-00851-SRN-TNL, Transcript at 7 (D. Minn. June 12, 2015).
- In May 2015, at the fairness hearing on the settlement, the Honorable William G. Young noted that the case was "very well litigated" by Robbins Geller attorneys, adding that "I don't just say that as a matter of form. . . . I thank you for the vigorous litigation that I've been permitted to be a part of." *Courtney v. Avid Tech., Inc.*, No. 1:13-cv-10686-WGY, Transcript at 8-9 (D. Mass. May 12, 2015).
- In January 2015, the Honorable William J. Haynes, Jr. of the Middle District of Tennessee described the settlement as a "highly favorable result achieved for the Class" through Robbins Geller's "diligent prosecution . . . [and] quality of legal services." The settlement represents the fourth-largest securities recovery ever in the Middle District of Tennessee and one of the largest in more than a decade. *Garden City Emps.' Ret. Sys. v. Psychiatric Sols., Inc.*, No. 3:09-cv-00882, 2015 U.S. Dist. LEXIS 181943, at *6-*7 (M.D. Tenn. Jan. 16, 2015).
- In September 2014, in approving the settlement for shareholders, Vice Chancellor John W. Noble noted "[t]he litigation caused a substantial benefit for the class. It is unusual to see a \$29 million recovery." Vice Chancellor Noble characterized the litigation as "novel" and "not easy," but "[t]he lawyers took a case and made something of it." The court commended Robbins Geller's efforts in obtaining this result: "The standing and ability of counsel cannot be questioned" and "the benefits achieved by plaintiffs' counsel in this case cannot be ignored." *In re Gardner Denver, Inc. S'holder Litig.*, No. 8505-VCN, Transcript at 26-28 (Del. Ch. Sept. 3, 2014).
- In May 2014, at the conclusion of the hearing for final approval of the settlement, the Honorable Elihu M. Berle stated: "I would finally like to congratulate counsel on their efforts to resolve this case, on excellent work – it was the best interest of the class – and to the exhibition of professionalism. So I do thank you for all your efforts." *Liberty Mutual Overtime Cases*, No. JCCP 4234, Transcript at 20:1-5 (Cal. Super. Ct., Los Angeles Cnty. May 29, 2014).

- In March 2014, Ninth Circuit Judge J. Clifford Wallace (presiding) expressed the gratitude of the court: “Thank you. I want to especially thank counsel for this argument. This is a very complicated case and I think we were assisted no matter how we come out by competent counsel coming well prepared. . . . It was a model of the type of an exercise that we appreciate. Thank you very much for your work . . . you were of service to the court.” *Eclectic Properties East, LLC v. The Marcus & Millichap Co.*, No. 12-16526, Transcript (9th Cir. Mar. 14, 2014).
- In February 2014, in approving a settlement, Judge Edward M. Chen noted the “very substantial risks” in the case and recognized Robbins Geller had performed “extensive work on the case.” *In re VeriFone Holdings, Inc. Sec. Litig.*, No. C-07-6140, 2014 U.S. Dist. LEXIS 20044, at *5, *11-*12 (N.D. Cal. Feb. 18, 2014).
- In August 2013, in granting final approval of the settlement, the Honorable Richard J. Sullivan stated: “Lead Counsel is to be commended for this result: it expended considerable effort and resources over the course of the action researching, investigating, and prosecuting the claims, at significant risk to itself, and in a skillful and efficient manner, to achieve an outstanding recovery for class members. Indeed, the result – and the class’s embrace of it – is a testament to the experience and tenacity Lead Counsel brought to bear.” *City of Livonia Emps. Ret. Sys. v. Wyeth*, No. 07 Civ. 10329, 2013 U.S. Dist. LEXIS 113658, at *13 (S.D.N.Y. Aug. 7, 2013).
- In July 2013, in granting final approval of the settlement, the Honorable William H. Alsup stated that Robbins Geller did “excellent work in this case,” and continued, “I look forward to seeing you on the next case.” *Fraser v. Asus Comput. Int’l*, No. C 12-0652, Transcript at 12:2-3 (N.D. Cal. July 11, 2013).
- In June 2013, in certifying the class, U.S. District Judge James G. Carr recognized Robbins Geller’s steadfast commitment to the class, noting that “plaintiffs, with the help of Robbins Geller, have twice successfully appealed this court’s orders granting defendants’ motion to dismiss.” *Plumbers & Pipefitters Nat’l Pension Fund v. Burns*, 292 F.R.D. 515, 524 (N.D. Ohio 2013).
- In November 2012, in granting appointment of lead plaintiff, Chief Judge James F. Holderman commended Robbins Geller for its “substantial experience in securities class action litigation” and commented that the Firm “is recognized as ‘one of the most successful law firms in securities class actions, if not the preeminent one, in the country.’” *In re Enron Corp. Sec.*, 586 F. Supp. 2d 732, 797 (S.D. Tex. 2008) (Harmon, J.). He continued further that, “‘Robbins Geller attorneys are responsible for obtaining the largest securities fraud class action recovery ever [\$7.2 billion in *Enron*], as well as the largest recoveries in the Fifth, Sixth, Eighth, Tenth and Eleventh Circuits.’” *Bristol Cnty. Ret. Sys. v. Allscripts Healthcare Sols., Inc.*, No. 12 C 3297, 2012 U.S. Dist. LEXIS 161441, at *21 (N.D. Ill. Nov. 9, 2012).
- In June 2012, in granting plaintiffs’ motion for class certification, the Honorable Inge Prytz Johnson noted that other courts have referred to Robbins Geller as “‘one of the most successful law firms in securities class actions . . . in the country.’” *Local 703, I.B. v. Regions Fin. Corp.*, 282 F.R.D. 607, 616 (N.D. Ala. 2012) (quoting *In re Enron Corp. Sec. Litig.*, 586 F. Supp. 2d 732, 797 (S.D. Tex. 2008)), *aff’d in part and vacated in part on other grounds*, 762 F.3d 1248 (11th Cir. 2014).
- In June 2012, in granting final approval of the settlement, the Honorable Barbara S. Jones commented that “class counsel’s representation, from the work that I saw, appeared to me to be of the highest quality.” *In re CIT Grp. Inc. Sec. Litig.*, No. 08 Civ. 6613, Transcript at 9:16-18 (S.D.N.Y. June 13, 2012).

- In March 2012, in granting certification for the class, Judge Robert W. Sweet referenced the *Enron* case, agreeing that Robbins Geller’s “clearly superlative litigating and negotiating skills” give the Firm an “outstanding reputation, experience, and success in securities litigation nationwide,” thus, “[t]he experience, ability, and reputation of the attorneys of [Robbins Geller] is not disputed; it is one of the most successful law firms in securities class actions, if not the preeminent one, in the country.” *Billhofer v. Flamel Techs., S.A.*, 281 F.R.D. 150, 158 (S.D.N.Y. 2012).
- In March 2011, in denying defendants’ motion to dismiss, Judge Richard Sullivan commented: “Let me thank you all. . . . [The motion] was well argued . . . and . . . well briefed I certainly appreciate having good lawyers who put the time in to be prepared” *Anegada Master Fund Ltd. v. PxRE Grp. Ltd.*, No. 08-cv-10584, Transcript at 83 (S.D.N.Y. Mar. 16, 2011).
- In January 2011, the court praised Robbins Geller attorneys: “They have gotten very good results for stockholders. . . . [Robbins Geller has] such a good track record.” *In re Compellent Techs., Inc. S’holder Litig.*, No. 6084-VCL, Transcript at 20-21 (Del. Ch. Jan. 13, 2011).
- In August 2010, in reviewing the settlement papers submitted by the Firm, Judge Carlos Murguia stated that Robbins Geller performed “a commendable job of addressing the relevant issues with great detail and in a comprehensive manner The court respects the [Firm’s] experience in the field of derivative [litigation].” *Alaska Elec. Pension Fund v. Olofson*, No. 08-cv-02344-CM-JPO (D. Kan.) (Aug. 20, 2010 e-mail from court re: settlement papers).
- In June 2009, Judge Ira Warshawsky praised the Firm’s efforts in *In re Aeroflex, Inc. S’holder Litig.*: “There is no doubt that the law firms involved in this matter represented in my opinion the cream of the crop of class action business law and mergers and acquisition litigators, and from a judicial point of view it was a pleasure working with them.” *In re Aeroflex, Inc. S’holder Litig.*, No. 003943/07, Transcript at 25:14-18 (N.Y. Sup. Ct., Nassau Cnty. June 30, 2009).
- In March 2009, in granting class certification, the Honorable Robert Sweet of the Southern District of New York commented in *In re NYSE Specialists Sec. Litig.*, 260 F.R.D. 55, 74 (S.D.N.Y. 2009): “As to the second prong, the Specialist Firms have not challenged, in this motion, the qualifications, experience, or ability of counsel for Lead Plaintiff, [Robbins Geller], to conduct this litigation. Given [Robbins Geller’s] substantial experience in securities class action litigation and the extensive discovery already conducted in this case, this element of adequacy has also been satisfied.”
- In June 2008, the court commented, “Plaintiffs’ lead counsel in this litigation, [Robbins Geller], has demonstrated its considerable expertise in shareholder litigation, diligently advocating the rights of Home Depot shareholders in this Litigation. [Robbins Geller] has acted with substantial skill and professionalism in representing the plaintiffs and the interests of Home Depot and its shareholders in prosecuting this case.” *City of Pontiac Gen. Emps.’ Ret. Sys. v. Langone*, No. 2006-122302, Findings of Fact in Support of Order and Final Judgment at 2 (Ga. Super. Ct., Fulton Cnty. June 10, 2008).
- In a December 2006 hearing on the \$50 million consumer privacy class action settlement in *Kehoe v. Fidelity Fed. Bank & Tr.*, No. 03-80593-CIV (S.D. Fla.), United States District Court Judge Daniel T.K. Hurley said the following:

First, I thank counsel. As I said repeatedly on both sides, we have been very, very fortunate. We have had fine lawyers on both sides. The issues in the case are significant issues. We are talking about issues dealing with consumer protection

and privacy. Something that is increasingly important today in our society. . . . I want you to know I thought long and hard about this. I am absolutely satisfied that the settlement is a fair and reasonable settlement. . . . I thank the lawyers on both sides for the extraordinary effort that has been brought to bear here

Kehoe v. Fidelity Fed. Bank & Tr., No. 03-80593-CIV, Transcript at 26, 28-29 (S.D. Fla. Dec. 7, 2006).

- In *Stanley v. Safeskin Corp.*, No. 99 CV 454 (S.D. Cal.), where Robbins Geller attorneys obtained \$55 million for the class of investors, Judge Moskowitz stated:

I said this once before, and I'll say it again. I thought the way that your firm handled this case was outstanding. This was not an easy case. It was a complicated case, and every step of the way, I thought they did a very professional job.

Stanley v. Safeskin Corp., No. 99 CV 454, Transcript at 13 (S.D. Cal. May 25, 2004).

ATTORNEY BIOGRAPHIES

Mario Alba Jr. | Partner

Mario Alba is a partner in the Firm's Melville office. He is a member of the Firm's Institutional Outreach Team, which provides advice to the Firm's institutional clients, including numerous public pension systems and Taft-Hartley funds throughout the United States, and consults with them on issues relating to corporate fraud in the U.S. securities markets, as well as corporate governance issues and shareholder litigation. Some of Alba's institutional clients are currently involved in securities cases involving: Acadia Healthcare Company, Inc.; Reckitt Benckiser Group plc; Livent Corporation; Ryanair Holdings plc; Southwest Airlines Co.; Impax Laboratories Inc.; Super Micro Computer, Inc.; Skechers USA, Inc.; and XPO Logistics, Inc. Alba's institutional clients are also involved in other types of class actions, namely: *In re National Prescription Opiate Litigation*, *In re Epipen (Epinephrine Injection, USP) Marketing, Sales Practices and Antitrust Litigation*, *Forth v. Walgreen Co.*, and *In re Humira (Adalimumab) Antitrust Litigation*.

Alba has served as lead counsel in numerous cases and is responsible for initiating, investigating, researching, and filing securities and consumer fraud class actions. He has recovered hundreds of millions of dollars in numerous actions, including cases against BHP Billiton Limited (\$50 million recovery), BRF S.A. (\$40 million recovery), L3 Technologies, Inc. (\$34.5 million recovery), NBTY, Inc. (\$16 million recovery), OSI Pharmaceuticals (\$9 million recovery), Advisory Board Company (\$7.5 million recovery), Iconix Brand Group, Inc. (\$6 million recovery), and PXRe Group, Ltd. (\$5.9 million).

Alba has lectured at numerous institutional investor conferences throughout the United States on various shareholder issues, including at the Illinois Public Pension Fund Association, the New York State Teamsters Conference, the American Alliance Conference, and the TEXPERS/IPPFA Joint Conference at the New York Stock Exchange, among others.

Education

B.S., St. John's University, 1999; J.D., Hofstra University School of Law, 2002

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2012-2013, 2016-2017; B.S., Dean's List, St. John's University, 1999; Selected as participant in Hofstra Moot Court Seminar, Hofstra University School of Law

Michael Albert | Partner

Michael Albert is a partner in the Firm's San Diego office, where his practice focuses on complex securities litigation. Albert is a member of the Firm's Lead Plaintiff Advisory Team, which advises institutional investors in connection with lead plaintiff motions, and assists them in securing appointment as lead plaintiff. He is also part of the Firm's SPAC Task Force, which is dedicated to rooting out and prosecuting fraud on behalf of injured investors in special purpose acquisition companies.

Albert has been a member of litigation teams that have successfully recovered hundreds of millions of dollars for investors in securities class actions, including: *NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.* (\$272 million recovery), *City of Pontiac General Employees' Retirement Systems v. Wal-Mart Stores, Inc.* (\$160 million recovery), and *In re LendingClub Securities Litigation* (\$125 million recovery). Albert was also a member of the litigation team that recently obtained a \$85 million cash settlement in a consumer class action against Scotts Miracle-Gro.

Education

B.A., University of Wisconsin-Madison, 2010; J.D., University of Virginia School of Law, 2014

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2020-2021; Managing Board Member, *Virginia Tax Review*, University of Virginia School of Law

Matthew I. Alpert | Partner

Matthew Alpert is a partner in the Firm's San Diego office and focuses on the prosecution of securities fraud litigation. He has helped recover over \$800 million for individual and institutional investors financially harmed by corporate fraud. Alpert's current cases include securities fraud cases against XPO Logistics (D. Conn.), Canada Goose (S.D.N.Y.), Inogen (C.D. Cal.), and Under Armour (D. Md.). Most recently, Alpert and a team of Robbins Geller attorneys obtained a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.* (D.N.J.), a case that *Vanity Fair* reported as "the corporate scandal of its era" that had raised "fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations." This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever. Alpert was also a member of the litigation team that successfully obtained class certification in a securities fraud class action against Regions Financial, a class certification decision which was substantively affirmed by the United States Court of Appeals for the Eleventh Circuit in *Local 703, I.B. of T. Grocery & Food Emps. Welfare Fund v. Regions Fin. Corp.*, 762 F.3d 1248 (11th Cir. 2014). Upon remand, the United States District Court for the Northern District of Alabama granted class certification again, rejecting defendants' post-*Halliburton II* arguments concerning stock price impact.

Some of Alpert's previous cases include: the individual opt-out actions of the AOL Time Warner class action – *Regents of the Univ. of Cal. v. Parsons* (Cal. Super. Ct., Los Angeles Cnty.) and *Ohio Pub. Emps. Ret. Sys. v. Parsons* (Ohio. Ct. of Common Pleas, Franklin Cnty.) (total settlement over \$600 million); *Local 703, I.B. of T. Grocery & Food Emps. Welfare Fund v. Regions Fin. Corp.* (N.D. Ala.) (\$90 million settlement); *In re MGM Mirage Sec. Litig.* (D. Nev.) (\$75 million); *In re CIT Grp. Inc. Sec. Litig.* (S.D.N.Y.) (\$75 million settlement); *Luna v. Marvell Tech. Grp., Ltd.* (N.D. Cal.) (\$72.5 million settlement); *Deka Investment GmbH v. Santander Consumer USA Holdings Inc.* (N.D. Tex.) (\$47 million settlement); *In re Bridgestone Sec. Litig.* (M.D. Tenn.) (\$30 million settlement); *In re Walter Energy, Inc. Sec. Litig.* (N.D. Ala.) (\$25 million); *City of Hialeah Emps.' Ret. Sys. & Laborers Pension Trust Fund for N. Cal. v. Toll Brothers, Inc.* (E.D. Pa.) (\$25 million settlement); *In re MolyCorp, Inc. Sec. Litig.* (D. Colo.) (\$20.5 million settlement); *In re Banc of California Sec. Litig.* (C.D. Cal.) (\$19.75 million); *Zimmerman v. Diplomat Pharmacy, Inc.* (E.D. Mich.) (\$14.1 million); *Batwin v. Occam Networks, Inc.* (C.D. Cal.) (\$13.9 million settlement); *Int'l Brotherhood of Elec. Workers Local 697 Pension Fund v. Int'l Game Tech.* (D. Nev.) (\$12.5 million settlement); *Kmiec v. Powerwave Techs. Inc.* (C.D. Cal.) (\$8.2 million); *In re Sunterra Corp. Sec. Litig.* (D. Nev.) (\$8 million settlement); and *Luman v. Anderson* (W.D. Mo.) (\$4.25 million settlement).

Education

B.A., University of Wisconsin at Madison, 2001; J.D., Washington University, St. Louis, 2005

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2019

Darryl J. Alvarado | Partner

Darryl Alvarado is a partner in the Firm's San Diego office. He focuses his practice on securities fraud and other complex civil litigation. Alvarado was a member of the trial team in *Smilovits v. First Solar, Inc.*, which recovered \$350 million for aggrieved investors. The *First Solar* settlement, reached on the eve of trial after more than seven years of litigation and an interlocutory appeal to the U.S. Supreme Court, is the fifth-largest PSLRA recovery ever obtained in the Ninth Circuit. Alvarado recently litigated *Monroe County Employees' Retirement System v. The Southern Company*, which recovered \$87.5 million for investors after more than three years of litigation. The settlement resolved securities fraud claims stemming from defendants' issuance of misleading statements and omissions regarding the construction of a first-of-its-kind "clean coal" power plant in Kemper County, Mississippi. Alvarado helped secure \$388 million for investors in J.P. Morgan residential mortgage-backed securities in *Fort Worth Employees' Retirement Fund v. J.P. Morgan Chase & Co.* That settlement is, on a percentage basis, the largest recovery ever achieved in an RMBS class action. He was also a member of a team of attorneys that secured \$95 million for investors in Morgan Stanley-issued RMBS in *In re Morgan Stanley Mortgage Pass-Through Certificates Litigation*.

Alvarado was a member of a team of lawyers that obtained landmark settlements, on the eve of trial, from the major credit rating agencies and Morgan Stanley arising out of the fraudulent ratings of bonds issued by the Cheyne and Rhinebridge structured investment vehicles in *Abu Dhabi Commercial Bank v. Morgan Stanley & Co. Incorporated* and *King County, Washington v. IKB Deutsche Industriebank AG*. He was integral in obtaining several precedent-setting decisions in those cases, including defeating the rating agencies' historic First Amendment defense and defeating the ratings agencies' motions for summary judgment concerning the actionability of credit ratings. Alvarado was also a member of a team of attorneys responsible for obtaining for aggrieved investors \$27 million in *In re Cooper Companies Securities Litigation*, \$19.5 million in *City of Pontiac General Employees' Retirement System v. Lockheed Martin Corporation*, and comprehensive corporate governance reforms to address widespread off-label marketing and product safety violations in *In re Johnson & Johnson Derivative Litigation*.

Education

B.A., University of California, Santa Barbara, 2004; J.D., University of San Diego School of Law, 2007

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2018-2021; Top 40 Under 40, *Daily Journal*, 2021; Rising Star, *Super Lawyers Magazine*, 2015-2021; "Outstanding Young Attorneys," *San Diego Daily Transcript*, 2011

X. Jay Alvarez | Partner

Jay Alvarez is a partner in the Firm's San Diego office. He focuses his practice on securities fraud litigation and other complex litigation. Alvarez's notable cases include *In re Qwest Commc'ns Int'l, Inc. Sec. Litig.* (\$400 million recovery), *In re Coca-Cola Sec. Litig.* (\$137.5 million settlement), *In re St. Jude Medical, Inc. Sec. Litig.* (\$50 million settlement), and *In re Cooper Cos. Sec. Litig.* (\$27 million recovery). Most recently, Alvarez was a member of the litigation team that secured a historic recovery on behalf of Trump University students in two class actions against President Donald J. Trump. The settlement provides \$25 million to approximately 7,000 consumers. This result means individual class members are eligible for upwards of \$35,000 in restitution. He represented the class on a *pro bono* basis.

Prior to joining the Firm, Alvarez served as an Assistant United States Attorney for the Southern District of California from 1991-2003. As an Assistant United States Attorney, he obtained extensive trial experience, including the prosecution of bank fraud, money laundering, and complex narcotics conspiracy cases. During his tenure as an Assistant United States Attorney, Alvarez also briefed and argued numerous appeals before the Ninth Circuit Court of Appeals.

Education

B.A., University of California, Berkeley, 1984; J.D., University of California, Berkeley, Boalt Hall School of Law, 1987

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2020

Dory P. Antullis | Partner

Dory Antullis is a partner in the Firm's Boca Raton office and has been practicing law for 17 years, first at a major defense firm and the last 9-1/2 at Robbins Geller. Her practice focuses on complex class actions, including consumer fraud, RICO, public nuisance, data breach, pharmaceuticals, and antitrust litigation.

Antullis, along with other Robbins Geller attorneys, is currently leading the effort on behalf of cities and counties around the country in *In re Nat'l Prescription Opiate Litig.*, No. 1:17-MD-2804 (N.D. Ohio). She also serves as a primary counsel for named plaintiffs in the consolidated Third Party Payer class action in *In re Zantac (Ranitidine) Prods. Liab. Litig.*, No. 9:20-md-02924-RLR (S.D. Fla.), and is as a core member of the MDL Class Committee responsible for drafting, defending, and proving products liability, RICO, and consumer protection allegations on behalf of both TPPs and consumers nationwide.

Antullis has been an integral part of Robbins Geller's history of successful privacy and data breach class action cases. She is currently serving as Interim Co-Lead Class Counsel in *In re Luxottica of America, Inc. Data Breach Litig.*, No. 1:20-cv-00908-MRB (S.D. Ohio). Her heavy lifting at every stage of the litigation in *In re Yahoo! Inc. Customer Data Sec. Breach Litig.*, No. 5:16-md-02752-LHK (N.D. Cal.), helped to secure a \$117.5 million recovery in the largest data breach in history. Antullis successfully defeated two rounds of dispositive briefing, worked with leadership and computer privacy and damages experts to plan a winning strategy for the case, and drafted an innovative motion for class certification that immediately preceded a successful mediation with defendants in that litigation. Antullis also provided meaningful "nuts-and-bolts" support in other data breach class actions, including *In re Am. Med. Collection Agency, Inc., Customer Data Sec. Breach Litig.*, No. 2:19-md-02904-MCA-MAH (D.N.J.) (representing class of LabCorp customers), and *In re Solara Med. Supplies Customer Data Breach Litig.*, No. 3:19-cv-02284-H-KSC (S.D. Cal.) (representing victims of a protected health information data breach).

Education

B.A., Rice University, 1999; J.D., Columbia Law School, 2003

Honors / Awards

National Merit Scholar, Rice University; Golden Key National Honor Society, Rice University; Nominated for *The Rice Undergraduate* academic journal, Rice University; Michael I. Sovern Scholar, Columbia Law School; Hague Appeal for Peace, Committee for a Just and Effective Response to 9/11, Columbia Law School; Columbia Mediation and Political Asylum Clinics, Columbia Law School; Harlem Tutorial Program, Columbia Law School; Journal of Eastern European Law, Columbia Law School; Columbia Law Women's Association, Columbia Law School

Stephen R. Astley | Partner

Stephen Astley is a partner in the Firm's Boca Raton office. Astley devotes his practice to representing institutional and individual shareholders in their pursuit to recover investment losses caused by fraud. He has been lead counsel in numerous securities fraud class actions across the country, helping secure significant recoveries for his clients and investors. He was on the trial team that recovered \$60 million on behalf of investors in *City of Sterling Heights Gen. Emps.' Ret. Sys. v. Hospira, Inc.* Other notable representations include: *In re ADT Inc. S'holder Litig.* (Fla. Cir. Ct., 15th Jud. Cir.) (\$30 million settlement); *In re Red Hat, Inc. Sec. Litig.* (E.D.N.C.) (\$20 million settlement); *Eshe Fund v. Fifth Third Bancorp* (S.D. Ohio) (\$16 million); *City of St. Clair Shores Gen. Emps.' Ret. Sys. v. Lender Processing Servs., Inc.* (M.D. Fla.) (\$14 million); and *In re Synovus Fin. Corp.* (N.D. Ga.) (\$11.75 million).

Prior to joining the Firm, Astley was with the Miami office of Hunton & Williams, where he concentrated his practice on class action defense, including securities class actions and white collar criminal defense. Additionally, he represented numerous corporate clients accused of engaging in unfair and deceptive practices. Astley was also an active duty member of the United States Navy's Judge Advocate General's Corps where he was the Senior Defense Counsel for the Naval Legal Service Office Pearl Harbor Detachment. In that capacity, Astley oversaw trial operations for the Detachment and gained substantial first-chair trial experience as the lead defense counsel in over 75 courts-martial and administrative proceedings. Additionally, from 2002-2003, Astley clerked for the Honorable Peter T. Fay, U.S. Court of Appeals for the Eleventh Circuit.

Education

B.S., Florida State University, 1992; M. Acc., University of Hawaii at Manoa, 2001; J.D., University of Miami School of Law, 1997

Honors / Awards

J.D., *Cum Laude*, University of Miami School of Law, 1997; United States Navy Judge Advocate General's Corps., Lieutenant

A. Rick Atwood, Jr. | Partner

Rick Atwood is a partner in the Firm's San Diego office. As a recipient of the *California Lawyer* Attorney of the Year ("CLAY") Award for his work on behalf of shareholders, he has successfully represented shareholders in securities class actions, merger-related class actions, and shareholder derivative suits in federal and state courts in more than 30 jurisdictions. Through his litigation efforts at both the trial and appellate levels, Atwood has helped recover billions of dollars for public shareholders, including the largest post-merger common fund recoveries on record. He is also part of the Firm's SPAC Task Force, which is dedicated to rooting out and prosecuting fraud on behalf of injured investors in special purpose acquisition companies. Most recently, in *In re Dole Food Co., Inc. S'holder Litig.*, which went to trial in the Delaware Court of Chancery on claims of breach of fiduciary duty on behalf of Dole Food Co., Inc. shareholders, Atwood helped obtain \$148 million, the largest trial verdict ever in a class action challenging a merger transaction. He was also a key member of the litigation team in *In re Kinder Morgan, Inc. S'holders Litig.*, where he helped obtain an unprecedented \$200 million common fund for former Kinder Morgan shareholders, the largest merger & acquisition class action recovery in history.

Atwood also led the litigation team that obtained an \$89.4 million recovery for shareholders in *In re Del Monte Foods Co. S'holders Litig.*, after which the Delaware Court of Chancery stated that "it was only through the effective use of discovery that the plaintiffs were able to 'disturb[] the patina of normalcy surrounding the transaction.'" The court further commented that "Lead Counsel engaged in hard-nosed discovery to penetrate and expose problems with practices that Wall Street considered 'typical.'" One Wall Street banker even wrote in *The Wall Street Journal* that "Everybody does it, but Barclays is the one that got caught with their hand in the cookie jar Now everybody has to rethink how we conduct ourselves in financing situations.'" Atwood's other significant opinions include *Brown v. Brewer* (\$45 million recovery) and *In re Prime Hosp., Inc. S'holders Litig.* (\$25 million recovery).

Education

B.A., University of Tennessee, Knoxville, 1987; B.A., Katholieke Universiteit Leuven, Belgium, 1988; J.D., Vanderbilt School of Law, 1991

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Recommended Lawyer, *The Legal 500*, 2017-2019; M&A Litigation Attorney of the Year in California, *Corporate International*, 2015; Super Lawyer, *Super Lawyers Magazine*, 2014-2017; Attorney of the Year, *California Lawyer*, 2012; B.A., Great Distinction, Katholieke Universiteit Leuven, Belgium, 1988; B.A., Honors, University of Tennessee, Knoxville, 1987; Authorities Editor, *Vanderbilt Journal of Transnational Law*, 1991

Aelish M. Baig | Partner

Aelish Marie Baig is a partner in the Firm's San Francisco office. She specializes in federal securities and consumer class actions. She focuses primarily on securities fraud litigation on behalf of individual and institutional investors, including state and municipal pension funds, Taft-Hartley funds, and private retirement and investment funds. Baig has litigated a number of cases through jury trial, resulting in multi-million dollar awards and settlements for her clients, and has prosecuted securities fraud, consumer, and derivative actions obtaining millions of dollars in recoveries against corporations such as Wells Fargo, Verizon, Celera, Pall, and Prudential.

Baig, along with other Robbins Geller attorneys, is currently leading the effort on behalf of cities and

counties around the country in *In re National Prescription Opiate Litigation*. She has also been appointed to the Plaintiffs' Steering Committee in *In re Juul Labs, Inc., Marketing Sales Practices and Product Liability Litigation*, currently pending before the Honorable William H. Orrick in the Northern District of California. She serves on the expert and trial committees and represents, among others, one of the trial bellwethers. Baig and her team have recently completed discovery and are currently preparing for expert reports and trial. She has also been appointed by the Honorable Charles R. Breyer in the Northern District of California to the Plaintiffs' Steering Committee in *In re McKinsey & Co., Inc. National Prescription Opiate Consultant Litigation*.

Additionally, Baig prosecuted an action against Wells Fargo's directors and officers accusing the giant of engaging in the robo-signing of foreclosure papers so as to mass-process home foreclosures, a practice which contributed significantly to the 2008-2009 financial crisis. The resulting settlement was worth more than \$67 million in cash, corporate preventative measures, and new lending initiatives for residents of cities devastated by Wells Fargo's alleged unlawful foreclosure practices. Baig and a team of Robbins Geller attorneys recently obtained a \$62.5 million settlement in *Villella v. Chemical and Mining Company of Chile Inc.*, a securities class action against a Chilean mining company. The case alleged that Sociedad Química y Minera de Chile S.A. ("SQM") violated the Securities Exchange Act of 1934 by issuing materially false and misleading statements regarding the Company's failure to disclose that money from SQM was channeled illegally to electoral campaigns for Chilean politicians and political parties as far back as 2009. SQM had also filed millions of dollars' worth of fictitious tax receipts with Chilean authorities in order to conceal bribery payments from at least 2009 through fiscal 2014. Due to the company being based out of Chile and subject to Chilean law and rules, Baig and the Robbins Geller litigation team put together a multilingual litigation team with Chilean expertise. Baig was also part of the litigation and trial team in *White v. Celco Partnership d/b/a Verizon Wireless*, which resulted in a \$25 million settlement and Verizon's agreement to an injunction restricting its ability to impose early termination fees in future subscriber agreements. She was also part of the team that prosecuted dozens of stock option backdating actions, securing tens of millions of dollars in cash recoveries as well as the implementation of comprehensive corporate governance enhancements for numerous companies victimized by their directors' and officers' fraudulent stock option backdating practices. Additionally, Baig prosecuted an action against Prudential Insurance for its alleged failure to pay life insurance benefits to beneficiaries of policyholders it knew or had reason to know had died, resulting in a settlement in excess of \$30 million.

Education

B.A., Brown University, 1992; J.D., Washington College of Law at American University, 1998

Honors / Awards

Leading Lawyer in America, *Lawdragon*, 2020-2022; Best Lawyer in America: One to Watch, *Best Lawyers®*, 2021-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Plaintiffs' Lawyers Trailblazer, *The National Law Journal*, 2021; Best Lawyer in Northern California: One to Watch, *Best Lawyers®*, 2021; Featured in "Lawyer Limelight" series, *Lawdragon*, 2020; Litigation Trailblazer, *The National Law Journal*, 2019; California Trailblazer, *The Recorder*, 2019; Super Lawyer, *Super Lawyers Magazine*, 2012-2013; J.D., *Cum Laude*, Washington College of Law at American University, 1998; Senior Editor, *Administrative Law Review*, Washington College of Law at American University

Randall J. Baron | Partner

Randy Baron is a partner in the Firm's San Diego office. He specializes in securities litigation, corporate takeover litigation, and breach of fiduciary duty actions. For almost two decades, Baron has headed up a team of lawyers whose accomplishments include obtaining instrumental rulings both at injunction and trial phases, and establishing liability of financial advisors and investment banks. With an in-depth understanding of merger and acquisition and breach of fiduciary duty law, an ability to work under extreme time pressures, and the experience and willingness to take a case through trial, he has been responsible for recovering more than a billion dollars for shareholders.

Notable achievements over the years include: *In re Kinder Morgan, Inc. S'holders Litig.* (Kan. Dist. Ct., Shawnee Cnty.), where Baron obtained an unprecedented \$200 million common fund for former Kinder Morgan shareholders, the largest merger & acquisition class action recovery in history; *In re Dole Food Co., Inc. S'holder Litig.* (Del. Ch.), where he went to trial in the Delaware Court of Chancery on claims of breach of fiduciary duty on behalf of Dole Food Co., Inc. shareholders and obtained \$148 million, the largest trial verdict ever in a class action challenging a merger transaction; and *In re Rural/Metro Corp. S'holders Litig.* (Del. Ch.), where Baron and co-counsel obtained nearly \$110 million total recovery for shareholders against Royal Bank of Canada Capital Markets LLC. In *In re Del Monte Foods Co. S'holders Litig.* (Del. Ch.), he exposed the unseemly practice by investment bankers of participating on both sides of large merger and acquisition transactions and ultimately secured an \$89 million settlement for shareholders of Del Monte. Baron was one of the lead attorneys representing about 75 public and private institutional investors that filed and settled individual actions in *In re WorldCom Sec. Litig.* (S.D.N.Y.), where more than \$657 million was recovered, the largest opt-out (non-class) securities action in history. Most recently, Baron successfully obtained a partial settlement of \$60 million in *In re Tesla Motors, Inc. S'holder Litig.*, a case that alleged that the members of the Tesla Board of Directors breached their fiduciary duties, unjustly enriched themselves, and wasted corporate assets in connection with their approval of Tesla's acquisition of SolarCity Corp. in 2016.

Education

B.A., University of Colorado at Boulder, 1987; J.D., University of San Diego School of Law, 1990

Honors / Awards

Fellow, Advisory Board, Litigation Counsel of America (LCA); Rated Distinguished by Martindale-Hubbell; Leading Lawyer in America, *Lawdragon*, 2011, 2017-2019, 2021-2022; Best Lawyer in America, *Best Lawyers®*, 2019-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Hall of Fame, *The Legal 500*, 2020-2021; Leading Lawyer, *Chambers USA*, 2016-2021; Southern California Best Lawyer, *Best Lawyers®*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2014-2016, 2018-2020; National Practice Area Star, *Benchmark Litigation*, 2019-2020; Local Litigation Star, *Benchmark Litigation*, 2018, 2020; Leading Lawyer, *The Legal 500*, 2014-2019; Litigation Star, *Benchmark Litigation*, 2016-2019; California Star, *Benchmark Litigation*, 2019; State Litigation Star, *Benchmark Litigation*, 2019; Winning Litigator, *The National Law Journal*, 2018; Titan of the Industry, *The American Lawyer*, 2018; Recommended Lawyer, *The Legal 500*, 2017; Mergers & Acquisitions Trailblazer, *The National Law Journal*, 2015-2016; Litigator of the Week, *The American Lawyer*, October 16, 2014; Attorney of the Year, *California Lawyer*, 2012; Litigator of the Week, *The American Lawyer*, October 7, 2011; J.D., *Cum Laude*, University of San Diego School of Law, 1990

James E. Barz | Partner

James Barz is a partner with the Firm and manages the Firm's Chicago office. He has tried 18 cases to verdict, conducted numerous evidentiary hearings, drafted many appeals, and argued 9 cases in the Seventh Circuit. Barz is a registered CPA, former federal prosecutor, and an adjunct professor at Northwestern University School of Law from 2008 to 2021, teaching courses on trial advocacy and class action litigation.

Barz has focused on representing investors in securities fraud class actions that have resulted in recoveries of over \$2 billion. Most recently, Barz was lead counsel in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, and secured a \$1.21 billion recovery for investors, a case that *Vanity Fair* reported as "the corporate scandal of its era" that had raised "fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations." This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest securities class action settlement ever. Barz was recognized as a Litigator of the Week by *The American Lawyer* for his work in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*

Barz has also secured substantial recoveries for investors in *HCA* (\$215 million, M.D. Tenn.); *Motorola* (\$200 million, N.D. Ill.); *Sprint* (\$131 million, D. Kan.); *Orbital ATK* (\$108 million, E.D. Va.); *Psychiatric Solutions* (\$65 million, M.D. Tenn.); *Dana Corp.* (\$64 million, N.D. Ohio); *Hospira* (\$60 million, N.D. Ill.); *Career Education* (\$27.5 million, N.D. Ill.); *Accretive Health* (\$14 million, N.D. Ill.); *LJM Funds Management, Ltd.* (\$12.85 million, N.D. Ill.); and *Camping World* (\$12.5 million). He has been lead trial counsel in several of these cases obtaining favorable settlements just days or weeks before trial and after obtaining denials of summary judgment. Barz also handles whistleblower cases, including successful settlements in *United States v. Signature Healthcare LLC* (M.D. Tenn.) (\$30 million) and *Goodman v. Arriva Medical LLC* (M.D. Tenn.) (\$160 million settlement with government and \$28.5 million award to whistleblower). Barz also handles antitrust cases, including currently serving on the Plaintiffs' Steering Committee in *In re Dealer Management Systems Antitrust Litigation* (N.D. Ill.).

Education

B.B.A., Loyola University Chicago, School of Business Administration, 1995; J.D., Northwestern University School of Law, 1998

Honors / Awards

Award for Excellence in Pro Bono Service, United States District Court for the Northern District of Illinois, 2021; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Litigator of the Week, *The American Lawyer*, 2021; Super Lawyer, *Super Lawyers Magazine*, 2018-2021; Leading Lawyer, Law Bulletin Media, 2018; B.B.A., *Summa Cum Laude*, Loyola University Chicago, School of Business Administration, 1995; J.D., *Cum Laude*, Northwestern University School of Law, 1998

Lea Malani Bays | Partner

Lea Malani Bays is a partner in the Firm's San Diego office. She focuses on e-discovery issues, from preservation through production, and provides counsel to the Firm's multi-disciplinary e-discovery team consisting of attorneys, forensic analysts, and database professionals. Through her role as counsel to the e-discovery team, Bays is very familiar with the various stages of e-discovery, including identification of relevant electronically stored information, data culling, predictive coding protocols, privilege, and responsiveness reviews, as well as having experience in post-production discovery through trial preparation. Through speaking at various events, she is also a leader in shaping the broader dialogue on e-discovery issues.

Bays was recently part of the litigation team that earned the approval of a \$131 million settlement in favor of plaintiffs in *Bennett v. Sprint Nextel Corp.* The settlement, which resolved claims arising from Sprint Corporation's ill-fated merger with Nextel Communications in 2005, represents a significant recovery for the plaintiff class, achieved after five years of tireless effort by the Firm. Prior to joining Robbins Geller, Bays was a Litigation Associate at Kaye Scholer LLP's New York office. She has experience in a wide range of litigation, including complex securities litigation, commercial contract disputes, business torts, antitrust, civil fraud, and trust and estate litigation.

Education

B.A., University of California, Santa Cruz, 1997; J.D., New York Law School, 2007

Honors / Awards

Leading Lawyer, *Chambers USA*, 2019-2021; J.D., *Magna Cum Laude*, New York Law School, 2007; Executive Editor, *New York Law School Law Review*; Legal Aid Society's Pro Bono Publico Award; NYSBA Empire State Counsel; Professor Stephen J. Ellmann Clinical Legal Education Prize; John Marshall Harlan Scholars Program, Justice Action Center

Nathan W. Bear | Partner

Nate Bear is a partner in the Firm's San Diego office. Bear advises institutional investors on a global basis. His clients include Taft-Hartley funds, public and multi-employer pension funds, fund managers, insurance companies, and banks around the world. He counsels clients on securities fraud and corporate governance, and frequently speaks at conferences worldwide. Bear has been part of Robbins Geller litigation teams which have recovered over \$1 billion for investors, including *In re Cardinal Health, Inc. Sec. Litig.* (\$600 million) and *Jones v. Pfizer Inc.* (\$400 million). In addition to initiating securities fraud class actions in the United States, he possesses direct experience in Australian class actions, potential group actions in the United Kingdom, settlements in the European Union under the Wet Collectieve Afwikkeling Massaschade (WCAM), the Dutch Collective Mass Claims Settlement Act, as well as representative actions in Germany utilizing the Kapitalanlegermusterverfahrensgesetz (KapMuG), the Capital Market Investors' Model Proceeding Act. In *Abu Dhabi Commercial Bank v. Morgan Stanley & Co. Inc.*, Bear was a member of the litigation team which achieved the first major ruling upholding fraud allegations against the chief credit rating agencies. That ruling led to the filing of a similar case, *King County, Washington v. IKB Deutsche Industriebank AG*. These cases, arising from the fraudulent ratings of bonds issued by the Cheyne and Rhinebridge structured investment vehicles, ultimately obtained landmark settlements – on the eve of trial – from the major credit rating agencies and Morgan Stanley. Bear maintained an active role in litigation at the heart of the worldwide financial crisis, and pursued banks over their manipulation of LIBOR, FOREX, and other benchmark rates. Additionally, Bear represents investors damaged by the defeat device scandal enveloping German automotive manufacturers, including Volkswagen, Porsche, and Daimler.

Education

B.A., University of California at Berkeley, 1998; J.D., University of San Diego School of Law, 2006

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2016; "Outstanding Young Attorneys," *San Diego Daily Transcript*, 2011

Alexandra S. Bernay | Partner

Xan Bernay is a partner in the Firm'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. Bernay 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 approved in the Eastern District of New York. 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, Bernay is involved in *In re Remicade Antitrust Litig.* pending in the Eastern District of Pennsylvania – a large case involving anticompetitive conduct in the biosimilars market, where the Firm is sole lead counsel for the end-payor plaintiffs. She is also part of the litigation 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 *Persian Gulf Inc. v. BP West Coast Prods. LLC* (S.D. Cal.), a massive case against the largest gas refiners in the world brought by gasoline station owners who allege they were overcharged for gasoline in California as a result of anticompetitive conduct.

Education

B.A., Humboldt State University, 1997; J.D., University of San Diego School of Law, 2000

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Litigator of the Week, *Global Competition Review*, October 1, 2014

Erin W. Boardman | Partner

Erin Boardman is a partner in the Firm's Melville office, where her practice focuses on representing individual and institutional investors in class actions brought pursuant to the federal securities laws. She has been involved in the prosecution of numerous securities class actions that have resulted in millions of dollars in recoveries for defrauded investors, including: *Medoff v. CVS Caremark Corp.* (D.R.I.) (\$48 million recovery); *Construction Laborers Pension Tr. of Greater St. Louis v. Autoliv Inc.* (S.D.N.Y.) (\$22.5 million recovery); *In re Gildan Activewear Inc. Sec. Litig.* (S.D.N.Y.) (resolved as part of a \$22.5 million global settlement); *In re L.G. Phillips LCD Co., Ltd., Sec. Litig.* (S.D.N.Y.) (\$18 million recovery); *In re Giant Interactive Grp., Inc. Sec. Litig.* (S.D.N.Y.) (\$13 million recovery); *In re Coventry HealthCare, Inc. Sec. Litig.* (D. Md.) (\$10 million recovery); *Lenartz v. American Superconductor Corp.* (D. Mass.) (\$10 million recovery); *Dudley v. Haub* (D.N.J.) (\$9 million recovery); *Hildenbrand v. W Holding Co.* (D.P.R.) (\$8.75 million recovery); *In re Doral Fin. Corp. Sec. Litig.* (D.P.R.) (\$7 million recovery); and *Van Dongen v. CNinsure Inc.* (S.D.N.Y.) (\$6.625 million recovery). During law school, Boardman served as Associate Managing Editor of the *Journal of Corporate, Financial and Commercial Law*, interned in the chambers of the Honorable Kiyo A. Matsumoto in the United States District Court for the Eastern District of New York, and represented individuals on a *pro bono* basis through the Workers' Rights Clinic.

Education

B.A., State University of New York at Binghamton, 2003; J.D., Brooklyn Law School, 2007

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2018; B.A., *Magna Cum Laude*, State University of New York at Binghamton, 2003

Douglas R. Britton | Partner

Doug Britton is a partner in the Firm's San Diego office. His practice focuses on securities fraud and corporate governance. Britton has been involved in settlements exceeding \$1 billion and has secured significant corporate governance enhancements to improve corporate functioning. Notable achievements include *In re WorldCom, Inc. Sec. & "ERISA" Litig.*, where he was one of the lead partners that represented a number of opt-out institutional investors and secured an unprecedented recovery of \$651 million; *In re SureBeam Corp. Sec. Litig.*, where he was the lead trial counsel and secured an impressive recovery of \$32.75 million; and *In re Amazon.com, Inc. Sec. Litig.*, where he was one of the lead attorneys securing a \$27.5 million recovery for investors.

Education

B.B.A., Washburn University, 1991; J.D., Pepperdine University School of Law, 1996

Honors / Awards

J.D., *Cum Laude*, Pepperdine University School of Law, 1996

Luke O. Brooks | Partner

Luke Brooks is a partner in the Firm's securities litigation practice group in the San Diego office. He focuses primarily on securities fraud litigation on behalf of individual and institutional investors, including state and municipal pension funds, Taft-Hartley funds, and private retirement and investment funds. Brooks served as trial counsel in *Jaffe v. Household International* in the Northern District of Illinois, a securities class action that obtained a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a verdict for plaintiffs. Other prominent cases recently prosecuted by Brooks include *Fort Worth Emps.' Ret. Fund v. J.P. Morgan Chase & Co.*, in which plaintiffs recovered \$388 million for investors in J.P. Morgan residential mortgage-backed securities, and a pair of cases – *Abu Dhabi Commercial Bank v. Morgan Stanley & Co. Inc.* (“Cheyne”) and *King County, Washington, et al. v. IKB Deutsche Industriebank AG* (“Rhinebridge”) – in which plaintiffs obtained a settlement, on the eve of trial in Cheyne, from the major credit rating agencies and Morgan Stanley arising out of the fraudulent ratings of bonds issued by the Cheyne and Rhinebridge structured investment vehicles. *Reuters* described the settlement as a “landmark” deal and emphasized that it was the “first time S&P and Moody’s have settled accusations that investors were misled by their ratings.” An article published in *Rolling Stone* magazine entitled “The Last Mystery of the Financial Crisis” similarly credited Robbins Geller with uncovering “a mountain of evidence” detailing the credit rating agencies’ fraud. Most recently, Brooks served as lead counsel in *Smilovits v. First Solar, Inc.*, and obtained a \$350 million settlement on the eve of trial. The settlement is fifth-largest PSLRA settlement ever recovered in the Ninth Circuit.

Education

B.A., University of Massachusetts at Amherst, 1997; J.D., University of San Francisco, 2000

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Local Litigation Star, *Benchmark Litigation*, 2017-2018, 2020; California Star, *Benchmark Litigation*, 2019; State Litigation Star, *Benchmark Litigation*, 2019; Recommended Lawyer, *The Legal 500*, 2017-2018; Member, *University of San Francisco Law Review*, University of San Francisco

Spencer A. Burkholz | Partner

Spence Burkholz is a partner in the Firm's San Diego office and a member of the Firm's Executive and Management Committees. He has 25 years of experience in prosecuting securities class actions and private actions on behalf of large institutional investors. Burkholz was one of the lead trial attorneys in *Jaffe v. Household International* in the Northern District of Illinois, a securities class action that obtained a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a verdict for plaintiffs. Burkholz has also recovered billions of dollars for injured shareholders in cases such as *Enron* (\$7.2 billion), *WorldCom* (\$657 million), *Countrywide* (\$500 million), and *Qwest* (\$445 million).

Education

B.A., Clark University, 1985; J.D., University of Virginia School of Law, 1989

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Leading Lawyer in America, *Lawdragon*, 2018-2022; Best Lawyer in America, *Best Lawyers®*, 2018-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2021; Southern California Best Lawyer, *Best Lawyers®*, 2018-2021; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2020; Super Lawyer, *Super Lawyers Magazine*, 2015-2016, 2020; Top 100 Trial Lawyer, *Benchmark Litigation*, 2018-2020; National Practice Area Star, *Benchmark Litigation*, 2020; Local Litigation Star, *Benchmark Litigation*, 2015-2018, 2020; Lawyer of the Year, *Best Lawyers®*, 2020; Recommended Lawyer, *The Legal 500*, 2017-2019; Top 20 Trial Lawyer in California, *Benchmark Litigation*, 2019; California Star, *Benchmark Litigation*, 2019; State Litigation Star, *Benchmark Litigation*, 2019; Plaintiff Attorney of the Year, *Benchmark Litigation*, 2018; B.A., *Cum Laude*, Clark University, 1985; *Phi Beta Kappa*, Clark University, 1985

Michael G. Capeci | Partner

Michael Capeci is a partner in the Firm's Melville office. His practice focuses on prosecuting complex securities class action lawsuits in federal and state courts. Throughout his tenure with the Firm, Capeci has played an integral role in the teams prosecuting cases such as: *In re BHP Billiton Ltd. Sec. Litig.* (\$50 million recovery); *Galestan v. OneMain Holdings, Inc.* (\$9 million recovery); *Carpenters Pension Tr. Fund of St. Louis v. Barclays PLC* (\$14 million recovery); *City of Pontiac General Emps.' Ret. Sys. v. Lockheed Martin Corp.* (\$19.5 million recovery); and *Plumbers and Pipefitters Local Union No. 630 Pension-Annuity Tr. Fund v. Arbitron Inc.* (\$7 million recovery). Capeci is currently prosecuting numerous cases in federal and state courts alleging violations of the Securities Exchange Act of 1934 and the Securities Act of 1933. Recently, Michael led the litigation team that achieved the first settlement of a 1933 Act claim in New York state court, *In re EverQuote, Inc. Sec. Litig.* (\$4.75 million recovery), following the U.S. Supreme Court's landmark decision in *Cyan, Inc. v. Beaver Cnty. Emps. Ret. Fund* in 2018.

Education

B.S., Villanova University, 2007; J.D., Hofstra University School of Law, 2010

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2014-2020; J.D., *Cum Laude*, Hofstra University School of Law, 2010

Jennifer N. Caringal | Partner

Jennifer Caringal is a partner in the Firm's San Diego office, where her practice focuses on complex antitrust and securities litigation. She is also part of the Firm's SPAC Task Force, which is dedicated to rooting out and prosecuting fraud on behalf of injured investors in special purpose acquisition companies.

Caringal served as lead counsel in *In re Am. Realty Cap. Props., Inc. Litig.*, a case arising out of ARCP's manipulative accounting practices, and obtained a \$1.025 billion recovery. For five years, she and the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and the Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages of any major PSLRA case prior to trial and includes the largest personal contributions by individual defendants in history.

Education

B.A., University of Illinois, 2006; J.D., Washington University in St. Louis, School of Law, 2012

Honors / Awards

Best Lawyer in America: One to Watch, *Best Lawyers*®, 2021-2022; Rising Star, *Super Lawyers Magazine*, 2021; Best Lawyer in Southern California: One to Watch, *Best Lawyers*®, 2021

Brian E. Cochran | Partner

Brian Cochran is a partner in the Firm's San Diego and Chicago offices. He focuses his practice on complex securities, shareholder, consumer protection, and ERISA litigation. Cochran is also a member of Robbins Geller's SPAC Task Force. Cochran specializes in case investigation and initiation and lead plaintiff issues arising under the Private Securities Litigation Reform Act of 1995. He has developed dozens of cases under the federal securities laws and recovered hundreds of millions of dollars for injured investors and consumers. Several of Cochran's cases have pioneered new ground, such as cases on behalf of cryptocurrency investors, and sparked follow-on governmental investigations into corporate malfeasance. Cochran has spearheaded litigation on behalf of injured investors in blank check companies, developing one of the first securities class actions arising from the latest wave of blank check financing, *Alta Mesa Resources*. On March 31, 2021, the United States District Court for the Southern District of Texas denied defendants' motions to dismiss in their entirety.

Brian was a member of the litigation team that achieved a \$1.21 billion settlement in the *Valeant Pharmaceuticals* securities litigation. Brian also developed the *Dynamic Ledger* securities litigation, one of the first cases to challenge a cryptocurrency issuer's failure to register under the federal securities laws, which settled for \$25 million. In addition, Brian was part of the team that secured a historic \$25 million settlement on behalf of Trump University students, which Brian prosecuted on a *pro bono* basis. Other notable recoveries include: *Scotts Miracle-Gro* (up to \$85 million); *Psychiatric Solutions* (\$65 million); *SQM Chemical & Mining Co. of Chile* (\$62.5 million); *Big Lots* (\$38 million); *REV Group* (\$14.25 million, subject to court approval); *Fifth Street Finance* (\$14 million); *Third Avenue Management* (\$14 million); *LJM* (\$12.85 million); *Camping World* (\$12.5 million); *FTS International* (\$9.875 million); and *JPMorgan ERISA* (\$9 million).

Education

A.B., Princeton University, 2006; J.D., University of California at Berkeley School of Law, Boalt Hall, 2012

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2021; Next Generation Partner, *The Legal 500*, 2020-2021; Rising Star, *Super Lawyers Magazine*, 2020-2021; Rising Star, *The Legal 500*, 2019; A.B., With Honors, Princeton University, 2006; J.D., Order of the Coif, University of California at Berkeley School of Law, Boalt Hall, 2012

Sheri M. Coverman | Partner

Sheri Coverman is a partner in the Firm's Boca Raton office. Her practice focuses on complex class actions, including securities, corporate governance, and consumer fraud litigation.

Coverman is a member of the Firm's Institutional Outreach Team, which provides advice to the Firm's institutional clients, including numerous public pension systems and Taft-Hartley funds throughout the United States, on issues related to corporate fraud, shareholder litigation, and corporate governance issues. Coverman frequently addresses trustees regarding their options for seeking redress for losses due to violations of securities laws and assists in ongoing litigation involving many Firm clients. Coverman's institutional clients are also involved in other types of class actions, namely: *In re National Prescription Opiate Litigation*.

Education

B.A., University of Florida, 2008; J.D., University of Florida Levin College of Law, 2011

Desiree Cummings | Partner

Desiree Cummings is a partner with the Firm and is based in the Manhattan office. Cummings focuses her practice on complex securities litigation, consumer and privacy litigation, and breach of fiduciary duty actions.

Before joining Robbins Geller, Cummings spent several years prosecuting securities fraud as an Assistant Attorney General with the New York State Office of the Attorney General's Investor Protection Bureau. As an Assistant Attorney General, Cummings was instrumental in the office's investigation and prosecution of J.P. Morgan and Goldman Sachs in connection with the marketing, sale and issuance of residential mortgage-backed securities, resulting in recoveries worth over \$1.6 billion for the State of New York. In connection with investigating and prosecuting securities fraud as part of a federal and state RMBS Working Group, Cummings was awarded the Louis J. Lefkowitz Award for Exceptional Service. Cummings began her career as a litigator at Paul, Weiss, Rifkind, Wharton & Garrison LLP where she spent several years representing major financial institutions, a pharmaceutical manufacturer, and public and private companies in connection with commercial litigations and state and federal regulatory investigations.

At Robbins Geller, Cummings currently serves as counsel in a data breach and privacy class action and in numerous securities fraud class actions pending in the United States District Court for the Southern District of New York and the United States District Court for the District of Minnesota. Cummings also serves as counsel in several breach of fiduciary duty actions presently pending in the Court of Chancery of the State of Delaware.

Education

B.A., Binghamton University, 2001, *cum laude*; J.D., University of Michigan Law School, 2004

Honors / Awards

Louis J. Lefkowitz Award for Exceptional Service, New York State Office of the Attorney General, 2012

Joseph D. Daley | Partner

Joseph Daley is a partner in the Firm's San Diego office, serves on the Firm's Securities Hiring Committee, and is a member of the Firm's Appellate Practice Group. Precedents include: *City of Birmingham Ret. & Relief Sys. v. Davis*, 806 F. App'x 17 (2d Cir. 2020); *City of Providence v. Bats Glob. Mkts., Inc.*, 878 F.3d 36 (2d Cir. 2017); *DeJulius v. New Eng. Health Care Emps. Pension Fund*, 429 F.3d 935 (10th Cir. 2005); *Frank v. Dana Corp. ("Dana I")*, 547 F.3d 564 (6th Cir. 2008); *Frank v. Dana Corp. ("Dana II")*, 646 F.3d 954 (6th Cir. 2011); *Freidus v. Barclays Bank PLC*, 734 F.3d 132 (2d Cir. 2013); *In re HealthSouth Corp. Sec. Litig.*, 334 F. App'x 248 (11th Cir. 2009); *In re Merck & Co. Sec., Derivative & ERISA Litig.*, 493 F.3d 393 (3d Cir. 2007); *In re Quality Sys., Inc. Sec. Litig.*, 865 F.3d 1130 (9th Cir. 2017); *In re Qwest Commc'ns Int'l*, 450 F.3d 1179 (10th Cir. 2006); *Luther v. Countrywide Home Loans Servicing LP*, 533 F.3d 1031 (9th Cir. 2008); *NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.*, 693 F.3d 145 (2d Cir. 2012); *Rosenbloom v. Pyott ("Allergan")*, 765 F.3d 1137 (9th Cir. 2014); *Silverman v. Motorola Solutions, Inc.*, 739 F.3d 956 (7th Cir. 2013); *Siracusano v. Matrixx Initiatives, Inc.*, 585 F.3d 1167 (9th Cir. 2009), *aff'd*, 563 U.S. 27 (2011); and *Southland Sec. Corp. v. INSpire Ins. Solutions Inc.*, 365 F.3d 353 (5th Cir. 2004). Daley is admitted to practice before the U.S. Supreme Court, as well as before 12 U.S. Courts of Appeals around the nation.

Education

B.S., Jacksonville University, 1981; J.D., University of San Diego School of Law, 1996

Honors / Awards

Seven-time Super Lawyer, *Super Lawyers Magazine*; Appellate Moot Court Board, Order of the Barristers, University of San Diego School of Law; Best Advocate Award (Traynore Constitutional Law Moot Court Competition), First Place and Best Briefs (Alumni Torts Moot Court Competition and USD Jessup International Law Moot Court Competition)

Patrick W. Daniels | Partner

Patrick Daniels is a founding and managing partner in the Firm's San Diego office. He is widely recognized as a leading corporate governance and investor advocate. *Daily Journal*, the leading legal publisher in California, named him one of the 20 most influential lawyers in California under 40 years of age. Additionally, the Yale School of Management's Millstein Center for Corporate Governance and Performance awarded Daniels its "Rising Star of Corporate Governance" honor for his outstanding leadership in shareholder advocacy and activism.

Daniels is an advisor to political and financial leaders throughout the world. He counsels private and state government pension funds and fund managers in the United States, United Arab Emirates, United Kingdom, the Netherlands, and other countries within the European Union on issues related to corporate fraud in the United States securities markets and "best practices" in the corporate governance of publicly traded companies. Daniels has represented dozens of institutional investors in some of the largest and most significant shareholder actions, including *Enron*, *WorldCom*, *AOL Time Warner*, *BP*, *Pfizer*, *Countrywide*, *Petrobras*, and *Volkswagen*, to name just a few. In the wake of the financial crisis, he represented dozens of investors in structured investment products in ground-breaking actions against the ratings agencies and Wall Street banks that packaged and sold supposedly highly rated shoddy securities to institutional investors all around the world.

Education

B.A., University of California, Berkeley, 1993; J.D., University of San Diego School of Law, 1997

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Rising Star of Corporate Governance, Yale School of Management's Milstein Center for Corporate Governance & Performance, 2008; One of the 20 Most Influential Lawyers in the State of California Under 40 Years of Age, *Daily Journal*; B.A., *Cum Laude*, University of California, Berkeley, 1993

Stuart A. Davidson | Partner

Stuart Davidson is a partner in the Firm's Boca Raton office. His practice focuses on complex consumer class actions, including cases involving deceptive and unfair trade practices, privacy and data breach issues, and antitrust violations. Davidson has served as class counsel in some of the nation's most significant privacy cases, including: *In re Facebook Biometric Info. Privacy Litig.*, No. 3:15-cv-03747 (N.D. Cal.) (\$650 million recovery in a cutting-edge class action concerning Facebook's alleged privacy violations through its collection of user's biometric identifiers without informed consent); *In re Yahoo! Inc. Customer Data Sec. Breach Litig.*, No. 5:16-md-02752 (N.D. Cal.) (\$117.5 million recovery in the largest data breach in history); *In re Sony Gaming Networks & Customer Data Sec. Breach Litig.*, No. 3:11-md-02258 (S.D. Cal.) (settlement valued at \$15 million concerning the massive data breach of Sony's PlayStation Network); and *Kehoe v. Fid. Fed. Bank & Tr.*, No. 9:03-cv-80593 (S.D. Fla.) (\$50 million recovery in Driver's Privacy Protection Act case on behalf of half-a-million Florida drivers against a national bank).

Davidson currently spearheads several aspects of *In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Pracs. & Antitrust Litig.*, No. 2:17-md-02785 (D. Kan.) (representing certified class for antitrust claims involving the illegal reverse payment settlement to delay the generic EpiPen, which allowed the prices of the life-saving EpiPen to rise over 600% in 9 years; \$345 million partial settlement achieved a few months prior to trial; additional \$264 million settlement pending approval), and serves as Plaintiffs' Co-Lead

Counsel in *In re Am. Med. Collection Agency, Inc. Customer Data Sec. Breach Litig.*, No. 2:19-md-02904 (D.N.J.) (representing class of LabCorp customers), *Garner v. Amazon.com, Inc.*, No. 2:21-cv-00750 (W.D. Wash.) (alleging Amazon's illegal wiretapping through Alexa-enabled devices), and *In re Solara Med. Supplies Data Breach Litig.*, No. 3:19-cv-02284 (S.D. Cal.) (\$5 million cash settlement for victims of healthcare data breach, pending approval), and on Plaintiffs' Steering Committee in *In re Intel Corp. CPU Mktg., Sales Pracs. & Prods. Liab. Litig.*, No. 3:18-md-02828 (D. Or.) (representing class of Intel CPU purchasers based on serious security vulnerabilities that infect Intel's x86 processors).

Davidson also served as Plaintiffs' Co-Lead Counsel in *In re NHL Players' Concussion Injury Litig.*, No. 0:14-md-02551 (D. Minn.) (representing retired National Hockey League players in multidistrict litigation suit against the NHL regarding injuries suffered due to repetitive head trauma and concussions), and in *In re Pet Food Prods. Liab. Litig.*, No. 1:07-cv-02867 (D.N.J.) (\$24 million recovery in multidistrict consumer class action on behalf of thousands of aggrieved pet owners nationwide against some of the nation's largest pet food manufacturers, distributors, and retailers). He also served as Plaintiffs' Co-Lead Counsel in *In re UnitedGlobalCom, Inc. S'holder Litig.*, C.A. No. 1012-VCS (Del. Ch.) (\$25 million recovery weeks before trial); *In re Winn-Dixie Stores, Inc. S'holder Litig.*, No. 16-2011-CA-010616 (Fla. Cir. Ct.) (\$11.5 million recovery for former Winn-Dixie shareholders following the corporate buyout by BI-LO); and *In re AuthenTec, Inc. S'holder Litig.*, No. 5-2012-CA-57589 (Fla. Cir. Ct.) (\$10 million recovery for former AuthenTec shareholders following a merger with Apple). The latter two cases are the two largest merger and acquisition recoveries in Florida history.

Davidson is a former lead assistant public defender in the Felony Division of the Broward County, Florida Public Defender's Office. During his tenure at the Public Defender's Office, he tried over 30 jury trials and defended individuals charged with major crimes ranging from third-degree felonies to life and capital felonies.

Education

B.A., State University of New York at Geneseo, 1993; J.D., Nova Southeastern University Shepard Broad College of Law, 1996

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2020-2021; Super Lawyer, *Super Lawyers Magazine*, 2021; One of "Florida's Most Effective Lawyers" in the Privacy category, American Law Media, 2020; J.D., *Summa Cum Laude*, Nova Southeastern University Shepard Broad College of Law, 1996; Associate Editor, *Nova Law Review*, Book Awards in Trial Advocacy, International Law, and Criminal Pretrial Practice

Jason C. Davis | Partner

Jason Davis is a partner in the Firm's San Francisco office where he practices securities class actions and complex litigation involving equities, fixed-income, synthetic, and structured securities issued in public and private transactions. Davis was on the trial team in *Jaffe v. Household Int'l, Inc.*, a securities class action that obtained a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a verdict for plaintiffs. Most recently, he was part of the litigation team in *Luna v. Marvell Tech. Grp., Ltd.*, resulting in a \$72.5 million settlement that represents approximately 24% to 50% of the best estimate of classwide damages suffered by investors.

Before joining the Firm, Davis focused on cross-border transactions, mergers and acquisitions at Cravath, Swaine and Moore LLP in New York.

Education

B.A., Syracuse University, 1998; J.D., University of California at Berkeley, Boalt Hall School of Law, 2002

Honors / Awards

B.A., *Summa Cum Laude*, Syracuse University, 1998; International Relations Scholar of the year, Syracuse University; Teaching fellow, examination awards, Moot court award, University of California at Berkeley, Boalt Hall School of Law

Mark J. Dearman | Partner

Mark Dearman is a partner in the Firm's Boca Raton office, where his practice focuses on consumer fraud, securities fraud, mass torts, antitrust, and whistleblower litigation. Dearman, along with other Robbins Geller attorneys, is currently leading the effort on behalf of cities and counties around the country in *In re National Prescription Opiate Litig.* He was recently appointed to the Plaintiffs' Steering Committee in *In re Zantac (Ranitidine) Prods. Liab. Litig.*, and as Chair of the Plaintiffs' Executive Committee in *In re Apple Inc. Device Performance Litig.*, Dearman obtained a \$310 million settlement. His other recent representative cases include *In re FieldTurf Artificial Turf Mktg. Pracs. Litig.*, No. 3:17-md-02779 (D.N.J.); *In re NHL Players' Concussion Injury Litig.*, 2015 U.S. Dist. LEXIS 38755 (D. Minn. 2015); *In re Sony Gaming Networks & Customer Data Sec. Breach Litig.*, 903 F. Supp. 2d 942 (S.D. Cal. 2012); *In re Volkswagen "Clean Diesel" Mktg. Sales Pracs. & Prods. Liab. Litig.*, 2016 U.S. Dist. LEXIS 1357 (N.D. Cal. 2016); *In re Ford Fusion & C-Max Fuel Econ. Litig.*, 2015 U.S. Dist. LEXIS 155383 (S.D.N.Y. 2015); *Looper v. FCA US LLC*, No. 5:14-cv-00700 (C.D. Cal.); *In re Aluminum Warehousing Antitrust Litig.*, 95 F. Supp. 3d 419 (S.D.N.Y. 2015), *aff'd*, 833 F.3d 151 (2d Cir. 2016); *In re Liquid Aluminum Sulfate Antitrust Litig.*, No. 16-md-2687 (D.N.J.); *In re Winn-Dixie Stores, Inc. S'holder Litig.*, No. 16-2011-CA-010616 (Fla. 4th Jud. Cir. Ct., Duval Cnty.); *Gemelas v. Dannon Co. Inc.*, No. 1:08-cv-00236 (N.D. Ohio); and *In re AuthenTec, Inc. S'holder Litig.*, No. 05-2012-CA-57589 (Fla. 18th Jud. Cir. Ct., Brevard Cnty.). Prior to joining the Firm, he founded Dearman & Gerson, where he defended Fortune 500 companies, with an emphasis on complex commercial litigation, consumer claims, and mass torts (products liability and personal injury), and has obtained extensive jury trial experience throughout the United States. Having represented defendants for so many years before joining the Firm, Dearman has a unique perspective that enables him to represent clients effectively.

Education

B.A., University of Florida, 1990; J.D., Nova Southeastern University, 1993

Honors / Awards

AV rated by Martindale-Hubbell; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2020-2021; Super Lawyer, *Super Lawyers Magazine*, 2014-2020; In top 1.5% of Florida Civil Trial Lawyers in *Florida Trend's* Florida Legal Elite, 2004, 2006

Kathleen B. Douglas | Partner

Kathleen Douglas is a partner in the Firm's Boca Raton office. She focuses her practice on securities fraud class actions and consumer fraud. Most recently, Douglas and a team of Robbins Geller attorneys obtained a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, a case that *Vanity Fair* reported as “the corporate scandal of its era” that had raised “fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations.” This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever.

Douglas was also a key member of the litigation team in *In re UnitedHealth Grp. Inc. PSLRA Litig.*, in which she and team of Robbins Geller attorneys achieved a substantial \$925 million recovery. In addition to the monetary recovery, UnitedHealth also made critical changes to a number of its corporate governance policies, including electing a shareholder-nominated member to the company's Board of Directors. Likewise, in *Nieman v. Duke Energy Corp.*, she and a team of attorneys obtained a \$146.25 million recovery, which is the largest recovery in North Carolina for a case involving securities fraud and is one of the five largest recoveries in the Fourth Circuit. In addition, Douglas was a member of the team of attorneys that represented investors in *Knurr v. Orbital ATK, Inc.*, which recovered \$108 million for shareholders and is believed to be the fourth-largest securities class action settlement in the history of the Eastern District of Virginia. Douglas has served as class counsel in several class actions brought on behalf of Florida emergency room physicians. These cases were against some of the nation's largest Health Maintenance Organizations and settled for substantial increases in reimbursement rates and millions of dollars in past damages for the class.

Education

B.S., Georgetown University, 2004; J.D., University of Miami School of Law, 2007

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2021; Rising Star, *Super Lawyers Magazine*, 2012-2017; B.S., *Cum Laude*, Georgetown University, 2004

Travis E. Downs III | Partner

Travis Downs is a partner in the Firm's San Diego office. His areas of expertise include prosecution of shareholder and securities litigation, including complex shareholder derivative actions. Downs led a team of lawyers who successfully prosecuted over 65 stock option backdating derivative actions in federal and state courts across the country, resulting in hundreds of millions in financial givebacks for the plaintiffs and extensive corporate governance enhancements, including annual directors elections, majority voting for directors, and shareholder nomination of directors. Notable cases include: *In re Community Health Sys., Inc. S'holder Derivative Litig.* (\$60 million in financial relief and unprecedented corporate governance reforms); *In re Marvell Tech. Grp. Ltd. Derivative Litig.* (\$54 million in financial relief and extensive corporate governance enhancements); *In re McAfee, Inc. Derivative Litig.* (\$30 million in financial relief and extensive corporate governance enhancements); *In re Affiliated Computer Servs. Derivative Litig.* (\$30 million in financial relief and extensive corporate governance enhancements); *In re KB Home S'holder Derivative Litig.* (\$30 million in financial relief and extensive corporate governance enhancements); *In re Juniper Networks Derivative Litig.* (\$22.7 million in financial relief and extensive corporate governance enhancements); *In re Nvidia Corp. Derivative Litig.* (\$15 million in financial relief and extensive corporate governance enhancements); and *City of Pontiac Gen. Emps.' Ret. Sys. v. Langone* (achieving landmark corporate governance reforms for investors).

Downs was also part of the litigation team that obtained a \$67 million settlement in *City of Westland Police & Fire Ret. Sys. v. Stumpf*, a shareholder derivative action alleging that Wells Fargo participated in the mass-processing of home foreclosure documents by engaging in widespread robo-signing, and a \$250 million settlement in *In re Google, Inc. Derivative Litig.*, an action alleging that Google facilitated in the improper advertising of prescription drugs. Downs is a frequent speaker at conferences and seminars and has lectured on a variety of topics related to shareholder derivative and class action litigation.

Education

B.A., Whitworth University, 1985; J.D., University of Washington School of Law, 1990

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Best Lawyer in America, *Best Lawyers*®, 2018-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2021; Southern California Best Lawyer, *Best Lawyers*®, 2018-2021; Board of Trustees, Whitworth University; Super Lawyer, *Super Lawyers Magazine*, 2008; B.A., Honors, Whitworth University, 1985

Daniel S. Drosman | Partner

Dan Drosman is a partner in the Firm's San Diego office and a member of the Firm's Management Committee. He focuses his practice on securities fraud and other complex civil litigation and has obtained significant recoveries for investors in cases such as *Morgan Stanley*, *Cisco Systems*, *The Coca-Cola Company*, *Petco*, *PMI*, and *America West*. Drosman served as lead trial counsel in *Jaffe v. Household International* in the Northern District of Illinois, a securities class action that obtained a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a verdict for plaintiffs. Drosman also helped secure a \$388 million recovery for investors in J.P. Morgan residential mortgage-backed securities in *Fort Worth Employees' Retirement Fund v. J.P. Morgan Chase & Co.* On a percentage basis, that settlement is the largest recovery ever achieved in an RMBS class action. Drosman also served as lead counsel in *Smilovits v. First Solar, Inc.*, and obtained a \$350 million settlement

on the eve of trial. The settlement is fifth-largest PSLRA settlement ever recovered in the Ninth Circuit.

Most recently, Drosman was part of the Robbins Geller litigation team in *Monroe County Employees' Retirement System v. The Southern Company* in which an \$87.5 settlement was reached after three years of litigation. The settlement resolved claims for violations of the Securities Exchange Act of 1934 stemming from defendants' issuance of materially misleading statements and omissions regarding the status of construction of a first-of-its-kind "clean coal" power plant that was designed to transform coal into synthetic gas that could then be used to fuel the power plant. In another recent case, Drosman and the Robbins Geller litigation team obtained a \$62.5 million settlement in *Villella v. Chemical and Mining Company of Chile Inc.*, which alleged that Sociedad Química y Minera de Chile S.A. ("SQM") violated the Securities Exchange Act of 1934 by issuing materially false and misleading statements regarding the Company's failure to disclose that money from SQM was channeled illegally to electoral campaigns for Chilean politicians and political parties as far back as 2009. SQM had also filed millions of dollars' worth of fictitious tax receipts with Chilean authorities in order to conceal bribery payments from at least 2009 through fiscal 2014.

In a pair of cases – *Abu Dhabi Commercial Bank, et al. v. Morgan Stanley & Co. Inc.* ("Cheyne" litigation) and *King County, Washington, et al. v. IKB Deutsche Industriebank AG* ("Rhinebridge" litigation) – Drosman led a group of attorneys prosecuting fraud claims against the credit rating agencies, where he is distinguished as one of the few plaintiffs' counsel to defeat the rating agencies' traditional First Amendment defense and their motions for summary judgment based on the mischaracterization of credit ratings as mere opinions not actionable in fraud.

Prior to joining the Firm, Drosman served as an Assistant District Attorney for the Manhattan District Attorney's Office, and an Assistant United States Attorney in the Southern District of California, where he investigated and prosecuted violations of the federal narcotics, immigration, and official corruption law.

Education

B.A., Reed College, 1990; J.D., Harvard Law School, 1993

Honors / Awards

Lawyer of the Year, *Best Lawyers*®, 2022; Titan of the Plaintiffs Bar, *Law360*, 2022; Leading Lawyer in America, *Lawdragon*, 2018-2022; Best Lawyer in America, *Best Lawyers*®, 2019-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Southern California Best Lawyers, *The Wall Street Journal*, 2021; Southern California Best Lawyer, *Best Lawyers*®, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2017-2020; Recommended Lawyer, *The Legal 500*, 2017-2018; Top 100 Lawyer, *Daily Journal*, 2017; Department of Justice Special Achievement Award, Sustained Superior Performance of Duty; B.A., Honors, Reed College, 1990; *Phi Beta Kappa*, Reed College, 1990

Thomas E. Egler | Partner

Tom Egler is a partner in the Firm's San Diego office and focuses his practice on representing clients in major complex, multidistrict litigations, such as *Lehman Brothers*, *Countrywide Mortgage Backed Securities*, *WorldCom*, *AOL Time Warner*, and *Qwest*. He has represented institutional investors both as plaintiffs in individual actions and as lead plaintiffs in class actions.

Egler also serves as a Lawyer Representative to the Ninth Circuit Judicial Conference from the Southern District of California, and in the past has served on the Executive Board of the San Diego chapter of the Association of Business Trial Lawyers. Prior to joining the Firm, Egler was a law clerk to the Honorable Donald E. Ziegler, Chief Judge, United States District Court, Western District of Pennsylvania.

Education

B.A., Northwestern University, 1989; J.D., The Catholic University of America, Columbus School of Law, 1995

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2017-2018; Associate Editor, *Catholic University Law Review*

Alan I. Ellman | Partner

Alan Ellman is a partner in the Firm's Melville office, where he concentrates his practice on prosecuting complex securities fraud cases on behalf of institutional investors. Most recently, Ellman was on the team of Robbins Geller attorneys who obtained a \$34.5 million recovery in *Patel v. L-3 Communications Holdings, Inc.*, which represents a high percentage of damages that plaintiffs could reasonably expect to be recovered at trial and is more than eight times higher than the average settlement of cases with comparable investor losses. He was also on the team of attorneys who recovered in excess of \$34 million for investors in *In re OSG Sec. Litig.*, which represented an outsized recovery of 93% of bond purchasers' damages and 28% of stock purchasers' damages. The creatively structured settlement included more than \$15 million paid by a bankrupt entity.

Ellman was also on the team of Robbins Geller attorneys who achieved final approval in *Curran v. Freshpet, Inc.*, which provides for the payment of \$10.1 million for the benefit of eligible settlement class members. Additionally, he was on the team of attorneys who obtained final approval of a \$7.5 million recovery in *Plymouth County Retirement Association v. Advisory Board Company*. In 2006, Ellman received a Volunteer and Leadership Award from Housing Conservation Coordinators (HCC) for his *pro bono* service defending a client in Housing Court against a non-payment action, arguing an appeal before the Appellate Term, and staffing HCC's legal clinic. He also successfully appealed a *pro bono* client's criminal sentence before the Appellate Division.

Education

B.S., B.A., State University of New York at Binghamton, 1999; J.D., Georgetown University Law Center, 2003

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2017-2020; Rising Star, *Super Lawyers Magazine*, 2014-2015; B.S., B.A., *Cum Laude*, State University of New York at Binghamton, 1999

Jason A. Forge | Partner

Jason Forge is a partner in the Firm's San Diego office. He specializes in complex investigations, litigation, and trials. As a federal prosecutor and private practitioner, Forge has conducted and supervised scores of jury and bench trials in federal and state courts, including the month-long trial of a defense contractor who conspired with Congressman Randy "Duke" Cunningham in the largest bribery scheme in congressional history. He recently obtained approval of a \$160 million recovery in the first successful securities fraud case against Wal-Mart Stores, Inc. in *City of Pontiac General Employees' Retirement System v. Wal-Mart Stores, Inc.* In addition, Forge was a member of the Firm's trial team in *Hsu v. Puma Biotechnology, Inc.*, a securities fraud class action that resulted in a verdict in favor of investors after a two-week jury trial.

After the trial victory over Puma Biotechnology and Alan Auerbach, Forge joined a Robbins Geller litigation team that had defeated 12 motions for summary judgment against 40 defendants and was about to depose 17 experts in the home stretch to trial. Forge and the team used these depositions to disprove a truth-on-the-market argument that nine defense experts had embraced. Soon after the last of these expert depositions, the Robbins Geller team secured a \$1.025 billion settlement from American Realty Capital Properties and other defendants that included a record \$237 million contribution from individual defendants and represented more than twice the recovery rate obtained by several funds that had had

opted out of the class.

Forge was a key member of the litigation team that secured a historic recovery on behalf of Trump University students in two class actions against President Donald J. Trump. The settlement refunds over 90% of the money thousands of students paid to “enroll” in Trump University. He represented the class on a *pro bono* basis. Forge has also successfully defeated motions to dismiss and obtained class certification against several prominent defendants, including the first federal RICO case against Scotts Miracle-Gro, which recently settled for up to \$85 million. He was a member of the litigation team that obtained a \$125 million settlement in *In re LendingClub Securities Litigation*, a settlement that ranks among the top ten largest securities recoveries ever in the Northern District of California.

In a case against another prominent defendant, Pfizer Inc., Forge led an investigation that uncovered key documents that Pfizer had not produced in discovery. Although fact discovery in the case had already closed, the district judge ruled that the documents had been improperly withheld and ordered that discovery be reopened, including reopening the depositions of Pfizer’s former CEO, CFO, and General Counsel. Less than six months after completing these depositions, Pfizer settled the case for \$400 million.

Education

B.B.A., The University of Michigan Ross School of Business, 1990; J.D., The University of Michigan Law School, 1993

Honors / Awards

Leading Lawyer in America, *Lawdragon*, 2022; Best Lawyer in America, *Best Lawyers*®, 2019-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Southern California Best Lawyer, *Best Lawyers*®, 2019-2021; Local Litigation Star, *Benchmark Litigation*, 2020; Plaintiffs’ Lawyer Trailblazer, *The National Law Journal*, 2018; Top 100 Lawyer, *Daily Journal*, 2017; Litigator of the Year, *Our City San Diego*, 2017; Two-time recipient of one of Department of Justice’s highest awards: Director’s Award for Superior Performance by Litigation Team; numerous commendations from Federal Bureau of Investigation (including commendation from FBI Director Robert Mueller III), Internal Revenue Service, and Defense Criminal Investigative Service; J.D., *Magna Cum Laude*, Order of the Coif, The University of Michigan Law School, 1993; B.B.A., High Distinction, The University of Michigan Ross School of Business, 1990

William J. Geddish | Partner

William Geddish is a partner with the Firm and is based in the Melville office, where his practice focuses on complex securities litigation. Before joining the Firm, he was an associate in the New York office of a large international law firm, where his practice focused on complex commercial litigation.

Since joining the Firm, Geddish has played a significant role in the following litigations: *In re Barrick Gold Sec. Litig.* (\$140 million recovery); *Scheufele v. Tableau Software, Inc.* (\$95 million recovery); *Landmen Partners, Inc. v. The Blackstone Grp., L.P.* (\$85 million recovery); *In re Jeld-Wen Holding, Inc. Sec. Litig.* (\$40 million recovery); *City of Austin Police Ret. Sys. v. Kinross Gold Corp.* (\$33 million recovery); *City of Roseville Emps' Ret. Sys. v. EnergySolutions, Inc.* (\$26 million recovery); *Beaver Cnty. Emps' Ret. Fund v. Tile Shop Holdings, Inc.* (\$9.5 million recovery); and *Barbara Marciano v. Schell & Kampeter, Inc.* (\$2 million recovery).

Education

B.A., Sacred Heart University, 2006, J.D., Hofstra University School of Law, 2009

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2013-2020; J.D., *Magna Cum Laude*, Hofstra University School of Law, 2009; Gina Maria Escarce Memorial Award, Hofstra University School of Law

Paul J. Geller | Partner

Paul Geller, managing partner of the Firm's Boca Raton, Florida office, is a founding partner of the Firm, a member of its Executive and Management Committees, and head of the Firm's Consumer Practice Group. Geller's 29 years of litigation experience is broad, and he has handled cases in each of the Firm's practice areas. Notably, before devoting his practice to the representation of consumers and investors, he defended companies in high-stakes class action and multi-district litigation, providing him with an invaluable perspective. Geller has tried bench and jury trials on both the plaintiffs' and defendants' sides and has argued before numerous state, federal, and appellate courts throughout the country.

Geller was recently selected to serve in a leadership position on behalf of governmental entities and other plaintiffs in the sprawling litigation concerning the nationwide prescription opioid epidemic. In reporting on the selection of the lawyers to lead the case, *The National Law Journal* reported that "[t]he team reads like a 'Who's Who' in mass torts." Geller was also a critical member of the team that negotiated over \$26 billion in settlements against certain opioid distributors and manufacturers. Prior to the opioid litigation, Geller was a member of the leadership team representing consumers in the massive *Volkswagen "Clean Diesel"* emissions case. The San Francisco legal newspaper *The Recorder* labeled the group that was appointed in that case, which settled for more than \$17 billion, a "class action dream team."

Geller is currently serving as a Lead Counsel in *In re EpiPen (Epinephrine Injection, USP) Mktg., Sales Pracs. & Antitrust Litig.*, a nationwide class action that alleges that pharmaceutical company Mylan N.V. and others engaged in anti-competitive and unfair business conduct in its sale and marketing of the EpiPen auto-injector device. The case was recently settled for \$609 million.

Some of Geller's other recent noteworthy successes include the largest privacy class action settlement in history – a \$650 million recovery in a cutting-edge class action in *In re Facebook Biometric Info. Privacy Litig.*, concerning Facebook's use of biometric identifiers through its "tag" feature. In addition to the monetary recovery, Facebook recently disabled the tag feature altogether, deleting user facial profiles and discontinuing the use of facial recognition software.

Education

B.S., University of Florida, 1990; J.D., Emory University School of Law, 1993

Honors / Awards

Rated AV by Martindale-Hubbell; Fellow, Litigation Counsel of America (LCA) Proven Trial Lawyers; Leading Lawyer in America, *Lawdragon*, 2006-2007, 2009-2022; Best Lawyer in America, *Best Lawyers*®, 2017-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2007-2021; Leading Lawyer, *Chambers USA*, 2021; Florida Best Lawyer in America, *Best Lawyers*®, 2017-2021; One of "Florida's Most Effective Lawyers" in the Privacy category, American Law Media, 2020; Legend, *Lawdragon*, 2020; Recommended Lawyer, *The Legal 500*, 2016, 2019; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2018; Lawyer of the Year, *Best Lawyers*®, 2018; Attorney of the Month, *Attorney At Law*, 2017; Featured in "Lawyer Limelight" series, *Lawdragon*, 2017; Top Rated Lawyer, South Florida's Legal Leaders, *Miami Herald*, 2015; Litigation Star, *Benchmark Litigation*, 2013; "Legal Elite," *Florida Trend Magazine*; One of "Florida's Most Effective Lawyers," American Law Media; One of Florida's top lawyers in *South Florida Business Journal*; One of the Nation's Top "40 Under 40," *The National Law Journal*; One of Florida's Top Lawyers, *Law & Politics*; Editor, *Emory Law Journal*; Order of the Coif, Emory University School of Law

Robert D. Gerson | Partner

Robert Gerson is a partner in the Firm's Melville office, where he practices securities fraud litigation and other complex matters. Before joining Robbins Geller, Gerson was associated with a prominent plaintiffs' class action firm, where he represented institutional investors in numerous securities fraud class actions, as well as "opt out" litigations. Gerson is a member of the Committee on Securities Litigation of the Bar Association of the City of New York. He is admitted to practice before the courts of the State of New York, as well as the United States Courts of Appeals for the Second and Eighth Circuits, and the United States District Courts for the Southern and Eastern Districts of New York.

Education

B.A., University of Maryland, 2006; J.D., New York Law School, 2009

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2020

Jonah H. Goldstein | Partner

Jonah Goldstein is a partner in the Firm's San Diego office and is responsible for prosecuting complex securities cases and obtaining recoveries for investors. He also represents corporate whistleblowers who report violations of the securities laws. Goldstein has achieved significant settlements on behalf of investors including in *In re HealthSouth Sec. Litig.* (over \$670 million recovered against HealthSouth, UBS and Ernst & Young), *In re Cisco Sec. Litig.* (approximately \$100 million), and *Marcus v. J.C. Penney Company, Inc.* (\$97.5 million recovery). Goldstein also served on the Firm's trial team in *In re AT&T Corp. Sec. Litig.*, MDL No. 1399 (D.N.J.), which settled after two weeks of trial for \$100 million, and aided in the \$65 million recovery in *Garden City Emps.' Ret. Sys. v. Psychiatric Solutions, Inc.*, the fourth-largest securities recovery ever in the Middle District of Tennessee and one of the largest in more than a decade. Most recently, he was part of the litigation team in *Luna v. Marvell Tech. Grp., Ltd.*, resulting in a \$72.5 million settlement that represents approximately 24% to 50% of the best estimate of classwide damages suffered by investors. Before joining the Firm, Goldstein served as a law clerk for the Honorable William H. Erickson on the Colorado Supreme Court and as an Assistant United States Attorney for the Southern District of California, where he tried numerous cases and briefed and argued appeals before the Ninth Circuit Court of Appeals.

Education

B.A., Duke University, 1991; J.D., University of Denver College of Law, 1995

Honors / Awards

Recommended Lawyer, *The Legal 500*, 2018-2019; Comments Editor, *University of Denver Law Review*, University of Denver College of Law

Benny C. Goodman III | Partner

Benny Goodman is a partner in the Firm's San Diego office. He primarily represents plaintiffs in shareholder actions on behalf of aggrieved corporations. Goodman has recovered hundreds of millions of dollars in shareholder derivative actions pending in state and federal courts across the nation. Most recently, he led a team of lawyers in litigation brought on behalf of Community Health Systems, Inc., resulting in a \$60 million payment to the company, the largest recovery in a shareholder derivative action in Tennessee and the Sixth Circuit, as well as best-in-class value-enhancing corporate governance reforms that included two shareholder-nominated directors to the Community Health Board of Directors.

Similarly, Goodman recovered a \$25 million payment to Lumber Liquidators and numerous corporate governance reforms, including a shareholder-nominated director, in *In re Lumber Liquidators Holdings, Inc. S'holder Derivative Litig.* In *In re Google Inc. S'holder Derivative Litig.*, Goodman achieved groundbreaking corporate governance reforms designed to mitigate regulatory and legal compliance risk associated with online pharmaceutical advertising, including among other things, the creation of a \$250 million fund to help combat rogue pharmacies from improperly selling drugs online.

Education

B.S., Arizona State University, 1994; J.D., University of San Diego School of Law, 2000

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2018-2021; Recommended Lawyer, *The Legal 500*, 2017

Elise J. Grace | Partner

Elise Grace is a partner in the San Diego office and counsels the Firm's institutional clients on options to secure premium recoveries in securities litigation both within the United States and internationally. Grace is a frequent lecturer and author on securities and accounting fraud, and develops annual MCLE and CPE accredited educational programs designed to train public fund representatives on practices to protect and maximize portfolio assets, create long-term portfolio value, and best fulfill fiduciary duties. Grace has routinely been named a Recommended Lawyer by *The Legal 500* and named a Leading Plaintiff Financial Lawyer by *Lawdragon*. Grace has prosecuted various significant securities fraud class actions, as well as the AOL Time Warner state and federal securities opt-out litigations, which resulted in a combined settlement of over \$629 million for defrauded investors. Before joining the Firm, Grace practiced at Clifford Chance, where she defended numerous Fortune 500 companies in securities class actions and complex business litigation.

Education

B.A., University of California, Los Angeles, 1993; J.D., Pepperdine School of Law, 1999

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Recommended Lawyer, *The Legal 500*, 2016-2017; J.D., *Magna Cum Laude*, Pepperdine School of Law, 1999; American Jurisprudence Bancroft-Whitney Award – Civil Procedure, Evidence, and Dalsimer Moot Court Oral Argument; Dean's Academic Scholarship Recipient, Pepperdine School of Law; B.A., *Summa Cum Laude*, University of California, Los Angeles, 1993; B.A., *Phi Beta Kappa*, University of California, Los Angeles, 1993

Tor Gronborg | Partner

Tor Gronborg is a partner in the Firm's San Diego office and a member of the Firm's Management Committee. He often lectures on topics such as the Federal Rules of Civil Procedure and electronic discovery. Gronborg has served as lead or co-lead counsel in numerous securities fraud cases that have collectively recovered nearly \$2 billion for investors. Most recently, Gronborg and a team of Robbins Geller attorneys obtained a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, a case that *Vanity Fair* reported as "the corporate scandal of its era" that had raised "fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations." This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever.

In addition to *Valeant*, Gronborg's work has included significant recoveries against corporations such as Cardinal Health (\$600 million), Motorola (\$200 million), Duke Energy (\$146.25 million), Sprint Nextel Corp. (\$131 million), Prison Realty (\$104 million), CIT Group (\$75 million), Wyeth (\$67.5 million), and Intercept Pharmaceuticals (\$55 million), to name a few. Gronborg was also a member of the Firm's trial team in *Hsu v. Puma Biotechnology, Inc.*, No. SACV15-0865 (C.D. Cal.), a securities fraud class action that resulted in a verdict in favor of investors after a two-week jury trial. On three separate occasions, Gronborg's pleadings have been upheld by the federal Courts of Appeals (*Broudo v. Dura Pharms., Inc.*, 339 F.3d 933 (9th Cir. 2003), *rev'd on other grounds*, 544 U.S. 336 (2005); *In re Daou Sys.*, 411 F.3d 1006 (9th Cir. 2005); *Staehr v. Hartford Fin. Servs. Grp.*, 547 F.3d 406 (2d Cir. 2008)). He has also been responsible for a number of significant rulings, including *In re Sanofi-Aventis Sec. Litig.*, 293 F.R.D. 449 (S.D.N.Y. 2013); *Silverman v. Motorola, Inc.*, 798 F. Supp. 2d 954 (N.D. Ill. 2011); *Roth v. Aon Corp.*, 2008 U.S. Dist. LEXIS 18471 (N.D. Ill. 2008); *In re Cardinal Health, Inc. Sec. Litigs.*, 426 F. Supp. 2d 688 (S.D. Ohio 2006); and *In re Dura Pharms., Inc. Sec. Litig.*, 452 F. Supp. 2d 1005 (S.D. Cal. 2006).

Education

B.A., University of California, Santa Barbara, 1991; Rotary International Scholar, University of Lancaster, U.K., 1992; J.D., University of California, Berkeley, 1995

Honors / Awards

Leading Lawyer in America, *Lawdragon*, 2022; Best Lawyer in America, *Best Lawyers®*, 2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2013-2021; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2019; Moot Court Board Member, University of California, Berkeley; AFL-CIO history scholarship, University of California, Santa Barbara

Ellen Gusikoff Stewart | Partner

Ellen Stewart is a partner in the Firm's San Diego office, and is a member of the Firm's Summer Associate Hiring Committee. She currently practices in the Firm's settlement department, negotiating and documenting complex securities, merger, ERISA, and derivative action settlements. Notable settlements include: *In re Facebook Biometric Info. Privacy Litig.* (N.D. Cal. 2021) (\$650 million); *KBC Asset Management v. 3D Systems Corp.* (D.S.C. 2018) (\$50 million); *Luna v. Marvell Tech. Grp.* (N.D. Cal. 2018) (\$72.5 million); *Garden City Emps.' Ret. Sys. v. Psychiatric Solutions, Inc.* (M.D. Tenn. 2015) (\$65 million); and *City of Sterling Heights Gen. Emps.' Ret. Sys v. Hospira, Inc.* (N.D. Ill. 2014) (\$60 million).

Stewart has served on the Federal Bar Association Ad Hoc Committee for the revisions to the Settlement Guidelines for the Northern District of California and was a contributor to the Guidelines and Best Practices – Implementing 2018 Amendments to Rule 23 Class Action Settlement Provisions manual of the Bolch Judicial Institute at the Duke University School of Law.

Education

B.A., Muhlenberg College, 1986; J.D., Case Western Reserve University, 1989

Honors / Awards

Rated Distinguished by Martindale-Hubbell

Robert Henssler | Partner

Bobby Henssler is a partner in the Firm's San Diego office, where he focuses his practice on securities fraud and other complex civil litigation. He has obtained significant recoveries for investors in cases such as *Enron*, *Blackstone*, and *CIT Group*. Henssler is currently a key member of the team of attorneys prosecuting fraud claims against Goldman Sachs stemming from Goldman's conduct in subprime mortgage transactions (including "Abacus").

Most recently, Henssler and a team of Robbins Geller attorneys a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, a case that *Vanity Fair* reported as "the corporate scandal of its era" that had raised "fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations." This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever.

Henssler was also lead counsel in *Schuh v. HCA Holdings, Inc.*, which resulted in a \$215 million recovery for shareholders, the largest securities class action recovery ever in Tennessee. The recovery achieved represents more than 30% of the aggregate classwide damages, far exceeding the typical recovery in a securities class action. Henssler also led the litigation teams in *Marcus v. J.C. Penney Company, Inc.* (\$97.5 million recovery), *Landmen Partners Inc. v. The Blackstone Group L.P.* (\$85 million recovery), *In re Novatel Wireless Sec. Litig.* (\$16 million recovery), *Carpenters Pension Trust Fund of St. Louis v. Barclays PLC* (\$14 million settlement), and *Kmiec v. Powerwave Technologies, Inc.* (\$8.2 million settlement), to name a few.

Education

B.A., University of New Hampshire, 1997; J.D., University of San Diego School of Law, 2001

Honors / Awards

California Lawyer of the Year, *Daily Journal*, 2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2020-2021; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2020; Recommended Lawyer, *The Legal 500*, 2018-2019

Steven F. Hubachek | Partner

Steve Hubachek is a partner in the Firm's San Diego office. He is a member of the Firm's appellate group, where his practice concentrates on federal appeals. He has more than 25 years of appellate experience, has argued over 100 federal appeals, including 3 cases before the United States Supreme Court and 7 cases before en banc panels of the Ninth Circuit Court of Appeals. Prior to his work with the Firm, Hubachek joined Perkins Coie in Seattle, Washington, as an associate. He was admitted to the Washington State Bar in 1987 and was admitted to the California State Bar in 1990, practicing for many years with Federal Defenders of San Diego, Inc. He also had an active trial practice, including over 30 jury trials, and was Chief Appellate Attorney for Federal Defenders.

Education

B.A., University of California, Berkeley, 1983; J.D., Hastings College of the Law, 1987

Honors / Awards

AV rated by Martindale-Hubbell; Top Lawyer in San Diego, *San Diego Magazine*, 2014-2021; Super Lawyer, *Super Lawyers Magazine*, 2007-2009, 2019-2021; Assistant Federal Public Defender of the Year, National Federal Public Defenders Association, 2011; Appellate Attorney of the Year, San Diego Criminal Defense Bar Association, 2011 (co-recipient); President's Award for Outstanding Volunteer Service, Mid City Little League, San Diego, 2011; E. Stanley Conant Award for exceptional and unselfish devotion to protecting the rights of the indigent accused, 2009 (joint recipient); *The Daily Transcript* Top Attorneys, 2007; J.D., *Cum Laude*, Order of the Coif, Thurston Honor Society, Hastings College of Law, 1987

Maxwell R. Huffman | Partner

Maxwell Huffman is a partner in the Firm's San Diego office. He focuses his practice on representing institutional and individual investors in shareholder class and derivative actions in the context of mergers, acquisitions, recapitalizations, and other major corporate transactions. Huffman was a member of the litigation team for *In re Dole Food Co., Inc. S'holder Litig.*, where he went to trial in the Delaware Court of Chancery on claims of breach of fiduciary duty on behalf of Dole Food Co., Inc. shareholders and obtained a \$148 million recovery, which is the largest trial verdict ever in a class action challenging a merger transaction. Most recently, Huffman successfully obtained a partial settlement of \$60 million in *In re Tesla Motors, Inc. S'holder Litig.*, a case which alleged that the members of the Tesla Board of Directors breached their fiduciary duties, unjustly enriched themselves, and wasted corporate assets in connection with their approval of Tesla's acquisition of SolarCity Corp. in 2016.

Huffman is part of Robbins Geller's SPAC Task Force, which is dedicated to rooting out and prosecuting fraud on behalf of injured investors in special purpose acquisition companies. The rise in "blank check" financing poses unique risks to investors, and this group – comprised of experienced litigators, investigators, and forensic accountants – represents the vanguard of ensuring integrity, honesty, and justice in this rapidly developing investment arena.

Education

B.A., California State University, Sacramento, 2005; J.D., Gonzaga University School of Law, 2009

Honors / Awards

Top 40 Under 40, *Daily Journal*, 2020; Recommended Lawyer, *The Legal 500*, 2019; Winning Litigator, *The National Law Journal*, 2018; Titan of the Industry, *The American Lawyer*, 2018

James I. Jaconette | Partner

James Jaconette is one of the founding partners of the Firm and is located in its San Diego office. He manages cases in the Firm's securities class action and shareholder derivative litigation practices. He has served as one of the lead counsel in securities cases with recoveries to individual and institutional investors totaling over \$8 billion. He also advises institutional investors, including hedge funds, pension funds, and financial institutions. Landmark securities actions in which he contributed in a primary litigating role include *In re Informix Corp. Sec. Litig.*, and *In re Dynegy Inc. Sec. Litig.* and *In re Enron Corp. Sec. Litig.*, where he represented lead plaintiff The Regents of the University of California. Most recently, Jaconette was part of the trial team in *Schuh v. HCA Holdings, Inc.*, which resulted in a \$215 million recovery for shareholders, the largest securities class action recovery ever in Tennessee. The recovery achieved represents more than 30% of the aggregate classwide damages, far exceeding the typical recovery in a securities class action.

Education

B.A., San Diego State University, 1989; M.B.A., San Diego State University, 1992; J.D., University of California Hastings College of the Law, 1995

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; J.D., *Cum Laude*, University of California Hastings College of the Law, 1995; Associate Articles Editor, *Hastings Law Journal*, University of California Hastings College of the Law; B.A., with Honors and Distinction, San Diego State University, 1989

Rachel L. Jensen | Partner

Rachel Jensen is a partner in the Firm's San Diego office. Jensen has developed a nearly 20-year track record of success in helping to craft impactful business reforms and recover billions of dollars on behalf of individuals, businesses, and government entities injured by unlawful business practices, fraudulent schemes, and hazardous products.

Jensen was one of the lead attorneys who secured a historic recovery on behalf of Trump University students nationwide, providing \$25 million and nearly 100% refunds to class members. Jensen represented the class on a *pro bono* basis. As a member of the Plaintiffs' Steering Committee in the Fiat Chrysler EcoDiesel litigation, Jensen helped obtain an \$840 million global settlement for concealed defeat devices in "EcoDiesel" SUVs and trucks. Jensen also represented drivers against Volkswagen in one of the most brazen corporate frauds in recent history, helping recover \$17 billion for emission cheating in "clean" diesel vehicles. Jensen also serves as one of the lead counsel for policyholders against certain Lloyd's of London syndicates for collusive practices in the insurance market. Most recently, Jensen's representation of California passengers in a landmark consumer and civil rights case against Greyhound for subjecting them to discriminatory immigration raids had an immediate impact as Greyhound now provides "know your rights" information to passengers and implemented other business reforms.

Among other recoveries, Jensen has played significant roles in *In re LendingClub Sec. Litig.*, No. 3:16-cv-02627-WHA (N.D. Cal.) (\$125 million settlement that ranks among the top ten largest securities recoveries ever in N.D. Cal.); *Negrete v. Allianz Life Ins. Co. of N. Am.*, No. CV056838CAS(MANx) (C.D. Cal.) (\$250 million to senior citizens targeted for exorbitant deferred annuities that would not mature in their lifetimes); *In re Ins. Brokerage Antitrust Litig.*, No. 04-5184(CCC) (D.N.J.) (\$200 million recovered for policyholders who paid inflated premiums due to kickback scheme among major insurers and brokers); *In re Morning Song Bird Food Litig.*, No. 3:12-cv-01592-JAH-AGS (S.D. Cal.) (\$85 million settlement in refunds to bird lovers who purchased Scotts Miracle-Gro wild bird food treated with pesticides that are hazardous to birds); *City of Westland Police & Fire Ret. Sys. v. Stumpf*, No. 3:11-cv-02369-SI (N.D. Cal.) (\$67 million in homeowner down-payment assistance and credit counseling for cities hardest hit by the foreclosure crisis and computer integration for mortgage servicing segments in derivative settlement with Wells Fargo for "robo-signing" of foreclosure affidavits); *In re Mattel, Inc., Toy Lead Paint Prods. Liab. Litig.*, No. 2:07-ml-01897-DSF-AJW (C.D. Cal.) (\$50 million in refunds and quality assurance business reforms for toys made in China with lead and magnets); and *In re Checking Account Overdraft Litig.*, No. 1:09-md-2036-JLK (S.D. Fla.) (\$500 million in settlements with major banks for manipulating debit transactions to maximize overdraft fees).

Education

B.A., Florida State University, 1997; University of Oxford, International Human Rights Law Program at New College, Summer 1998; J.D., Georgetown University Law School, 2000

Honors / Awards

Leading Lawyer in America, *Lawdragon*, 2017-2022; Best Lawyer in America: One to Watch, *Best Lawyers*®, 2021-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2016-2021; Best Lawyer in Southern California: One to Watch, *Best Lawyers*®, 2021; Top Woman Lawyer, *Daily Journal*, 2017, 2020; California Trailblazer, *The Recorder*, 2019; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2018; Rising Star, *Super Lawyers Magazine*, 2015; Nominated for 2011 Woman of the Year, *San Diego Magazine*; Editor-in-Chief, *First Annual Review of Gender and Sexuality Law*, Georgetown University Law School; Dean's List 1998-1999; B.A., *Cum Laude*, Florida State University's Honors Program, 1997; *Phi Beta Kappa*

Steven M. Jodlowski | Partner

Steven Jodlowski is a partner in the Firm's San Diego office. His practice focuses on high-stakes complex litigation, often involving antitrust, securities, and consumer claims. In recent years, he has specialized in representing investors in a series of antitrust actions involving the manipulation of benchmark rates, including the *ISDAfix Benchmark* litigation, which to date resulted in the recovery of \$504.5 million on behalf of investors, and *In re SSA Bonds Antitrust Litig.*, which resulted in the recovery of \$95.5 million on behalf of investors. He is currently serving as interim co-lead class counsel in *Thompson v. 1-800 Contacts, Inc.*, where the court has granted preliminary approval of \$24.9 million in settlements. Jodlowski was also part of the trial team in an antitrust monopolization case against a multinational computer and software company.

Jodlowski has successfully prosecuted numerous antitrust and RICO cases. These cases resulted in the recovery of more than \$1 billion for investors and policyholders. Jodlowski has also represented institutional and individual shareholders in corporate takeover actions in state and federal court. He has handled pre- and post-merger litigation stemming from the acquisition of publicly listed companies in the biotechnology, oil and gas, information technology, specialty retail, electrical, banking, finance, and real estate industries, among others.

Education

B.B.A., University of Central Oklahoma, 2002; J.D., California Western School of Law, 2005

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2019; Outstanding Antitrust Litigation Achievement in Private Law Practice, American Antitrust Institute, 2018; CAOC Consumer Attorney of the Year Award Finalist, 2015; J.D., *Cum Laude*, California Western School of Law, 2005

Chad Johnson | Partner

Chad Johnson is the Managing Partner of the Firm's Manhattan office. Johnson has been handling complex securities cases and breach of fiduciary duty actions for more than 30 years. Johnson's background includes significant experience as a plaintiffs' lawyer, a securities-fraud prosecutor, and as a defense lawyer.

Johnson served as the head of New York's securities fraud unit referred to as the Investor Protection Bureau. In that role, Johnson prosecuted cases that resulted in billions of dollars of recoveries for New Yorkers and helped make new law in the area of securities enforcement for the benefit of investors. Johnson's experience in that law enforcement position included prosecuting Wall Street dark pool operators for their false statements to the investing public.

Johnson represents institutional and individual investors in securities and breach of fiduciary duty cases, including representing investors in direct or "opt-out" actions and in class actions. Johnson represents some of the world's largest and most sophisticated asset managers, public pension funds, and sovereign wealth funds. Johnson also represents whistleblowers in false claims act or "*qui tam*" actions.

Johnson's cases have resulted in some of the largest recoveries for shareholders on record. This includes recoveries in the following securities cases: *WorldCom* (which recovered more than \$6 billion for shareholders); *Wachovia* (which recovered \$627 million for shareholders); *Williams* (which recovered \$311 million for shareholders); and *Washington Mutual* (which recovered \$208 million for shareholders). Johnson also helped recover \$16.65 billion from Bank of America and \$13 billion from JP Morgan Chase on behalf of state and federal working groups focused on toxic residential mortgage-backed securities (RMBS) devised and sold by those banks.

Johnson has tried cases in federal and state courts, in the Delaware Court of Chancery, and before arbitration tribunals in the United States and overseas. Johnson also advises investors about how best to enforce their rights as shareholders outside the United States.

Education

B.A., University of Michigan, 1989; J.D., Harvard Law School, 1993

Honors / Awards

J.D., *Cum Laude*, Harvard Law School, 1993; B.A., High Distinction, University of Michigan, 1989

Evan J. Kaufman | Partner

Evan Kaufman is a partner in the Firm's Melville office. He focuses his practice in the area of complex litigation, including securities, ERISA, corporate fiduciary duty, derivative, and consumer fraud class actions. Kaufman has served as lead counsel or played a significant role in numerous actions, including: *In re TD Banknorth S'holders Litig.* (\$50 million recovery); *In re Gen. Elec. Co. ERISA Litig.* (\$40 million cost to GE, including significant improvements to GE's employee retirement plan, and benefits to GE plan participants valued in excess of \$100 million); *EnergySolutions, Inc. Sec. Litig.* (\$26 million recovery); *Lockheed Martin Corp. Sec. Litig.* (\$19.5 million recovery); *In re Warner Chilcott Ltd. Sec. Litig.* (\$16.5 million recovery); *In re Third Avenue Mgmt. Sec. Litig.* (\$14.25 million recovery); *In re Giant Interactive Grp., Inc. Sec. Litig.* (\$13 million recovery); *In re Royal Grp. Tech. Sec. Litig.* (\$9 million recovery); *Fidelity Ultra Short Bond Fund Litig.* (\$7.5 million recovery); *In re Audiovox Derivative Litig.* (\$6.75 million recovery and corporate governance reforms); *State Street Yield Plus Fund Litig.* (\$6.25 million recovery); *In re Merrill Lynch & Co., Inc., Internet Strategies Sec. Litig.* (resolved as part of a \$39 million global settlement); and *In re MONY Grp., Inc. S'holder Litig.* (obtained preliminary injunction requiring disclosures in proxy statement).

Education

B.A., University of Michigan, 1992; J.D., Fordham University School of Law, 1995

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2013-2015, 2017-20120; Member, *Fordham International Law Journal*, Fordham University School of Law

David A. Knotts | Partner

David Knotts is a partner in the Firm's San Diego office and, in addition to ongoing litigation work, teaches a full-semester course on M&A litigation at the University of California Berkeley School of Law. He focuses his practice on securities class action litigation in the context of mergers and acquisitions, representing both individual shareholders and institutional investors. Knotts has been counsel of record for shareholders on a number of significant recoveries in courts and throughout the country, including *In re Rural/Metro Corp. S'holders Litig.* (nearly \$110 million total recovery, affirmed by the Delaware Supreme Court in *RBC v. Jervis*), *In re Del Monte Foods Co. S'holders Litig.* (\$89.4 million), *Websense* (\$40 million), *In re Onyx S'holders Litig.* (\$30 million), and *Joy Global* (\$20 million). *Websense* and *Onyx* are both believed to be the largest post-merger class settlements in California state court history. When Knotts recently presented the settlement as lead counsel for the stockholders in *Joy Global*, the United States District Court for the Eastern District of Wisconsin noted that "this is a pretty extraordinary settlement, recovery on behalf of the members of the class. . . . [I]t's always a pleasure to work with people who are experienced and who know what they are doing."

Before joining Robbins Geller, Knotts was an associate at one of the largest law firms in the world and represented corporate clients in various aspects of state and federal litigation, including major antitrust matters, trade secret disputes, and unfair competition claims.

Education

B.S., University of Pittsburgh, 2001; J.D., Cornell Law School, 2004

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2018, 2020-2021; Next Generation Partner, *The Legal 500*, 2019-2021; Recommended Lawyer, *The Legal 500*, 2017-2019; Wiley W. Manuel Award for Pro Bono Legal Services, State Bar of California; Casa Cornelia Inns of Court; J.D., *Cum Laude*, Cornell Law School, 2004

Laurie L. Largent | Partner

Laurie Largent is a partner in the Firm's San Diego, California office. Her practice focuses on securities class action and shareholder derivative litigation and she has helped recover millions of dollars for injured shareholders. Largent was part of the litigation team that obtained a \$265 million recovery in *In re Massey Energy Co. Sec. Litig.*, in which Massey was found accountable for a tragic explosion at the Upper Big Branch mine in Raleigh County, West Virginia. She also helped obtain \$67.5 million for Wyeth shareholders in *City of Livonia Emps.' Ret. Sys. v. Wyeth*, settling claims that the defendants misled investors about the safety and commercial viability of one of the company's leading drug candidates. Most recently, Largent was on the team that secured a \$64 million recovery for Dana Corp. shareholders in *Plumbers & Pipefitters Nat'l Pension Fund v. Burns*, in which the Firm's Appellate Practice Group successfully appealed to the Sixth Circuit Court of Appeals twice, reversing the district court's dismissal of the action. Some of Largent's other cases include: *In re Sanofi-Aventis Sec. Litig.* (S.D.N.Y.) (\$40 million); *In re Bridgepoint Educ., Inc. Sec. Litig.* (S.D. Cal.) (\$15.5 million); *Ross v. Abercrombie & Fitch Co.* (S.D. Ohio) (\$12 million); *Maiman v. Talbott* (C.D. Cal.) (\$8.25 million); *In re CafePress Inc. S'holder Litig.* (Cal. Super. Ct., San Mateo Cnty.) (\$8 million); and *Krystek v. Ruby Tuesday, Inc.* (M.D. Tenn.) (\$5 million). Largent's current cases include securities fraud cases against Dell, Inc. (W.D. Tex.) and Banc of California (C.D. Cal.).

Largent is a past board member on the San Diego County Bar Foundation and the San Diego Volunteer Lawyer Program. She has also served as an Adjunct Business Law Professor at Southwestern College in Chula Vista, California.

Education

B.B.A., University of Oklahoma, 1985; J.D., University of Tulsa, 1988

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Board Member, San Diego County Bar Foundation, 2013-2017; Board Member, San Diego Volunteer Lawyer Program, 2014-2017

Kevin A. Lavelle | Partner

Kevin Lavelle is a partner in the Firm's San Diego office, where his practice focuses on complex securities litigation.

Lavelle has served on numerous litigation teams and helped obtain over \$500 million for investors. His work includes several significant recoveries against corporations, including HCA Holdings, Inc. (\$215 million); Altria Group and JUUL Labs (\$90 million); Endo Pharmaceuticals (\$63 million); and Intercept Pharmaceuticals (\$55 million), among others.

Education

B.A., College of the Holy Cross, 2008; J.D., Brooklyn Law School, 2013

Honors / Awards

J.D., *Cum Laude*, Brooklyn Law School, 2013; B.A., *Cum Laude*, College of the Holy Cross, 2008

Arthur C. Leahy | Partner

Art Leahy is a founding partner in the Firm's San Diego office and a member of the Firm's Executive and Management Committees. He has over 20 years of experience successfully litigating securities actions and derivative cases. Leahy has recovered well over two billion dollars for the Firm's clients and has negotiated comprehensive pro-investor corporate governance reforms at several large public companies. Most recently, Leahy helped secure a \$272 million recovery on behalf of mortgage-backed securities investors in *NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.* In the *Goldman Sachs* case, he helped achieve favorable decisions in the Second Circuit Court of Appeals on behalf of investors of Goldman Sachs mortgage-backed securities and again in the Supreme Court, which denied Goldman Sachs' petition for certiorari, or review, of the Second Circuit's reinstatement of the plaintiff's case. He was also part of the Firm's trial team in the AT&T securities litigation, which AT&T and its former officers paid \$100 million to settle after two weeks of trial. Prior to joining the Firm, he served as a judicial extern for the Honorable J. Clifford Wallace of the United States Court of Appeals for the Ninth Circuit, and served as a judicial law clerk for the Honorable Alan C. Kay of the United States District Court for the District of Hawaii.

Education

B.A., Point Loma Nazarene University, 1987; J.D., University of San Diego School of Law, 1990

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2021; Super Lawyer, *Super Lawyers Magazine*, 2016-2017; J.D., *Cum Laude*, University of San Diego School of Law, 1990; Managing Editor, *San Diego Law Review*, University of San Diego School of Law

Nathan R. Lindell | Partner

Nate Lindell is a partner in the Firm's San Diego office, where his practice focuses on representing aggrieved investors in complex civil litigation. He has helped achieve numerous significant recoveries for investors, including: *In re Enron Corp. Sec. Litig.* (\$7.2 billion recovery); *In re HealthSouth Corp. Sec. Litig.* (\$671 million recovery); *Luther v. Countrywide Fin. Corp.* (\$500 million recovery); *Fort Worth Emps.' Ret. Fund v. J.P. Morgan Chase & Co.* (\$388 million recovery); *NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.* (\$272 million recovery); *In re Morgan Stanley Mortg. Pass-Through Certificates Litig.* (\$95 million recovery); *Massachusetts Bricklayers & Masons Tr. Funds v. Deutsche Alt-A Sec., Inc.* (\$32.5 million recovery); *City of Ann Arbor Emps.' Ret. Sys. v. Citigroup Mortg. Loan Trust Inc.* (\$24.9 million recovery); *Plumbers' Union Local No. 12 Pension Fund v. Nomura Asset Acceptance Corp.* (\$21.2 million recovery); and *Genesee Cnty. Emps.' Ret. Sys. v. Thornburg Mortg., Inc.* (\$11.25 million recovery). In October 2016, Lindell successfully argued in front of the New York Supreme Court, Appellate Division, First Judicial Department, for the reversal of an earlier order granting defendants' motion to dismiss in *Phoenix Light SF Limited v. Morgan Stanley*.

Lindell was also a member of the litigation team responsible for securing a landmark victory from the Second Circuit Court of Appeals in its precedent-setting *NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.* decision, which dramatically expanded the scope of permissible class actions asserting claims under the Securities Act of 1933 on behalf of mortgage-backed securities investors, and ultimately resulted in a \$272 million recovery for investors.

Education

B.S., Princeton University, 2003; J.D., University of San Diego School of Law, 2006

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2017; Charles W. Caldwell Alumni Scholarship, University of San Diego School of Law; CALI/AmJur Award in Sports and the Law

Ryan Llorens | Partner

Ryan Llorens is a partner in the Firm's San Diego office. Llorens' practice focuses on litigating complex securities fraud cases. He has worked on a number of securities cases that have resulted in significant recoveries for investors, including: *In re HealthSouth Corp. Sec. Litig.* (\$670 million); *AOL Time Warner* (\$629 million); *In re AT&T Corp. Sec. Litig.* (\$100 million); *In re Fleming Cos. Sec. Litig.* (\$95 million); and *In re Cooper Cos., Inc. Sec Litig.* (\$27 million).

Education

B.A., Pitzer College, 1997; J.D., University of San Diego School of Law, 2002

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015

Andrew S. Love | Partner

Andrew Love is a partner in the Firm's San Francisco office. His practice focuses primarily on appeals of securities fraud class action cases. Love has briefed and argued cases on behalf of defrauded investors and consumers in several U.S. Courts of Appeal, as well as in the California appellate courts. Prior to joining the Firm, Love represented inmates on California's death row in appellate and habeas corpus proceedings, successfully arguing capital cases in both the California Supreme Court and the Ninth Circuit. During his many years as a death penalty lawyer, he co-chaired the Capital Case Defense Seminar (2004-2013), recognized as the largest conference for death penalty practitioners in the country. He regularly presented at the seminar and at other conferences on a wide variety of topics geared towards effective appellate practice. Additionally, he was on the faculty of the National Institute for Trial Advocacy's Post-Conviction Skills Seminar. Love has also written several articles on appellate advocacy and capital punishment that have appeared in *The Daily Journal*, *CACJ Forum*, *American Constitution Society*, and other publications.

Education

University of Vermont, 1981; J.D., University of San Francisco School of Law, 1985

Honors / Awards

J.D., *Cum Laude*, University of San Francisco School of Law, 1985; McAuliffe Honor Society, University of San Francisco School of Law, 1982-1985

Erik W. Luedeke | Partner

Erik Luedeke is a partner in the Firm's San Diego office, where he represents individual and institutional investors in shareholder derivative and securities litigation. As corporate fiduciaries, directors and officers are duty-bound to act in the best interest of the corporation and its shareholders. When they fail to do so they breach their fiduciary duty and may be held liable for harm caused to the corporation. Luedeke's shareholder derivative practice focuses on litigating breach of fiduciary duty and related claims on behalf of corporations and shareholders injured by wayward corporate fiduciaries. Notable shareholder derivative actions in which he recently participated and the recoveries he helped to achieve include *In re Community Health Sys., Inc. S'holder Derivative Litig.* (\$60 million in financial relief and unprecedented corporate governance reforms), *In re Lumber Liquidators Holdings, Inc. S'holder Derivative Litig.* (\$26 million in financial relief plus substantial governance), and *In re Google Inc. S'holder Derivative Litig.* (\$250 million in financial relief to fund substantial governance).

Luedeke's practice also includes the prosecution of complex securities class action cases on behalf of aggrieved investors. Luedeke was a member of the litigation team in *Jaffe v. Household Int'l, Inc.*, No. 02-C-5893 (N.D. Ill.), that resulted in a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial ending in a plaintiffs' verdict. He was also a member of the litigation teams in *In re UnitedHealth Grp. Inc. PSLRA Litig.*, No. 06-CV-1691 (D. Minn.) (\$925 million recovery), and *In re Questcor Pharms., Inc. Sec. Litig.*, No. 8:12-cv-01623 (C.D. Cal.) (\$38 million recovery).

Education

B.S./B.A., University of California Santa Barbara, 2001; J.D., University of San Diego School of Law, 2006

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2017; Student Comment Editor, *San Diego International Law Journal*, University of San Diego School of Law

Christopher H. Lyons | Partner

Christopher Lyons is a partner in the Firm's Nashville office. He focuses his practice on representing institutional and individual investors in merger-related class action litigation and in complex securities litigation. Lyons has been a significant part of litigation teams that have achieved substantial recoveries for investors. Notable cases include *CoreCivic* (*Grae v. Corrections Corporation of America*) (\$56 million recovered), *Good Technology* (\$52 million recovered for investors in a privately held technology company), *The Fresh Market* (*Morrison v. Berry*) (\$27.5 million recovered), and *Calamos Asset Management* (\$22.4 million recovered). His *pro bono* work includes representing individuals who are appealing denial of necessary medical benefits by TennCare (Tennessee's Medicaid program), through the Tennessee Justice Center.

Before joining Robbins Geller, Lyons practiced at a prominent Delaware law firm, where he mostly represented officers and directors defending against breach of fiduciary duty claims in the Delaware Court of Chancery and in the Delaware Supreme Court. Before that, he clerked for Vice Chancellor J. Travis Laster of the Delaware Court of Chancery. Lyons now applies the expertise he gained from those experiences to help investors uncover wrongful conduct and recover the money and other remedies to which they are rightfully entitled.

Education

B.A., Colorado College, 2006; J.D., Vanderbilt University Law School, 2010

Honors / Awards

Best Lawyer in America: One to Watch, *Best Lawyers*®, 2022; 40 & Under Hot List, *Benchmark Litigation*, 2021; Rising Star, *Super Lawyers Magazine*, 2018-2020; B.A., Distinction in International Political Economy, Colorado College, 2006; J.D., Law & Business Certificate, Vanderbilt University Law School, 2010

Noam Mandel | Partner

Noam Mandel is a partner in the Firm's Manhattan office. Mandel has extensive experience in all aspects of litigation on behalf of investors, including securities law claims, corporate derivative actions, fiduciary breach class actions, and appraisal litigation. Mandel has represented investors in federal and state courts throughout the United States and has significant experience advising investors concerning their interests in litigation and investigating and prosecuting claims on their behalf.

Mandel has served as counsel in numerous outstanding securities litigation recoveries, including in *In re Nortel Networks Corporation Securities Litigation* (\$1.07 billion shareholder recovery), *Ohio Public Employees Retirement System v. Freddie Mac* (\$410 million shareholder recovery), and *In re Satyam Computer Services, Ltd. Securities Litigation* (\$150 million shareholder recovery). Mandel has also served as counsel in notable fiduciary breach class and derivative actions, particularly before the Court of Chancery of the State of Delaware. These actions include the groundbreaking fiduciary duty litigation challenging the CVS/Caremark merger (*Louisiana Municipal Police Employees' Retirement System v. Crawford*), which resulted in more than \$3.3 billion in additional consideration for Caremark shareholders. Mandel currently serves as counsel in *In re Dell Technologies Inc. Class V Stockholders Litigation*, which is presently before the Court of Chancery of the State of Delaware.

Education

B.S., Georgetown University, School of Foreign Service, 1998; J.D., Boston University School of Law, 2002

Honors / Awards

J.D., *Cum Laude*, Boston University School of Law, 2002; Member, *Boston University Law Review*, Boston University School of Law

Carmen A. Medici | Partner

Carmen Medici is a partner in the Firm's San Diego office and focuses on complex antitrust class action litigation and unfair competition law. He represents businesses and consumers who are the victims of price-fixing, monopolization, collusion, and other anticompetitive and unfair business practices. Medici specializes in litigation against giants in the financial, pharmaceutical, and commodities industries.

Medici 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 approved in the Eastern District of New York. 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. He is also a part of the co-lead counsel team in *In re SSA Bonds Antitrust Litig.*, pending in the Southern District of New York, representing bond purchasers who were defrauded by a brazen price-fixing scheme perpetrated by traders at some of the nation's largest banks. Medici is also a member of the litigation team in *In re Dealer Mgmt. Sys. Antitrust Litig.*, a lawsuit brought on behalf of car dealerships pending in federal court in Chicago, where one defendant has settled for nearly \$30 million.

Education

B.S., Arizona State University, 2003; J.D., University of San Diego School of Law, 2006

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2021

Mark T. Millkey | Partner

Mark Millkey is a partner in the Firm's Melville office. He has significant experience in the areas of securities and consumer litigation, as well as in federal and state court appeals.

During his career, Millkey has worked on a major consumer litigation against MetLife that resulted in a benefit to the class of approximately \$1.7 billion, as well as a securities class action against Royal Dutch/Shell that settled for a minimum cash benefit to the class of \$130 million and a contingent value of more than \$180 million. Since joining Robbins Geller, he has worked on securities class actions that have resulted in approximately \$300 million in settlements.

Education

B.A., Yale University, 1981; M.A., University of Virginia, 1983; J.D., University of Virginia, 1987

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2013-2020

David W. Mitchell | Partner

David Mitchell is a partner in the Firm's San Diego office and focuses his practice on antitrust and securities fraud litigation. He is a former federal prosecutor who has tried nearly 20 jury trials. As head of the Firm's Antitrust and Competition Law Practice Group, he has served as lead or co-lead counsel in numerous cases and has helped achieve substantial settlements for shareholders. His most notable antitrust cases include *Dahl v. Bain Cap. Partners, LLC*, obtaining more than \$590 million for shareholders, and *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.*, in which a settlement of \$5.5 billion was approved in the Eastern District of New York. 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, Mitchell served as co-lead counsel in the ISDAfix Benchmark action against 14 major banks and broker ICAP plc, obtaining \$504.5 million for plaintiffs. Currently, Mitchell serves as court-appointed lead counsel in *In re Aluminum Warehousing Antitrust Litig.*, *City of Providence, Rhode Island v. BATS Global Markets Inc.*, *In re SSA Bonds Antitrust Litig.*, *In re Remicade Antitrust Litig.*, and *In re 1-800 Contacts Antitrust Litig.*

Education

B.A., University of Richmond, 1995; J.D., University of San Diego School of Law, 1998

Honors / Awards

Member, Enright Inn of Court; Leading Lawyer in America, *Lawdragon*, 2020-2022; Best Lawyer in America, *Best Lawyers®*, 2018-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Top 50 Lawyers in San Diego, *Super Lawyers Magazine*, 2021; Southern California Best Lawyer, *Best Lawyers®*, 2018-2021; Super Lawyer, *Super Lawyers Magazine*, 2016-2021; Honoree, Outstanding Antitrust Litigation Achievement in Private Law Practice, American Antitrust Institute, 2018; Antitrust Trailblazer, *The National Law Journal*, 2015; "Best of the Bar," *San Diego Business Journal*, 2014

Danielle S. Myers | Partner

Danielle Myers is a partner in the Firm's San Diego office and focuses her practice on complex securities litigation. Myers is one of the partners who oversees the Portfolio Monitoring Program® and provides legal recommendations to the Firm's institutional investor clients on their options to maximize recoveries in securities litigation, both within the United States and internationally, from inception to settlement. She is also part of Robbins Geller's SPAC Task Force, which is dedicated to rooting out and prosecuting fraud on behalf of injured investors in special purpose acquisition companies.

Myers advises the Firm's clients in connection with lead plaintiff applications and has helped secure appointment of the Firm's clients as lead plaintiff and the Firm's appointment as lead counsel in hundreds of securities class actions, which cases have yielded more than \$4 billion for investors, including 2018-2021 recoveries in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, No. 3:15-cv-07658 (D.N.J.) (\$1.2 billion); *In re Am. Realty Cap. Props., Inc. Litig.*, No. 1:15-mc-00040 (S.D.N.Y.) (\$1.025 billion); *Smilovits v. First Solar, Inc.*, No. 2:12-cv-00555 (D. Ariz.) (\$350 million); *City of Pontiac Gen. Ret. Sys. v. Wal-Mart Stores, Inc.*, No. 5:12-cv-5162 (W.D. Ark.) (\$160 million); *Evellard v. LendingClub Corp.*, No. 3:16-cv-02627 (N.D. Cal.) (\$125 million); *Knurr v. Orbital ATK, Inc.*, No. 1:16-cv-01031 (E.D. Va.) (\$108 million); and *Marcus v. J.C. Penney Co., Inc.*, No. 6:13-cv-00736 (E.D. Tex.) (\$97.5 million). Myers is also a frequent lecturer on securities fraud and corporate governance reform at conferences and events around the world.

Education

B.A., University of California at San Diego, 1997; J.D., University of San Diego, 2008

Honors / Awards

Leading Lawyer in America, *Lawdragon*, 2022; Best Lawyer in America: One to Watch, *Best Lawyers*®, 2021-2022; Leading Lawyer, *The Legal 500*, 2020-2021; Best Lawyer in Southern California: One to Watch, *Best Lawyers*®, 2021; Future Star, *Benchmark Litigation*, 2019-2020; Next Generation Lawyer, *The Legal 500*, 2017-2019; Recommended Lawyer, *The Legal 500*, 2019; Rising Star, *Super Lawyers Magazine*, 2015-2018; One of the "Five Associates to Watch in 2012," *Daily Journal*; Member, *San Diego Law Review*; CALI Excellence Award in Statutory Interpretation

Eric I. Niehaus | Partner

Eric Niehaus is a partner in the Firm's San Diego office, where his practice focuses on complex securities and derivative litigation. His efforts have resulted in numerous multi-million dollar recoveries to shareholders and extensive corporate governance changes. Recent examples include: *In re Deutsche Bank AG Sec. Litig.* (S.D.N.Y.); *In re NYSE Specialists Sec. Litig.* (S.D.N.Y.); *In re Novatel Wireless Sec. Litig.* (S.D. Cal.); *Batwin v. Occam Networks, Inc.* (C.D. Cal.); *Comm'n's Workers of Am. Plan for Emps.' Pensions and Death Benefits v. CSK Auto Corp.* (D. Ariz.); *Marie Raymond Revocable Tr. v. Mat Five* (Del. Ch.); and *Kelleher v. ADVO, Inc.* (D. Conn.). Niehaus is currently prosecuting cases against several financial institutions arising from their role in the collapse of the mortgage-backed securities market. Before joining the Firm, Niehaus worked as a Market Maker on the American Stock Exchange in New York and the Pacific Stock Exchange in San Francisco.

Education

B.S., University of Southern California, 1999; J.D., California Western School of Law, 2005

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2016; J.D., *Cum Laude*, California Western School of Law, 2005; Member, *California Western Law Review*

Brian O. O'Mara | Partner

Brian O'Mara is a partner in the Firm's San Diego office. His practice focuses on complex securities and antitrust litigation. Since 2003, O'Mara has served as lead or co-lead counsel in numerous shareholder and antitrust actions, including: *Bennett v. Sprint Nextel Corp.* (D. Kan.) (\$131 million recovery); *In re CIT Grp. Inc. Sec. Litig.* (S.D.N.Y.) (\$75 million recovery); *In re MGM Mirage Sec. Litig.* (D. Nev.) (\$75 million recovery); *C.D.T.S. No. 1 v. UBS AG* (S.D.N.Y.); *In re Aluminum Warehousing Antitrust Litig.* (S.D.N.Y.); and *Alaska Elec. Pension Fund v. Bank of Am. Corp.* (S.D.N.Y.). Most recently, O'Mara served as class counsel in the ISDAfix Benchmark action against 14 major banks and broker ICAP plc, obtaining \$504.5 million for plaintiffs.

O'Mara has been responsible for a number of significant rulings, including: *Alaska Elec. Pension Fund v. Bank of Am. Corp.*, 175 F. Supp. 3d 44 (S.D.N.Y. 2016); *Bennett v. Sprint Nextel Corp.*, 298 F.R.D. 498 (D. Kan. 2014); *In re MGM Mirage Sec. Litig.*, 2013 U.S. Dist. LEXIS 139356 (D. Nev. 2013); *In re Constar Int'l Inc. Sec. Litig.*, 2008 U.S. Dist. LEXIS 16966 (E.D. Pa. 2008), *aff'd*, 585 F.3d 774 (3d Cir. 2009); *In re Direct Gen. Corp. Sec. Litig.*, 2006 U.S. Dist. LEXIS 56128 (M.D. Tenn. 2006); and *In re Dura Pharms., Inc. Sec. Litig.*, 452 F. Supp. 2d 1005 (S.D. Cal. 2006). Prior to joining the Firm, he served as law clerk to the Honorable Jerome M. Polaha of the Second Judicial District Court of the State of Nevada.

Education

B.A., University of Kansas, 1997; J.D., DePaul University, College of Law, 2002

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2016-2021; Outstanding Antitrust Litigation Achievement in Private Law Practice, American Antitrust Institute, 2018; CALI Excellence Award in Securities Regulation, DePaul University, College of Law

Lucas F. Olts | Partner

Luke Olts is a partner in the Firm's San Diego office, where his practice focuses on securities litigation on behalf of individual and institutional investors. Olts recently served as lead counsel in *In re Facebook Biometric Info. Privacy Litig.*, a cutting-edge class action concerning Facebook's alleged privacy violations through its collection of users' biometric identifiers without informed consent that resulted in a \$650 million settlement. Olts has focused on litigation related to residential mortgage-backed securities, and has served as lead counsel or co-lead counsel in some of the largest recoveries arising from the collapse of the mortgage market. For example, he was a member of the team that recovered \$388 million for investors in J.P. Morgan residential mortgage-backed securities in *Fort Worth Emps.' Ret. Fund v. J.P. Morgan Chase & Co.*, and a member of the litigation team responsible for securing a \$272 million settlement on behalf of mortgage-backed securities investors in *NECA-IBEW Health & Welfare Fund v. Goldman Sachs & Co.* Olts also served as co-lead counsel in *In re Wachovia Preferred Sec. & Bond/Notes Litig.*, which recovered \$627 million under the Securities Act of 1933. He also served as lead counsel in *Siracusano v. Matrixx Initiatives, Inc.*, in which the U.S. Supreme Court unanimously affirmed the decision of the Ninth Circuit that plaintiffs stated a claim for securities fraud under §10(b) of the Securities Exchange Act of 1934 and SEC Rule 10b-5. Olts also served on the litigation team in *In re Deutsche Bank AG Sec. Litig.*, in which the Firm obtained a \$18.5 million settlement in a case against Deutsche Bank and certain of its officers alleging violations of the Securities Act of 1933. Before joining the Firm, Olts served as a Deputy District Attorney for the County of Sacramento, where he tried numerous cases to verdict, including crimes of domestic violence, child abuse, and sexual assault.

Education

B.A., University of California, Santa Barbara, 2001; J.D., University of San Diego School of Law, 2004

Honors / Awards

Future Star, *Benchmark Litigation*, 2018-2020; Next Generation Lawyer, *The Legal 500*, 2017; Top Litigator Under 40, *Benchmark Litigation*, 2017; Under 40 Hotlist, *Benchmark Litigation*, 2016

Steven W. Pepich | Partner

Steve Pepich is a partner in the Firm's San Diego office. His practice has focused primarily on securities class action litigation, but has also included a wide variety of complex civil cases, including representing plaintiffs in mass tort, royalty, civil rights, human rights, ERISA, and employment law actions. Pepich has participated in the successful prosecution of numerous securities class actions, including: *Carpenters Health & Welfare Fund v. Coca-Cola Co.* (\$137.5 million recovery); *In re Fleming Cos. Inc. Sec. & Derivative Litig.* (\$95 million recovered); *In re Boeing Sec. Litig.* (\$92 million recovery); *In re Louisiana-Pacific Corp. Sec. Litig.* (\$65 million recovery); *Haw. Structural Ironworkers Pension Trust Fund v. Calpine Corp.* (\$43 million recovery); *In re Advanced Micro Devices Sec. Litig.* (\$34 million recovery); and *Gohler v. Wood*, (\$17.2 million recovery). Pepich was a member of the plaintiffs' trial team in *Mynaf v. Taco Bell Corp.*, which settled after two months of trial on terms favorable to two plaintiff classes of restaurant workers for recovery of unpaid wages. He was also a member of the plaintiffs' trial team in *Newman v. Stringfellow* where, after a nine-month trial in Riverside, California, all claims for exposure to toxic chemicals were ultimately resolved for \$109 million.

Education

B.S., Utah State University, 1980; J.D., DePaul University, 1983

Daniel J. Pfefferbaum | Partner

Daniel Pfefferbaum is a partner in the Firm's San Francisco office, where his practice focuses on complex securities litigation. He has been a member of litigation teams that have recovered more than \$100 million for investors, including: *Garden City Emps.' Ret. Sys. v. Psychiatric Sols., Inc.* (\$65 million recovery); *In re PMI Grp., Inc. Sec. Litig.* (\$31.25 million recovery); *Cunha v. Hansen Natural Corp.* (\$16.25 million recovery); *In re Accuray Inc. Sec. Litig.* (\$13.5 million recovery); and *Twinde v. Threshold Pharms., Inc.* (\$10 million recovery). Pfefferbaum was a member of the litigation team that secured a historic recovery on behalf of Trump University students in two class actions against President Donald J. Trump. The settlement provides \$25 million to approximately 7,000 consumers. This result means individual class members are eligible for upwards of \$35,000 in restitution. He represented the class on a *pro bono* basis.

Education

B.A., Pomona College, 2002; J.D., University of San Francisco School of Law, 2006; LL.M. in Taxation, New York University School of Law, 2007

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2016-2020; Future Star, *Benchmark Litigation*, 2018-2020; Top 40 Under 40, *Daily Journal*, 2017; Rising Star, *Super Lawyers Magazine*, 2013-2017

Theodore J. Pintar | Partner

Ted Pintar is a partner in the Firm's San Diego office. Pintar has over 20 years of experience prosecuting securities fraud actions and derivative actions and over 15 years of experience prosecuting insurance-related consumer class actions, with recoveries in excess of \$1 billion. He was part of the litigation team in the AOL Time Warner state and federal court securities opt-out actions, which arose from the 2001 merger of America Online and Time Warner. These cases resulted in a global settlement of \$618 million. Pintar was also on the trial team in *Knapp v. Gomez*, which resulted in a plaintiff's verdict. Pintar has successfully prosecuted several RICO cases involving the deceptive sale of deferred annuities, including cases against Allianz Life Insurance Company of North America (\$250 million), American Equity Investment Life Insurance Company (\$129 million), Midland National Life Insurance Company (\$80 million), and Fidelity & Guarantee Life Insurance Company (\$53 million). He has participated in the successful prosecution of numerous other insurance and consumer class actions, including: (i) actions against major life insurance companies such as Manufacturer's Life (\$555 million initial estimated settlement value) and Principal Mutual Life Insurance Company (\$380+ million), involving the deceptive sale of life insurance; (ii) actions against major homeowners insurance companies such as Allstate (\$50 million) and Prudential Property and Casualty Co. (\$7 million); (iii) actions against automobile insurance companies such as the Auto Club and GEICO; and (iv) actions against Columbia House (\$55 million) and BMG Direct, direct marketers of CDs and cassettes. Pintar and co-counsel recently settled a securities class action for \$32.8 million against Snap, Inc. in *Snap Inc. Securities Cases*, a case alleging violations of the Securities Act of 1933. Additionally, Pintar has served as a panelist for numerous Continuing Legal Education seminars on federal and state court practice and procedure.

Education

B.A., University of California, Berkeley, 1984; J.D., University of Utah College of Law, 1987

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2021; Super Lawyer, *Super Lawyers Magazine*, 2014-2017; CAOC Consumer Attorney of the Year Award Finalist, 2015; Note and Comment Editor, *Journal of Contemporary Law*, University of Utah College of Law; Note and Comment Editor, *Journal of Energy Law and Policy*, University of Utah College of Law

Ashley M. Price | Partner

Ashley Price is a partner in the Firm's San Diego office. Her practice focuses on complex securities litigation. Price served as lead counsel in *In re Am. Realty Cap. Props., Inc. Litig.*, a case arising out of ARCP's manipulative accounting practices, and obtained a \$1.025 billion recovery. For five years, she and the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and the Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages of any major PSLRA case prior to trial and includes the largest personal contributions by individual defendants in history.

Most recently, Price was a key member of the Robbins Geller litigation team in *Monroe County Employees' Retirement System v. The Southern Company* in which an \$87.5 settlement was reached after three years of litigation. The settlement resolved claims for violations of the Securities Exchange Act of 1934 stemming from defendants' issuance of materially misleading statements and omissions regarding the status of construction of a first-of-its-kind "clean coal" power plant that was designed to transform coal into synthetic gas that could then be used to fuel the power plant.

Education

B.A., Duke University, 2006; J.D., Washington University in St. Louis, School of Law, 2011

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2021; Rising Star, *Super Lawyers Magazine*, 2016-2021

Willow E. Radcliffe | Partner

Willow Radcliffe is a partner in the Firm's San Francisco office, where she concentrates her practice in securities class action litigation in federal court. She has been significantly involved in the prosecution of numerous securities fraud claims, including actions filed against Pfizer, Inc. (\$400 million recovery), CoreCivic (*Grae v. Corrections Corporation of America*) (\$56 million recovery), Flowserve Corp. (\$55 million recovery), Santander Consumer USA Holdings Inc. (\$47 million), NorthWestern Corp. (\$40 million recovery), Ashworth, Inc. (\$15.25 million recovery), and Allscripts Healthcare Solutions, Inc. (\$9.75 million recovery). Additionally, Radcliffe has represented plaintiffs in other complex actions, including a class action against a major bank regarding the adequacy of disclosures made to consumers in California related to access checks. Before joining the Firm, she clerked for the Honorable Maria-Elena James, Magistrate Judge for the United States District Court for the Northern District of California.

Education

B.A., University of California, Los Angeles 1994; J.D., Seton Hall University School of Law, 1998

Honors / Awards

Best Lawyer in America: One to Watch, *Best Lawyers®*, 2021-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Best Lawyer in Northern California: One to Watch, *Best Lawyers®*, 2021; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2020; J.D., *Cum Laude*, Seton Hall University School of Law, 1998; Most Outstanding Clinician Award; Constitutional Law Scholar Award

Jack Reise | Partner

Jack Reise is a partner in the Firm's Boca Raton office. Devoted to protecting the rights of those who have been harmed by corporate misconduct, his practice focuses on class action litigation (including securities fraud, shareholder derivative actions, consumer protection, antitrust, and unfair and deceptive insurance practices). Reise also dedicates a substantial portion of his practice to representing shareholders in actions brought under the federal securities laws. He is currently serving as lead counsel in more than a dozen cases nationwide. Most recently, Reise and a team of Robbins Geller attorneys obtained a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.* (D.N.J.), a case that *Vanity Fair* reported as “the corporate scandal of its era” that had raised “fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations.” This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever. As lead counsel, Reise has also represented investors in a series of cases involving mutual funds charged with improperly valuating their net assets, which settled for a total of more than \$50 million. Other notable actions include: *In re NewPower Holdings, Inc. Sec. Litig.* (S.D.N.Y.) (\$41 million settlement); *In re ADT Inc. S'holder Litig.* (Fla. Cir. Ct., 15th Jud. Cir.) (\$30 million settlement); *In re Red Hat, Inc. Sec. Litig.* (E.D.N.C.) (\$20 million settlement); and *In re AFC Enters., Inc. Sec. Litig.* (N.D. Ga.) (\$17.2 million settlement).

Education

B.A., Binghamton University, 1992; J.D., University of Miami School of Law, 1995

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; American Jurisprudence Book Award in Contracts; J.D., *Cum Laude*, University of Miami School of Law, 1995; *University of Miami Inter-American Law Review*, University of Miami School of Law

Frank A. Richter | Partner

Frank Richter is a partner in the Firm's Chicago office, where he focuses on shareholder, antitrust, and class action litigation.

Richter was an integral member of the Robbins Geller team that secured a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.* (D.N.J.), which is the ninth-largest securities class action settlement in history and the largest ever against a pharmaceutical manufacturer. In addition to *Valeant*, Richter has been a member of litigation teams that have secured hundreds of millions of dollars in securities class action settlements throughout the country, including in *HCA* (\$215 million, E.D. Tenn.), *Sprint* (\$131 million, D. Kan.), *Orbital ATK* (\$108 million, E.D. Va.), *Dana Corp.* (\$64 million, N.D. Ohio), *LJM Funds* (\$12.85 million, N.D. Ill.), and *Camping World* (\$12.5 million, N.D. Ill.).

Richter also works on antitrust matters, including serving on the Plaintiffs' Steering Committee in *In re Dealer Mgmt. Sys. Antitrust Litig.* (N.D. Ill.), and he represents plaintiffs as local counsel in class action and derivative shareholder litigation in Illinois state and federal courts.

Education

B.A., Truman State University, 2007; M.M., DePaul University School of Music, 2009; J.D., DePaul University College of Law, 2012

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2017-2022; 40 & Under Hot List, *Benchmark Litigation*, 2021; J.D., *Summa Cum Laude*, Order of the Coif, CALI Award for highest grade in seven courses, DePaul University College of Law, 2012

Darren J. Robbins | Partner

Darren Robbins is a founding partner of Robbins Geller Rudman & Dowd LLP. Over the last two decades, Robbins has served as lead counsel in more than 100 securities class actions and has recovered billions of dollars for investors. Robbins recently served as lead counsel in *In re Am. Realty Cap. Props., Inc. Litig.*, a securities class action arising out of improper accounting practices, recovering more than \$1 billion for class members. The *American Realty* settlement represents the largest recovery as a percentage of damages of any major class action brought pursuant to the Private Securities Litigation Reform Act of 1995 and resolved prior to trial. The \$1+ billion settlement included the largest personal contributions (\$237.5 million) ever made by individual defendants to a securities class action settlement.

Robbins also led Robbins Geller's prosecution of wrongdoing related to the sale of residential mortgage-backed securities (RMBS) prior to the global financial crisis, including an RMBS securities class action against Goldman Sachs that yielded a \$272 million recovery for investors. Robbins served as co-lead counsel in connection with a \$627 million recovery for investors in *In re Wachovia Preferred Securities & Bond/Notes Litig.*, one of the largest securities class action settlements ever involving claims brought solely under the Securities Act of 1933.

One of the hallmarks of Robbins' practice has been his focus on corporate governance reform. In *UnitedHealth*, a securities fraud class action arising out of an options backdating scandal, Robbins represented lead plaintiff CalPERS and obtained the cancellation of more than 3.6 million stock options held by the company's former CEO and secured a record \$925 million cash recovery for shareholders. He also negotiated sweeping corporate governance reforms, including the election of a shareholder-nominated director to the company's board of directors, a mandatory holding period for shares acquired via option exercise, and compensation reforms that tied executive pay to performance. Recently, Robbins led a shareholder derivative action brought by several pension funds on behalf of Community Health Systems, Inc. that yielded a \$60 million payment to Community Health as well as corporate governance reforms that included two shareholder-nominated directors, the creation and appointment of a Healthcare Law Compliance Coordinator, the implementation of an executive compensation clawback in the event of a restatement, the establishment of an insider trading controls committee, and the adoption of a political expenditure disclosure policy.

Education

B.S., University of Southern California, 1990; M.A., University of Southern California, 1990; J.D., Vanderbilt Law School, 1993

Honors / Awards

Best Lawyer in America, *Best Lawyers®*, 2010-2022; California Lawyer of the Year, *Daily Journal*, 2022; Leading Lawyer, *The Legal 500*, 2020-2021; Leading Lawyer, *Chambers USA*, 2014-2021; Top 50 Lawyers in San Diego, *Super Lawyers Magazine*, 2015, 2021; Litigator of the Week, *The American Lawyer*, 2021; Southern California Best Lawyer, *Best Lawyers®*, 2012-2021; Local Litigation Star, *Benchmark Litigation*, 2013-2018, 2020; Recommended Lawyer, *The Legal 500*, 2011, 2017, 2019; Benchmark California Star, *Benchmark Litigation*, 2019; State Litigation Star, *Benchmark Litigation*, 2019; Lawyer of the Year, *Best Lawyers®*, 2017; Influential Business Leader, *San Diego Business Journal*, 2017; Litigator of the Year, *Our City San Diego*, 2017; One of the Top 100 Lawyers Shaping the Future, *Daily Journal*; One of the "Young Litigators 45 and Under," *The American Lawyer*; Attorney of the Year, *California Lawyer*; Managing Editor, *Vanderbilt Journal of Transnational Law*, Vanderbilt Law School

Robert J. Robbins | Partner

Robert Robbins is a partner in the Firm's Boca Raton office. He focuses his practice on investigating securities fraud, initiating securities class actions, and helping institutional and individual shareholders litigate their claims to recover investment losses caused by fraud. Representing shareholders in all aspects of class actions brought pursuant to the federal securities laws, Robbins provides counsel in numerous securities fraud class actions across the country, helping secure significant recoveries for investors. Most recently, Robbins and a team of Robbins Geller attorneys obtained a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, a case that *Vanity Fair* reported as "the corporate scandal of its era" that had raised "fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations." This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest ever. Robbins has also been a key member of litigation teams responsible for the successful prosecution of many other securities class actions, including: *Hospira* (\$60 million recovery); *3D Systems* (\$50 million); *CVS Caremark* (\$48 million recovery); *Baxter International* (\$42.5 million recovery); *R.H. Donnelley* (\$25 million recovery); *Spiegel* (\$17.5 million recovery); *TECO Energy* (\$17.35 million recovery); *AFC Enterprises* (\$17.2 million recovery); *Accretive Health* (\$14 million recovery); *Lender Processing Services* (\$14 million recovery); *Imperial Holdings* (\$12 million recovery); *Mannatech* (\$11.5 million recovery); *Newpark Resources* (\$9.24 million recovery); *Gilead Sciences* (\$8.25 million recovery); *TCP International* (\$7.175 million recovery); *Cryo Cell International* (\$7 million recovery); *Gainsco* (\$4 million recovery); and *Body Central* (\$3.425 million recovery).

Education

B.S., University of Florida, 1999; J.D., University of Florida College of Law, 2002

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Rising Star, *Super Lawyers Magazine*, 2015-2017; J.D., High Honors, University of Florida College of Law, 2002; Member, *Journal of Law and Public Policy*, University of Florida College of Law; Member, *Phi Delta Phi*, University of Florida College of Law; *Pro bono* certificate, Circuit Court of the Eighth Judicial Circuit of Florida; Order of the Coif

Caroline M. Robert | Partner

Caroline Robert is a partner in the Firm's San Diego office, where her practice focuses on complex securities litigation. Robert has maintained an active role in litigation at the heart of the worldwide financial crisis. She was part of the litigation teams that secured settlements for institutional investors against Wall Street banks for their role in structuring residential mortgage-backed securities and their subsequent collapse. Currently, she is litigating *China Development Industrial Bank v. Morgan Stanley & Co. Inc.*

Robert also serves as liaison to some the Firm's institutional investor clients abroad. She is currently representing investors damaged by Volkswagen's defeat device scandal in representative actions in Germany against Volkswagen and Porsche SE under the Kapitalanlegermusterverfahrensgesetz (KapMuG), the Capital Market Investors' Model Proceeding Act.

Education

B.A., University of San Diego, 2004; J.D., University of San Diego School of Law, 2007

Honors / Awards

B.A., *Magna Cum Laude*, University of San Diego, 2004

Henry Rosen | Partner

Henry Rosen is a partner in the Firm's San Diego office, where he is a member of the Hiring Committee and the Technology Committee, the latter of which focuses on applications to digitally manage documents produced during litigation and internally generate research files. He has significant experience prosecuting every aspect of securities fraud class actions and has obtained more than \$1 billion on behalf of defrauded investors. Prominent cases include *In re Cardinal Health, Inc. Sec. Litig.*, in which Rosen recovered \$600 million for defrauded shareholders. This \$600 million settlement is the largest recovery ever in a securities fraud class action in the Sixth Circuit, and remains one of the largest settlements in the history of securities fraud litigation. Additional recoveries include: *Jones v. Pfizer Inc.* (\$400 million); *In re First Energy* (\$89.5 million); *In re CIT Grp. Inc. Sec. Litig.* (\$75 million); *Stanley v. Safeskin Corp.* (\$55 million); *In re Storage Tech. Corp. Sec. Litig.* (\$55 million); and *Rasner v. Sturm* (FirstWorld Communications) (\$25.9 million).

Education

B.A., University of California, San Diego, 1984; J.D., University of Denver, 1988

Honors / Awards

Editor-in-Chief, *University of Denver Law Review*, University of Denver

David A. Rosenfeld | Partner

David Rosenfeld is a partner in the Firm's Melville office. He has focused his practice of law for more than 15 years in the areas of securities litigation and corporate takeover litigation. He has been appointed as lead counsel in dozens of securities fraud lawsuits and has successfully recovered hundreds of millions of dollars for defrauded shareholders. Rosenfeld works on all stages of litigation, including drafting pleadings, arguing motions, and negotiating settlements. Most recently, he was on the team of Robbins Geller attorneys who obtained a \$34.5 million recovery in *Patel v. L-3 Communications Holdings, Inc.*, which represents a high percentage of damages that plaintiffs could reasonably expect to be recovered at trial and is more than eight times higher than the average settlement of cases with comparable investor losses.

Additionally, Rosenfeld led the Robbins Geller team in recovering in excess of \$34 million for investors in Overseas Shipholding Group, which represented an outsized recovery of 93% of bond purchasers' damages and 28% of stock purchasers' damages. The creatively structured settlement included more than \$15 million paid by a bankrupt entity. Rosenfeld also led the effort that resulted in the recovery of nearly 90% of losses for investors in Austin Capital, a sub-feeder fund of Bernard Madoff. In connection with this lawsuit, Rosenfeld met with and interviewed Madoff in federal prison. Rosenfeld has also achieved remarkable recoveries against companies in the financial industry. In addition to recovering \$70 million for investors in Credit Suisse Group, and having been appointed lead counsel in the securities fraud lawsuit against First BanCorp (which provided shareholders with a \$74.25 million recovery), he recently settled claims against Barclays for \$14 million, or 20% of investors' damages, for statements made about its LIBOR practices.

Education

B.S., Yeshiva University, 1996; J.D., Benjamin N. Cardozo School of Law, 1999

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2014-2020; Future Star, *Benchmark Litigation*, 2016-2020; Recommended Lawyer, *The Legal 500*, 2018; Rising Star, *Super Lawyers Magazine*, 2011-2013

Robert M. Rothman | Partner

Robert Rothman is a partner in the Firm's Melville office and a member of the Firm's Management Committee. He has recovered well in excess of \$1 billion on behalf of victims of investment fraud, consumer fraud, and antitrust violations.

Recently, Rothman served as lead counsel in *In re Am. Realty Cap. Props., Inc. Litig.* where he obtained a \$1.025 billion cash recovery on behalf of investors. Rothman and the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and the Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages ever obtained in a major PSLRA case before trial and includes the largest personal contributions by individual defendants in history. Additionally, Rothman has recovered hundreds of millions of dollars for investors in cases against First Bancorp, Doral Financial, Popular, iStar, Autoliv, CVS Caremark, Fresh Pet, The Great Atlantic & Pacific Tea Company (A&P), NBTY, Spiegel, American Superconductor, Iconix Brand Group, Black Box, OSI Pharmaceuticals, Gravity, Caminus, Central European Distribution Corp., OneMain Holdings, The Children's Place, CNinsure, Covisint, FleetBoston Financial, Interstate Bakeries, Hibernia Foods, Jakks Pacific, Jarden, Portal Software, Ply Gem Holdings, Orion Energy, Tommy Hilfiger, TD Banknorth, Teletech, Unitek, Vicuron, Xerium, W Holding, and dozens of others.

Rothman also represents shareholders in connection with going-private transactions and tender offers. For example, in connection with a tender offer made by Citigroup, Rothman secured an increase of more than \$38 million over what was originally offered to shareholders. He also actively litigates consumer fraud cases, including a case alleging false advertising where the defendant agreed to a settlement valued in excess of \$67 million.

Education

B.A., State University of New York at Binghamton, 1990; J.D., Hofstra University School of Law, 1993

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2011, 2013-2020; New York Trailblazer, *New York Law Journal*, 2020; Dean's Academic Scholarship Award, Hofstra University School of Law; J.D., with Distinction, Hofstra University School of Law, 1993; Member, *Hofstra Law Review*, Hofstra University School of Law

Samuel H. Rudman | Partner

Sam Rudman is a founding member of the Firm, a member of the Firm's Executive and Management Committees, and manages the Firm's New York offices. His 26-year securities practice focuses on recognizing and investigating securities fraud, and initiating securities and shareholder class actions to vindicate shareholder rights and recover shareholder losses. Rudman is also part of the Firm's SPAC Task Force, which is dedicated to rooting out and prosecuting fraud on behalf of injured investors in special purpose acquisition companies. A former attorney with the SEC, Rudman has recovered hundreds of millions of dollars for shareholders, including a \$200 million recovery in *Motorola*, a \$129 million recovery in *Doral Financial*, an \$85 million recovery in *Blackstone*, a \$74 million recovery in *First BanCorp*, a \$65 million recovery in *Forest Labs*, a \$62.5 million recovery in *SQM*, a \$50 million recovery in *TD Banknorth*, a \$48 million recovery in *CVS Caremark*, a \$34.5 million recovery in *L-3 Communications Holdings*, a \$32.8 million recovery in *Snap, Inc.*, and a \$18.5 million recovery in *Deutsche Bank*.

Education

B.A., Binghamton University, 1989; J.D., Brooklyn Law School, 1992

Honors / Awards

Leading Lawyer in America, *Lawdragon*, 2016-2022; Leading Lawyer, *Chambers USA*, 2014-2021; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2007-2020; New York Trailblazer, *New York Law Journal*, 2020; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2020; National Practice Area Star, *Benchmark Litigation*, 2019-2020; Local Litigation Star, *Benchmark Litigation*, 2013-2020; Recommended Lawyer, *The Legal 500*, 2018-2019; Litigation Star, *Benchmark Litigation*, 2013, 2017-2019; Dean's Merit Scholar, Brooklyn Law School; Moot Court Honor Society, Brooklyn Law School; Member, *Brooklyn Journal of International Law*, Brooklyn Law School

Joseph Russello | Partner

Joseph Russello is a partner in the Firm's Melville office. He began his career as a defense lawyer and now represents investors in securities class actions at the trial and appellate levels.

Rusello spearheaded the team that recovered \$85 million in litigation against The Blackstone Group, LLC, a case that yielded a landmark decision from the Second Circuit Court of Appeals on "materiality" in securities actions. *Litwin v. Blackstone Grp., L.P.*, 634 F.3d 706 (2d Cir. 2011). He also led the team responsible for partially defeating dismissal and achieving a \$50 million settlement in litigation against BHP Billiton, an Australia-based mining company accused of concealing safety issues at a Brazilian iron-ore dam. *In re BHP Billiton Ltd. Sec. Litig.*, 276 F. Supp. 3d 65 (S.D.N.Y. 2017).

Recently, Rusello was co-counsel in a lawsuit against Allied Nevada Gold Corporation, recovering \$14.5 million for investors after the Ninth Circuit Court of Appeals reversed two dismissal decisions. *In re Allied Nev. Gold Corp. Sec. Litig.*, 743 F. App'x 887 (9th Cir. 2018). He was also instrumental in obtaining a settlement and favorable appellate decision in litigation against SAIC, Inc., a defense contractor embroiled in a decade-long overbilling fraud against the City of New York. *Ind. Pub. Ret. Sys. v. SAIC, Inc.*, 818 F.3d 85 (2d Cir. 2016). Other notable recent decisions include: *In re Qudian Sec. Litig.*, 189 A.D. 3d 449 (N.Y. App. Div., 1st Dep't 2020); *Kazi v. XP Inc.*, 2020 WL 4581569 (N.Y. Sup. Ct. Aug. 5, 2020); *In re Dentsply Sirona, Inc. S'holders Litig.*, 2019 WL 3526142 (N.Y. Sup. Ct. Aug. 2, 2019); and *Matter of PPD AI Grp. Sec. Litig.*, 64 Misc. 3d 1208(A), 2019 WL 2751278 (N.Y. Sup. Ct. 2019). Other notable settlements include: *NBTY, Inc.* (\$16 million); *LaBranche & Co., Inc.* (\$13 million); *The Children's Place Retail Stores, Inc.* (\$12 million); and *Prestige Brands Holdings, Inc.* (\$11 million).

Education

B.A., Gettysburg College, 1998; J.D., Hofstra University School of Law, 2001

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2014-2020; *Law360* Securities Editorial Advisory Board, 2017

Scott H. Saham | Partner

Scott Saham is a partner in the Firm's San Diego office, where his practice focuses on complex securities litigation. He is licensed to practice law in both California and Michigan. Most recently, Saham was a member of the litigation team that obtained a \$125 million settlement in *In re LendingClub Sec. Litig.*, a settlement that ranks among the top ten largest securities recoveries ever in the Northern District of California. He was also part of the litigation teams in *Schuh v. HCA Holdings, Inc.*, which resulted in a \$215 million recovery for shareholders, the largest securities class action recovery ever in Tennessee, and *Luna v. Marvell Tech. Grp., Ltd.*, which resulted in a \$72.5 million settlement that represents approximately 24% to 50% of the best estimate of classwide damages suffered by investors. He also served as lead counsel prosecuting the *Pharmacia* securities litigation in the District of New Jersey, which resulted in a \$164 million recovery. Additionally, Saham was lead counsel in the *In re Coca-Cola Sec. Litig.* in the Northern District of Georgia, which resulted in a \$137.5 million recovery after nearly eight years of litigation. He also obtained reversal from the California Court of Appeal of the trial court's initial dismissal of the landmark *Countrywide* mortgage-backed securities action. This decision is reported as *Luther v. Countrywide Fin. Corp.*, 195 Cal. App. 4th 789 (2011), and following this ruling that revived the action the case settled for \$500 million.

Education

B.A., University of Michigan, 1992; J.D., University of Michigan Law School, 1995

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021

Juan Carlos Sanchez | Partner

Juan Carlos Sanchez is a partner in the Firm's San Diego office, where his practice focuses on complex securities litigation. Sanchez was a member of the litigation team that secured a \$60 million settlement – the largest shareholder derivative recovery ever in Tennessee and the Sixth Circuit – and unprecedented corporate governance reforms in *In re Community Health Sys., Inc. S'holder Derivative Litig.* More recently, Sanchez's representation of California passengers in a landmark consumer and civil rights case against Greyhound Lines, Inc. led to a ruling recognizing that transit passengers do not check their rights and dignity at the bus door.

In addition to actively litigating cases, Sanchez is also a member of the Firm's Lead Plaintiff Advisory Team, which evaluates clients' exposure to securities fraud, advises them on lead plaintiff motions, and helps them secure appointment as lead plaintiff. Sanchez's efforts have assisted institutional and retail clients secure lead plaintiff appointments in more than 40 securities class actions.

Sanchez is also part of Robbins Geller's SPAC Task Force, which is dedicated to rooting out and prosecuting fraud on behalf of injured investors in special purpose acquisition companies. The rise in "blank check" financing poses unique risks to investors, and this group – comprised of experienced litigators, investigators, and forensic accountants – represents the vanguard of ensuring integrity, honesty, and justice in this rapidly developing investment arena.

Education

B.S., University of California, Davis, 2005; J.D., University of California, Berkeley School of Law (Boalt Hall), 2014

Vincent M. Serra | Partner

Vincent Serra is a partner in the Firm's Melville office and focuses his practice on complex securities, antitrust, consumer, and employment litigation. His efforts have contributed to the recovery of over a billion dollars on behalf of aggrieved plaintiffs and class members. Notably, Serra has contributed to several significant antitrust recoveries, including *Dahl v. Bain Cap. Partners, LLC* (\$590.5 million recovery), an antitrust action against the world's largest and most powerful private equity firms alleging collusive practices in multi-billion dollar leveraged buyouts, and *In re Currency Conversion Fee Antitrust Litig.* (\$336 million recovery). He has investigated and assisted with the development and prosecution of several ongoing market manipulation cases, including *In re Barclays Liquidity Cross & High Frequency Trading Litig.* and *In re Treasuries Sec. Auction Antitrust Litig.*, among others.

Additionally, Serra was a member of the litigation team that obtained a \$22.75 million settlement fund on behalf of route drivers in an action asserting violations of federal and state overtime laws against Cintas Corp. He was also part of the successful trial team in *Lebrilla v. Farmers Grp., Inc.*, which involved Farmers' practice of using inferior imitation parts when repairing insureds' vehicles. Other notable cases include *Alaska Elec. Pension Fund v. Pharmacia Corp.* (\$164 million recovery) and *In re Priceline.com Sec. Litig.* (\$80 million recovery). Serra is currently litigating several actions against manufacturers and retailers for the improper marketing, sale and/or warranting of consumer products. He is also involved in the Firm's "lead plaintiff" practice, where he recently assisted in securing lead plaintiff roles on behalf of clients in securities fraud actions brought against Wells Fargo, Alta Mesa Resources, BRF S.A., and LJM Funds Management.

Education

B.A., University of Delaware, 2001; J.D., California Western School of Law, 2005

Honors / Awards

Wiley W. Manuel Award for Pro Bono Legal Services, State Bar of California

Jessica T. Shinnelfield | Partner

Jessica Shinnelfield is a partner in the Firm's San Diego office. Currently, her practice focuses on initiating, investigating, and prosecuting securities fraud class actions. Shinnelfield served as lead counsel in *In re Am. Realty Cap. Props., Inc. Litig.*, a case arising out of ARCP's manipulative accounting practices, and obtained a \$1.025 billion recovery. For five years, she and the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and the Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages of any major PSLRA case prior to trial and includes the largest personal contributions by individual defendants in history. Shinnelfield also served as lead counsel in *Smilovits v. First Solar, Inc.*, and obtained a \$350 million settlement on the eve of trial. The settlement is fifth-largest PSLRA settlement ever recovered in the Ninth Circuit.

Shinnelfield was also a member of the litigation team prosecuting actions against investment banks and leading national credit rating agencies for their roles in structuring and rating structured investment vehicles backed by toxic assets in *Abu Dhabi Commercial Bank v. Morgan Stanley & Co. Incorporated* and *King County, Washington v. IKB Deutsche Industriebank AG*. These cases were among the first to successfully allege fraud against the rating agencies, whose ratings have traditionally been protected by the First Amendment. Shinnelfield also litigated individual opt-out actions against AOL Time Warner – *Regents of the Univ. of Cal. v. Parsons* and *Ohio Pub. Emps. Ret. Sys. v. Parsons* (recovery more than \$600 million). Additionally, she litigated an action against Omnicare, in which she helped obtain a favorable ruling for plaintiffs from the United States Supreme Court. Shinnelfield has also successfully appealed lower court decisions in the Second, Seventh, and Ninth Circuit Courts of Appeals.

Education

B.A., University of California at Santa Barbara, 2001; J.D., University of San Diego School of Law, 2004

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Plaintiffs' Lawyers Trailblazer, *The National Law Journal*, 2021; Litigator of the Week, *The American Lawyer*, 2020; Rising Star, *Super Lawyers Magazine*, 2015-2019; 40 & Under Hot List, *Benchmark Litigation*, 2018-2019; B.A., *Phi Beta Kappa*, University of California at Santa Barbara, 2001

Elizabeth A. Shonson | Partner

Elizabeth Shonson is a partner in the Firm's Boca Raton office. She concentrates her practice on representing investors in class actions brought pursuant to the federal securities laws. Shonson has litigated numerous securities fraud class actions nationwide, helping achieve significant recoveries for aggrieved investors. She was a member of the litigation teams responsible for recouping millions of dollars for defrauded investors, including: *In re Massey Energy Co. Sec. Litig.* (S.D. W.Va.) (\$265 million); *Nieman v. Duke Energy Corp.* (W.D.N.C.) (\$146.25 million recovery); *In re ADT Inc. S'holder Litig.* (Fla. Cir. Ct., 15th Jud. Cir.) (\$30 million settlement); *Eshe Fund v. Fifth Third Bancorp* (S.D. Ohio) (\$16 million); *City of St. Clair Shores Gen. Emps. Ret. Sys. v. Lender Processing Servs., Inc.* (M.D. Fla.) (\$14 million); and *In re Synovus Fin. Corp.* (N.D. Ga.) (\$11.75 million).

Education

B.A., Syracuse University, 2001; J.D., University of Florida Levin College of Law, 2005

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2016-2019; J.D., *Cum Laude*, University of Florida Levin College of Law, 2005; Editor-in-Chief, *Journal of Technology Law & Policy*; Phi Delta Phi; B.A., with Honors, *Summa Cum Laude*, Syracuse University, 2001; Phi Beta Kappa

Trig Smith | Partner

Trig Smith is a partner in the Firm's San Diego office where he focuses his practice on complex securities litigation. He has been involved in the prosecution of numerous securities class actions that have resulted in over a billion dollars in recoveries for investors. His cases have included: *In re Cardinal Health, Inc. Sec. Litig.* (\$600 million recovery); *Jones v. Pfizer Inc.* (\$400 million recovery); *Silverman v. Motorola, Inc.* (\$200 million recovery); and *City of Livonia Emps.' Ret. Sys. v. Wyeth* (\$67.5 million). Most recently, he was a member of the Firm's trial team in *Hsu v. Puma Biotechnology, Inc.*, a securities fraud class action that resulted in a verdict in favor of investors after a two-week jury trial.

Education

B.S., University of Colorado, Denver, 1995; M.S., University of Colorado, Denver, 1997; J.D., Brooklyn Law School, 2000

Honors / Awards

Member, *Brooklyn Journal of International Law*, Brooklyn Law School; CALI Excellence Award in Legal Writing, Brooklyn Law School

Mark Solomon | Partner

Mark Solomon is a founding partner in the Firm's San Diego office and leads its international litigation practice. Over the last 27 years, he has regularly represented United States- and United Kingdom-based pension funds and asset managers in class and non-class securities litigation in federal and state courts throughout the United States. He has been admitted to the Bars of England and Wales (Barrister), Ohio, and California, but now practices exclusively in California, as well as in various United States federal district and appellate courts.

Solomon has spearheaded the prosecution of many significant securities fraud cases. He has obtained multi-hundred million dollar recoveries for plaintiffs in pre-trial settlements and significant corporate governance reforms designed to limit recidivism and promote appropriate standards. He litigated, through the rare event of trial, the securities class action against Helionetics Inc. and its executives, where he won a \$15.4 million federal jury verdict. Prior to the most recent financial crisis, he was instrumental in obtaining some of the first mega-recoveries in the field in California and Texas, serving as co-lead counsel in *In re Informix Corp. Sec. Litig.* (N.D. Cal.) and recovering \$131 million for Informix investors; and serving as co-lead counsel in *Schwartz v. TXU Corp.* (N.D. Tex.), where he helped obtain a recovery of over \$149 million for a class of purchasers of TXU securities. Solomon is currently counsel to a number of pension funds serving as lead plaintiffs in cases throughout the United States. For instance, Solomon represented the Norfolk County Council, as Administering Authority of the Norfolk Pension Fund, in *Hsu v. Puma Biotechnology, Inc.* where, after three weeks of trial, the Fund obtained a jury verdict in favor of the class against the company and its CEO. He also represented the British Coal Staff Superannuation Scheme and the Mineworkers' Pension Scheme in *Smilovits v. First Solar, Inc.* in which the class recently recovered \$350 million on the eve of trial. The settlement is fifth-largest PSLRA settlement ever recovered in the Ninth Circuit.

Education

B.A., Trinity College, Cambridge University, England, 1985; L.L.M., Harvard Law School, 1986; Inns of Court School of Law, Degree of Utter Barrister, England, 1987

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2017-2018; Recommended Lawyer, *The Legal 500*, 2016-2017; Lizette Bentwich Law Prize, Trinity College, 1983 and 1984; Hollond Travelling Studentship, 1985; Harvard Law School Fellowship, 1985-1986; Member and Hardwicke Scholar of the Honourable Society of Lincoln's Inn

Hillary B. Stakem | Partner

Hillary Stakem is a partner in the Firm's San Diego office, where her practice focuses on complex securities litigation. Stakem was a member of the litigation team in *Jaffe v. Household Int'l, Inc.*, a securities class action that obtained a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a verdict for plaintiffs. She was also part of the litigation teams that secured a \$388 million recovery for investors in J.P. Morgan residential mortgage-backed securities in *Fort Worth Employees' Retirement Fund v. J.P. Morgan Chase & Co.* and a \$131 million recovery in favor of plaintiffs in *Bennett v. Sprint Nextel Corp.* Additionally, Stakem helped to obtain a landmark settlement, on the eve of trial, from the major credit rating agencies and Morgan Stanley arising out of the fraudulent ratings of bonds issued by the structured investment vehicles in *Abu Dhabi Commercial Bank v. Morgan Stanley & Co. Inc.* Stakem also obtained a \$350 million settlement on the eve of trial in *Smilovits v. First Solar, Inc.*, the fifth-largest PSLRA settlement ever recovered in the Ninth Circuit, and was on the team of Robbins Geller attorneys who obtained a \$97.5 million recovery in *Marcus v. J.C. Penney Company, Inc.*

Most recently, Stakem was a member of the Robbins Geller litigation team in *Monroe County Employees' Retirement System v. The Southern Company* in which an \$87.5 settlement was reached after three years of litigation. The settlement resolved claims for violations of the Securities Exchange Act of 1934 stemming from defendants' issuance of materially misleading statements and omissions regarding the status of construction of a first-of-its-kind "clean coal" power plant that was designed to transform coal into synthetic gas that could then be used to fuel the power plant.

Education

B.A., College of William and Mary, 2009; J.D., UCLA School of Law, 2012

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2021; Rising Star, *Super Lawyers Magazine*, 2021; B.A., *Magna Cum Laude*, College of William and Mary, 2009

Jeffrey J. Stein | Partner

Jeffrey Stein is a partner in the Firm's San Diego office, where he practices securities fraud litigation and other complex matters. He was a member of the litigation team that secured a historic recovery on behalf of Trump University students in two class actions against President Donald J. Trump. The settlement provides \$25 million to approximately 7,000 consumers. This result means individual class members are eligible for upwards of \$35,000 in restitution. Stein represented the class on a *pro bono* basis.

Before joining the Firm, Stein focused on civil rights litigation, with special emphasis on the First, Fourth, and Eighth Amendments. In this capacity, he helped his clients secure successful outcomes before the United States Supreme Court and the Ninth Circuit Court of Appeals.

Education

B.S., University of Washington, 2005; J.D., University of San Diego School of Law, 2009

Christopher D. Stewart | Partner

Christopher Stewart is a partner in the Firm's San Diego office. His practice focuses on complex securities and shareholder derivative litigation. Stewart served as lead counsel in *In re Am. Realty Cap. Props., Inc. Litig.*, a case arising out of ARCP's manipulative accounting practices, and obtained a \$1.025 billion recovery. For five years, he and the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and the Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages of any major PSLRA case prior to trial and includes the largest personal contributions by individual defendants in history. Most recently, Stewart served as lead counsel in *Smilovits v. First Solar, Inc.*, and obtained a \$350 million settlement on the eve of trial. The settlement is fifth-largest PSLRA settlement ever recovered in the Ninth Circuit.

He was also part of the litigation team that obtained a \$67 million settlement in *City of Westland Police & Fire Ret. Sys. v. Stumpf*, a shareholder derivative action alleging that Wells Fargo participated in the mass-processing of home foreclosure documents by engaging in widespread robo-signing. Stewart also served on the litigation team in *In re Deutsche Bank AG Sec. Litig.*, in which the Firm obtained a \$18.5 million settlement in a case against Deutsche Bank and certain of its officers alleging violations of the Securities Act of 1933.

Education

B.S., Santa Clara University, 2004; M.B.A., University of San Diego School of Business Administration, 2009; J.D., University of San Diego School of Law, 2009

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2015-2020; J.D., *Magna Cum Laude*, Order of the Coif, University of San Diego School of Law, 2009; Member, *San Diego Law Review*

Sabrina E. Tirabassi | Partner

Sabrina Tirabassi is a partner in the Firm's Boca Raton office, where her practice focuses on complex securities litigation, including the Firm's lead plaintiff motion practice. In this role, Tirabassi remains at the forefront of litigation trends and issues arising under the Private Securities Litigation Reform Act of 1995. Further, Tirabassi has been an integral member of the litigation teams responsible for securing significant monetary recoveries on behalf of shareholders, including: *Villella v. Chemical and Mining Company of Chile Inc.*, No. 1:15-cv-02106 (S.D.N.Y.); *In re ADT Inc. S'holder Litig.*, No. 502018CA003494XXXXMB-AG (Fla. Cir. Ct., 15th Jud. Cir.); *KBC Asset Mgmt. NV v. Aegerion Pharms., Inc.*, No. 1:14-cv-10105-MLW (D. Mass.); *Sohal v. Yan*, No. 1:15-cv-00393-DAP (N.D. Ohio); *McGee v. Constant Contact, Inc.*, No. 1:15-cv-13114-MLW (D. Mass.); and *Schwartz v. Urban Outfitters, Inc.*, No. 2:13-cv-05978-MAK (E.D. Pa.).

Education

B.A., University of Florida, 2000; J.D., Nova Southeastern University Shepard Broad College of Law, 2006, *Magna Cum Laude*

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2010, 2015-2018; J.D., *Magna Cum Laude*, Nova Southeastern University Shepard Broad College of Law, 2006

Douglas Wilens | Partner

Douglas Wilens is a partner in the Firm's Boca Raton office. Wilens is a member of the Firm's Appellate Practice Group, participating in numerous appeals in federal and state courts across the country. Most notably, Wilens handled successful and precedent-setting appeals in *Ind. Pub. Ret. Sys. v. SAIC, Inc.*, 818 F.3d 85 (2d Cir. 2016) (addressing duty to disclose under SEC Regulation Item 303 in §10(b) case), *Mass. Ret. Sys. v. CVS Caremark Corp.*, 716 F.3d 229 (1st Cir. 2013) (addressing pleading of loss causation in §10(b) case), and *Lormand v. US Unwired, Inc.*, 565 F.3d 228 (5th Cir. 2009) (addressing pleading of falsity, scienter, and loss causation in §10(b) case).

Before joining the Firm, Wilens was an associate at a nationally recognized firm, where he litigated complex actions on behalf of numerous professional sports leagues, including the National Basketball Association, the National Hockey League, and Major League Soccer. He has also served as an adjunct professor at Florida Atlantic University and Nova Southeastern University, where he taught undergraduate and graduate-level business law classes.

Education

B.S., University of Florida, 1992; J.D., University of Florida College of Law, 1995

Honors / Awards

Book Award for Legal Drafting, University of Florida College of Law; J.D., with Honors, University of Florida College of Law, 1995

Shawn A. Williams | Partner

Shawn Williams, a founding partner of the Firm, is the managing partner of the Firm's San Francisco office and a member of the Firm's Management Committee. Williams specializes in complex commercial litigation focusing on securities litigation, and has served as lead counsel in a range of actions resulting in more than a billion dollars in recoveries. For example, Williams was among lead counsel in *In re Facebook Biometric Info. Privacy Litig.*, charging Facebook with violations of the Illinois Biometric Information Privacy Act, resulting in a \$650 million recovery for injured Facebook users, the largest ever privacy class action.

Williams led the team of Robbins Geller attorneys in the investigation and drafting of comprehensive securities fraud claims in *Hefler v. Wells Fargo & Co.*, alleging widespread opening of unauthorized and undisclosed customer accounts. The *Hefler* action resulted in the recovery of \$480 million for Wells Fargo investors. In *City of Westland Police & Fire Ret. Sys. v. Metlife, Inc.*, Williams led the Firm's team of lawyers alleging MetLife's failure to disclose and account for the scope of its use and non-use of the Social Security Administration Death Master File and its impact on MetLife's financial statements. The *Metlife* action resulted in a recovery of \$84 million. Williams also served as lead counsel in the following actions resulting in significant recoveries: *Chicago Laborers Pension Fund v. Alibaba Grp. Holding Ltd.* (\$75 million recovery); *In re Krispy Kreme Doughnuts, Inc. Sec. Litig.* (\$75 million recovery); *In re Medtronic, Inc. Sec. Litig.* (\$43 million recovery); *In re Cadence Design Sys., Inc. Sec. Litig.* (\$38 million recovery); and *City of Sterling Heights Gen. Emps' Ret. Sys. v. Prudential Fin., Inc.* (\$33 million recovery).

Williams is also a member of the Firm's Shareholder Derivative Practice Group which has secured tens of millions of dollars in cash recoveries and comprehensive corporate governance reforms in a number of high-profile cases including: *In re McAfee, Inc. Derivative Litig.*; *In re Marvell Tech. Grp. Ltd. Derivative Litig.*; *In re KLA-Tencor Corp. S'holder Derivative Litig.*; *The Home Depot, Inc. Derivative Litig.*; and *City of Westland Police & Fire Ret. Sys. v. Stumpf (Wells Fargo & Co.)*.

Williams led multiple shareholder actions in which the Firm obtained favorable appellate rulings, including: *W. Va. Pipe Trades Health & Welfare Fund v. Medtronic, Inc.*, 845 F.3d 384 (8th Cir. 2016); *Knollenberg v. Harmonic, Inc.*, 152 F. App'x 674 (9th Cir. 2005); *Nursing Home Pension Fund, Local 144 v. Oracle Corp.*, 380 F.3d 1226 (9th Cir. 2004); *Lynch v. Rawls*, 429 F. App'x 641 (9th Cir. 2011); and *Barrie v. Intervoice-Brite, Inc.*, 409 F.3d 653 (5th Cir. 2005).

Before joining the Firm in 2000, Williams served for 5 years as an Assistant District Attorney in the Manhattan District Attorney's Office, where he tried over 20 cases to New York City juries.

Education

B.A., The State of University of New York at Albany, 1991; J.D., University of Illinois, 1995

Honors / Awards

Most Influential Black Lawyers, *Savoy*, 2022; Leading Lawyer in America, *Lawdragon*, 2018-2022; Best Lawyer in America, *Best Lawyers®*, 2022; Top 100 Lawyer, *Daily Journal*, 2019, 2021; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Super Lawyer, *Super Lawyers Magazine*, 2014-2017, 2020-2021; California Trailblazer, *The Recorder*, 2019; Titan of the Plaintiffs Bar, *Law360*, 2019; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2019; Board Member, California Bar Foundation, 2012-2014

David T. Wissbroecker | Partner

David Wissbroecker is a partner in the Firm's San Diego and Chicago offices. He focuses his practice on securities class action litigation in the context of mergers and acquisitions, representing both individual shareholders and institutional investors. As part of the litigation team at Robbins Geller, Wissbroecker has helped secure monetary recoveries for shareholders that collectively exceed \$1 billion. Wissbroecker has litigated numerous high-profile cases in Delaware and other jurisdictions, including shareholder class actions challenging the acquisitions of Dole, Kinder Morgan, Del Monte Foods, Affiliated Computer Services, Intermix, and Rural Metro. His practice has recently expanded to include numerous proxy fraud cases in federal court, along with shareholder document demand litigation in Delaware. Before joining the Firm, Wissbroecker served as a staff attorney for the United States Court of Appeals for the Seventh Circuit, and then as a law clerk for the Honorable John L. Coffey, Circuit Judge for the Seventh Circuit.

Education

B.A., Arizona State University, 1998; J.D., University of Illinois College of Law, 2003

Honors / Awards

Leading Plaintiff Financial Lawyer, *Lawdragon*, 2020-2021; Recommended Lawyer, *The Legal 500*, 2019; Rising Star, *Super Lawyers Magazine*, 2015; J.D., *Magna Cum Laude*, University of Illinois College of Law, 2003; B.A., *Cum Laude*, Arizona State University, 1998

Christopher M. Wood | Partner

Christopher Wood is the partner in charge of Robbins Geller Rudman & Dowd LLP's Nashville office, where his practice focuses on complex securities litigation. He has been a member of the litigation teams responsible for recovering hundreds of millions of dollars for investors, including: *In re Massey Energy Co. Sec. Litig.* (\$265 million recovery); *In re VeriFone Holdings, Inc. Sec. Litig.* (\$95 million recovery); *Garden City Emps.' Ret. Sys. v. Psychiatric Solutions, Inc.* (\$65 million recovery); *Grae v. Corrections Corporation of America (CoreCivic)* (\$56 million recovery); *In re Micron Tech., Inc. Sec. Litig.* (\$42 million recovery); and *Winslow v. BancorpSouth, Inc.* (\$29.5 million recovery).

Working together with Public Funds Public Schools (a national campaign founded by the Southern Poverty Law Center and Education Law Center), Wood helped to strike down Tennessee's school voucher program, which would have diverted critically needed funds from public school students in Nashville and Memphis. Wood has also provided pro bono legal services through Tennessee Justice for Our Neighbors, Volunteer Lawyers & Professionals for the Arts, the Ninth Circuit's Pro Bono Program, and the San Francisco Bar Association's Volunteer Legal Services Program.

Education

B.A., Vanderbilt University, 2003; J.D., University of San Francisco School of Law, 2006

Honors / Awards

40 & Under Hot List, *Benchmark Litigation*, 2021; Rising Star, *Super Lawyers Magazine*, 2011-2013, 2015-2020

Debra J. Wyman | Partner

Debra Wyman is a partner in the Firm's San Diego office. She specializes in securities litigation and has litigated numerous cases against public companies in state and federal courts that have resulted in over \$2 billion in securities fraud recoveries. Wyman served as lead counsel in *In re Am. Realty Cap. Props., Inc. Litig.*, a case arising out of ARCP's manipulative accounting practices, and obtained a \$1.025 billion recovery. For five years, she and the litigation team prosecuted nine different claims for violations of the Securities Exchange Act of 1934 and the Securities Act of 1933, involving seven different stock or debt offerings and two mergers. The recovery represents the highest percentage of damages of any major PSLRA case prior to trial and includes the largest personal contributions by individual defendants in history. Most recently, Wyman was part of the litigation team in *Monroe County Employees' Retirement System v. The Southern Company* in which an \$87.5 settlement was reached after three years of litigation. The settlement resolved claims for violations of the Securities Exchange Act of 1934 stemming from defendants' issuance of materially misleading statements and omissions regarding the status of construction of a first-of-its-kind "clean coal" power plant that was designed to transform coal into synthetic gas that could then be used to fuel the power plant.

Wyman was also a member of the trial team in *Schuh v. HCA Holdings, Inc.*, which resulted in a \$215 million recovery for shareholders, the largest securities class action recovery ever in Tennessee. The recovery achieved represents more than 30% of the aggregate classwide damages, far exceeding the typical recovery in a securities class action. Wyman prosecuted the complex securities and accounting fraud case *In re HealthSouth Corp. Sec. Litig.*, one of the largest and longest-running corporate frauds in history, in which \$671 million was recovered for defrauded HealthSouth investors. She was also part of the trial team that litigated *In re AT&T Corp. Sec. Litig.*, which was tried in the United States District Court, District of New Jersey, and settled after only two weeks of trial for \$100 million. Wyman was also part of the litigation team that secured a \$64 million recovery for Dana Corp. shareholders in *Plumbers & Pipefitters National Pension Fund v. Burns*, in which the Firm's Appellate Practice Group successfully appealed to the Sixth Circuit Court of Appeals twice, reversing the district court's dismissal of the action.

Education

B.A., University of California Irvine, 1990; J.D., University of San Diego School of Law, 1997

Honors / Awards

Leading Lawyer in America, *Lawdragon*, 2020-2022; Top 250 Women in Litigation, *Benchmark Litigation*, 2021; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; San Diego Litigator of the Year, *Benchmark Litigation*, 2021; Plaintiff Litigator of the Year, *Benchmark Litigation*, 2021; Top Woman Lawyer, *Daily Journal*, 2017, 2020; MVP, *Law360*, 2020; Litigator of the Week, *The American Lawyer*, 2020; Litigator of the Year, *Our City San Diego*, 2017; Super Lawyer, *Super Lawyers Magazine*, 2016-2017

Jonathan Zweig | Partner

Jonathan Zweig is a partner with the Firm and is based in the Manhattan office. Zweig's practice focuses primarily on complex securities litigation, corporate control cases, and breach of fiduciary duty actions on behalf of investors.

Before joining Robbins Geller, Zweig served for over six years as an Assistant Attorney General with the New York State Office of the Attorney General's Investor Protection Bureau, where he prosecuted civil securities fraud actions and tried two major cases on behalf of the State. In *New York v. Exxon Mobil Corporation*, a high-profile securities fraud case concerning climate risk disclosures, Zweig examined numerous witnesses and delivered the State's closing argument at trial. In *New York v. Laurence Allen et al.*, Zweig and his colleagues achieved a total victory at trial for defrauded investors in a private equity fund, and established for the first time the retroactive application of the Martin Act's expanded statute of limitations. Zweig also conducted data-intensive investigations of Credit Suisse concerning its alternative trading system and its wholesale market making business, resulting in joint settlements with the SEC totaling \$70 million from Credit Suisse. On three occasions, Zweig was awarded the Louis J. Lefkowitz Award for Exceptional Service.

Zweig was previously a litigator at Davis Polk & Wardwell LLP, where he represented clients in securities litigation, mass tort, and other matters. Zweig also clerked for Judge Jacques L. Wiener, Jr. of the U.S. Court of Appeals for the Fifth Circuit, and Judge Sarah S. Vance of the U.S. District Court for the Eastern District of Louisiana.

Education

B.A., Yale University, 2007; J.D., Harvard Law School, 2010

Honors / Awards

Louis J. Lefkowitz Award for Exceptional Service, New York State Office of the Attorney General, 2015, 2020, 2021; J.D., *Magna Cum Laude*, Harvard Law School, 2010; B.A., *Summa Cum Laude*, Yale University, 2007

Susan K. Alexander | Of Counsel

Susan Alexander is Of Counsel to the Firm and is based in the San Francisco office. Alexander's practice specializes in federal appeals of securities fraud class actions on behalf of investors. With nearly 30 years of federal appellate experience, she has argued on behalf of defrauded investors in circuit courts throughout the United States. Among her most notable cases are *Mineworkers' Pension Scheme v. First Solar Inc.* (\$350 million recovery), *In re VeriFone Holdings, Inc. Sec. Litig.* (\$95 million recovery), and the successful appellate ruling in *Alaska Elec. Pension Fund v. Flowserve Corp.* (\$55 million recovery). Other representative results include: *Stoyas v. Toshiba Corp.*, 896 F.3d 933 (9th Cir. 2018) (reversing dismissal of securities fraud action and holding that the Exchange Act applies to unsponsored American Depositary Shares); *W. Va. Pipe Trades Health & Welfare Fund v. Medtronic, Inc.*, 845 F.3d 384 (8th Cir. 2016) (reversing summary judgment of securities fraud action on statute of limitations grounds); *In re Ubiquiti Networks, Inc. Sec. Litig.*, 669 F. App'x 878 (9th Cir. 2016) (reversing dismissal of §11 claim); *Carpenters Pension Tr. Fund of St. Louis v. Barclays PLC*, 750 F.3d 227 (2d Cir. 2014) (reversing dismissal of securities fraud complaint, focused on loss causation); *Panther Partners Inc. v. Ikanos Commc'ns, Inc.*, 681 F.3d 114 (2d Cir. 2012) (reversing dismissal of §11 claim); *City of Pontiac Gen. Emps.' Ret. Sys. v. MBIA, Inc.*, 637 F.3d 169 (2d Cir. 2011) (reversing dismissal of securities fraud complaint, focused on statute of limitations); *In re Gilead Scis. Sec. Litig.*, 536 F.3d 1049 (9th Cir. 2008) (reversing dismissal of securities fraud complaint, focused on loss causation); *Barrie v. Intervoice-Brite, Inc.*, 397 F.3d 249 (5th Cir.) (reversing dismissal of securities fraud complaint, focused on scienter), *reh'g denied and op. modified*, 409 F.3d 653 (5th Cir. 2005); and *Pirraglia v. Novell, Inc.*, 339 F.3d 1182 (10th Cir. 2003) (reversing dismissal of securities fraud complaint, focused on scienter). Alexander's prior appellate work was with the California Appellate Project ("CAP"), where she prepared appeals and petitions for writs of *habeas corpus* on behalf of individuals sentenced to death. At CAP, and subsequently in private practice, she litigated and consulted on death penalty direct and collateral appeals for ten years.

Education

B.A., Stanford University, 1983; J.D., University of California, Los Angeles, 1986

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2015-2021; American Academy of Appellate Lawyers; California Academy of Appellate Lawyers; Ninth Circuit Advisory Rules Committee; Appellate Delegate, Ninth Circuit Judicial Conference; ABA Council of Appellate Lawyers

Laura M. Andracchio | Of Counsel

Laura Andracchio is Of Counsel in the Firm's San Diego office. Having first joined the Firm in 1997, she was a Robbins Geller partner for ten years before her role as Of Counsel. As a partner with the Firm, Andracchio led dozens of securities fraud cases against public companies throughout the country, recovering hundreds of millions of dollars for injured investors. Her current focus remains securities fraud litigation under the federal securities laws.

Most recently, Andracchio was a member of the litigation team in *In re American Realty Cap. Props., Inc. Litig.* (S.D.N.Y.), in which a \$1.025 billion recovery was approved in 2020. She was also on the litigation team for *City of Pontiac Gen. Emps.' Ret. Sys. v. Walmart Stores, Inc.* (W.D. Ark.), in which a \$160 million recovery for Walmart investors was approved in 2019. She also assisted in litigating a case brought against J.P. Morgan Chase & Co., *Fort Worth Emps.' Ret. Fund v. J.P. Morgan Chase & Co.* (S.D.N.Y.), on behalf of investors in residential mortgage-backed securities, which resulted in a recovery of \$388 million in 2017.

Andracchio was also a lead member of the trial team in *In re AT&T Corp. Sec. Litig.*, recovering \$100 million for the class after two weeks of trial in district court in New Jersey. Before trial, she managed and litigated the case, which was pending for four years. She also led the trial team in *Brody v. Hellman*, a case against Qwest and former directors of U.S. West seeking an unpaid dividend, recovering \$50 million for the class, which was largely comprised of U.S. West retirees. Other cases Andracchio has litigated include: *City of Hialeah Emps.' Ret. Sys. v. Toll Brothers, Inc.*; *Ross v. Abercrombie & Fitch Co.*; *In re GMH Cmtys. Tr. Sec. Litig.*; *In re Vicuron Pharms., Inc. Sec. Litig.*; and *In re Navarre Corp. Sec. Litig.*

Education

B.A., Bucknell University, 1986; J.D., Duquesne University School of Law, 1989

Honors / Awards

Order of the Barristers, J.D., with honors, Duquesne University School of Law, 1989

Matthew J. Balotta | Of Counsel

Matt Balotta is Of Counsel in the Firm's San Diego office, where his practice focuses on securities fraud litigation. Balotta earned his Bachelor of Arts degree in History, *summa cum laude*, from the University of Pittsburgh and his Juris Doctor degree from Harvard Law School. During law school, Balotta was a summer associate with the Firm and interned at the National Consumer Law Center. He also participated in the Employment Law and Delivery of Legal Services Clinics and served on the General Board of the Harvard Civil Rights-Civil Liberties Law Review.

Education

B.A., University of Pittsburgh, 2005; J.D., Harvard Law School, 2015

Honors / Awards

B.A., *Summa Cum Laude*, University of Pittsburgh, 2005

Randi D. Bandman | Of Counsel

Randi Bandman is Of Counsel in the Firm's San Diego office. Throughout her career, she has represented and advised hundreds of clients, including pension funds, managers, banks, and hedge funds, such as the Directors Guild of America, Screen Actors Guild, Writers Guild of America, and Teamster funds. Bandman's cases have yielded billions of dollars of recoveries. Notable cases include the AOL Time Warner, Inc. merger (\$629 million), *In re Enron Corp. Sec. Litig.* (\$7.2 billion), Private Equity litigation (*Dahl v. Bain Cap. Partners, LLC*) (\$590.5 million), *In re WorldCom Sec. Litig.* (\$657 million), and *In re Facebook Biometric Info. Privacy Litig.* (\$650 million).

Bandman is currently representing plaintiffs in the Foreign Exchange Litigation pending in the Southern District of New York which alleges collusive conduct by the world's largest banks to fix prices in the \$5.3 trillion a day foreign exchange market and in which billions of dollars have been recovered to date for injured plaintiffs. Bandman is part of the Robbins Geller Co-Lead Counsel team representing the class in the "High Frequency Trading" case, which accuses stock exchanges of giving unfair advantages to high-speed traders versus all other investors, resulting in billions of dollars being diverted. Bandman was instrumental in the landmark state settlement with the tobacco companies for \$12.5 billion. Bandman also led an investigation with congressional representatives on behalf of artists into allegations of "pay for play" tactics, represented Emmy winning writers with respect to their claims involving a long-running television series, represented a Hall of Fame sports figure, and negotiated agreements in connection with a major motion picture. Recently, Bandman was chosen to serve on the Law Firm Advisory Board of the Association of Media & Entertainment Counsel, an organization made up of thousands of attorneys from studios, networks, guilds, talent agencies, and top media companies, dealing with protecting content distributed through a variety of formats worldwide.

Education

B.A., University of California, Los Angeles; J.D., University of Southern California

Mary K. Blasy | Of Counsel

Mary Blasy is Of Counsel to the Firm and is based in the Firm's Melville and Washington, D.C. offices. Her practice focuses on the investigation, commencement, and prosecution of securities fraud class actions and shareholder derivative suits. Blasy has recovered hundreds of millions of dollars for investors in securities fraud class actions against Reliance Acceptance Corp. (\$66 million); Sprint Corp. (\$50 million); Titan Corporation (\$15+ million); Martha Stewart Omni-Media, Inc. (\$30 million); and Coca-Cola Co. (\$137.5 million). Blasy has also been responsible for prosecuting numerous complex shareholder derivative actions against corporate malefactors to address violations of the nation's securities, environmental, and labor laws, obtaining corporate governance enhancements valued by the market in the billions of dollars.

In 2014, the Presiding Justice of the Appellate Division of the Second Department of the Supreme Court of the State of New York appointed Blasy to serve as a member of the Independent Judicial Election Qualification Commission, which until December 2018 reviewed the qualifications of candidates seeking public election to New York State Supreme Courts in the 10th Judicial District. She also served on the *Law360* Securities Editorial Advisory Board from 2015 to 2016.

Education

B.A., California State University, Sacramento, 1996; J.D., UCLA School of Law, 2000

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2016-2020; *Law360* Securities Editorial Advisory Board, 2015-2016; Member, Independent Judicial Election Qualification Commission, 2014-2018

William K. Cavanagh, Jr. | Of Counsel

Bill Cavanagh is Of Counsel in the Firm's Washington, D.C. office. Cavanagh concentrates his practice in employee benefits law and works with the Firm's Institutional Outreach Team. Prior to joining Robbins Geller, Cavanagh was employed by Ullico for the past nine years, most recently as President of Ullico Casualty Group. The Ullico Casualty Group is the leading provider of fiduciary liability insurance for trustees in both the private as well as the public sector. Prior to that he was President of the Ullico Investment Company.

Preceding Cavanagh's time at Ullico, he was a partner at the labor and employee benefits firm Cavanagh and O'Hara in Springfield, Illinois for 28 years. In that capacity, Cavanagh represented public pension funds, jointly trustee Taft-Hartley, health, welfare, pension, and joint apprenticeship funds advising on fiduciary and compliance issues both at the Board level as well as in administrative hearings, federal district courts, and the United States Courts of Appeals. During the course of his practice, Cavanagh had extensive trial experience in state and the relevant federal district courts. Additionally, Cavanagh served as co-counsel on a number of cases representing trustees seeking to recover plan assets lost as a result of fraud in the marketplace.

Education

B.A., Georgetown University, 1974; J.D., John Marshall Law School, 1978

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell

Christopher Collins | Of Counsel

Christopher Collins is Of Counsel in the Firm's San Diego office and his practice focuses on antitrust and consumer protection. Collins served as co-lead counsel in *Wholesale Elec. Antitrust Cases I & II*, charging an antitrust conspiracy by wholesale electricity suppliers and traders of electricity in California's newly deregulated wholesale electricity market wherein plaintiffs secured a global settlement for California consumers, businesses, and local governments valued at more than \$1.1 billion. He was also involved in California's tobacco litigation, which resulted in the \$25.5 billion recovery for California and its local entities. Collins is currently counsel on the California Energy Manipulation antitrust litigation, the Memberworks upsell litigation, as well as a number of consumer actions alleging false and misleading advertising and unfair business practices against major corporations. He formerly served as a Deputy District Attorney for Imperial County where he was in charge of the Domestic Violence Unit.

Education

B.A., Sonoma State University, 1988; J.D., Thomas Jefferson School of Law, 1995

Patrick J. Coughlin | Of Counsel

Patrick Coughlin is Of Counsel to the Firm and is based in the San Diego office. He has been lead counsel for several major securities matters, including one of the earliest and largest class action securities cases to go to trial, *In re Apple Computer Sec. Litig.*, No. C-84-20148 (N.D. Cal.). Coughlin was a member of the Firm's trial team in *Hsu v. Puma Biotechnology, Inc.*, No. SACV15-0865 (C.D. Cal.), a securities fraud class action that resulted in a verdict in favor of investors after a two-week jury trial. He also served as lead counsel in *In re Facebook Biometric Info. Privacy Litig.*, No. 3:15-cv-03747-JD (N.D. Cal.), a cutting-edge class action concerning Facebook's alleged privacy violations through its collection of users' biometric identifiers without informed consent that resulted in a \$650 million settlement. Coughlin 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 approved in the Eastern District of New York. 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.

Coughlin was one of the lead attorneys who secured a historic \$25 million recovery on behalf of approximately 7,000 Trump University students in two class actions against President Donald J. Trump, which means individual class members are eligible for upwards of \$35,000 in restitution. He represented the class on a *pro bono* basis. Additional prominent securities class actions prosecuted by Coughlin include: the *Enron* litigation, in which \$7.2 billion was recovered; the *Qwest* litigation, in which a \$445 million recovery was obtained; and the *HealthSouth* litigation, in which a \$671 million recovery was obtained.

Education

B.S., Santa Clara University, 1977; J.D., Golden Gate University, 1983

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Best Lawyer in America, *Best Lawyers®*, 2006-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2021; Super Lawyer, *Super Lawyers Magazine*, 2004-2021; Southern California Best Lawyer, *Best Lawyers®*, 2012-2021; Hall of Fame, *Lawdragon*, 2020; Plaintiffs' Lawyer Trailblazer, *The National Law Journal*, 2019; Outstanding Antitrust Litigation Achievement in Private Law Practice, American Antitrust Institute, 2018; Senior Statesman, *Chambers USA*, 2014-2018; Antitrust Trailblazer, *The National Law Journal*, 2015; Top 100 Lawyers, *Daily Journal*, 2008; Leading Lawyer in America, *Lawdragon*, 2006, 2008-2009

Vicki Multer Diamond | Of Counsel

Vicki Multer Diamond is Of Counsel to the Firm and is based in the Firm's Melville office. She has over 25 years of experience as an investigator and attorney. Her practice at the Firm focuses on the initiation, investigation, and prosecution of securities fraud class actions. Diamond played a significant role in the factual investigations and successful oppositions to the defendants' motions to dismiss in a number of cases, including *Tableau*, *One Main*, *Valeant*, and *Orbital ATK*.

Diamond has served as an investigative consultant to several prominent law firms, corporations, and investment firms. Before joining the Firm, she was an Assistant District Attorney in Brooklyn, New York, where she served as a senior Trial Attorney in the Felony Trial Bureau, and was special counsel to the Special Commissioner of Investigations for the New York City schools, where she investigated and prosecuted crime and corruption within the New York City school system.

Education

B.A., State University of New York at Binghamton, 1990; J.D., Hofstra University School of Law, 1993

Honors / Awards

Member, *Hofstra Property Law Journal*, Hofstra University School of Law

Michael J. Dowd | Of Counsel

Mike Dowd was a founding partner of the Firm. He has practiced in the area of securities litigation for 20 years, prosecuting dozens of complex securities cases and obtaining significant recoveries for investors in cases such as *UnitedHealth* (\$925 million), *WorldCom* (\$657 million), *AOL Time Warner* (\$629 million), *Qwest* (\$445 million), and *Pfizer* (\$400 million).

Dowd served as lead trial counsel in *Jaffe v. Household International* in the Northern District of Illinois, a securities class action that obtained a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a verdict for plaintiffs. Dowd also served as the lead trial lawyer in *In re AT&T Corp. Sec. Litig.*, which was tried in the District of New Jersey and settled after only two weeks of trial for \$100 million. Dowd served as an Assistant United States Attorney in the Southern District of California from 1987-1991, and again from 1994-1998, where he handled dozens of jury trials and was awarded the Director's Award for Superior Performance.

Education

B.A., Fordham University, 1981; J.D., University of Michigan School of Law, 1984

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Director's Award for Superior Performance, United States Attorney's Office; Best Lawyer in America, *Best Lawyers*®, 2015-2022; Leading Plaintiff Financial Lawyer, *Lawdragon*, 2019-2021; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2021; Southern California Best Lawyer, *Best Lawyers*®, 2015-2021; Super Lawyer, *Super Lawyers Magazine*, 2010-2020; Lawyer of the Year, *Best Lawyers*®, 2020; Recommended Lawyer, *The Legal 500*, 2016-2019; Hall of Fame, *Lawdragon*, 2018; Litigator of the Year, *Our City San Diego*, 2017; Leading Lawyer in America, *Lawdragon*, 2014-2016; Litigator of the Week, *The American Lawyer*, 2015; Litigation Star, *Benchmark Litigation* 2013; Directorship 100, NACD Directorship, 2012; Attorney of the Year, *California Lawyer*, 2010; Top 100 Lawyers, *Daily Journal*, 2009; B.A., *Magna Cum Laude*, Fordham University, 1981

Richard W. Gonnello | Of Counsel

Richard Gonnello is Of Counsel in the Firm's Manhattan office. He has two decades of experience litigating complex securities actions.

Gonnello has successfully represented institutional and individual investors. He has obtained substantial recoveries in numerous securities class actions, including *In re Royal Ahold Sec. Litig.* (D. Md.) (\$1.1 billion) and *In re Tremont Sec. Law, State Law & Ins. Litig.* (S.D.N.Y.) (\$100 million). Gonnello has also obtained favorable recoveries for institutional investors pursuing direct opt-out claims, including cases against Qwest Communications International, Inc. (\$175 million) and Tyco International Ltd (\$21 million).

Gonnello has co-authored the following articles appearing in the *New York Law Journal*: "Staehr Hikes Burden of Proof to Place Investor on Inquiry Notice" and "Potential Securities Fraud: 'Storm Warnings' Clarified."

Education

B.A., Rutgers University, 1995; J.D., UCLA School of Law, 1998

Honors / Awards

B.A., *Summa Cum Laude*, Rutgers University, 1995

Mitchell D. Gravo | Of Counsel

Mitchell Gravo is Of Counsel to the Firm and is a member of the Firm's institutional investor client services group. With more than 30 years of experience as a practicing attorney, he serves as liaison to the Firm's institutional investor clients throughout the United States and Canada, advising them on securities litigation matters.

Gravo's clients include Anchorage Economic Development Corporation, Anchorage Convention and Visitors Bureau, UST Public Affairs, Inc., International Brotherhood of Electrical Workers, Alaska Seafood International, Distilled Spirits Council of America, RIM Architects, Anchorage Police Department Employees Association, Fred Meyer, and the Automobile Manufacturer's Association. Prior to joining the Firm, he served as an intern with the Municipality of Anchorage, and then served as a law clerk to Superior Court Judge J. Justin Ripley.

Education

B.A., Ohio State University; J.D., University of San Diego School of Law

Dennis J. Herman | Of Counsel

Dennis Herman is Of Counsel in the Firm's San Francisco office where he focuses his practice on securities class actions. He has led or been significantly involved in the prosecution of numerous securities fraud claims that have resulted in substantial recoveries for investors, including settled actions against Massey Energy (\$265 million), Coca-Cola (\$137 million), VeriSign (\$78 million), Psychiatric Solutions, Inc. (\$65 million), St. Jude Medical, Inc. (\$50 million), NorthWestern (\$40 million), BancorpSouth (\$29.5 million), America Service Group (\$15 million), Specialty Laboratories (\$12 million), Stellant (\$12 million), and Threshold Pharmaceuticals (\$10 million).

Education

B.S., Syracuse University, 1982; J.D., Stanford Law School, 1992

Honors / Awards

Best Lawyer in America, *Best Lawyers®*, 2018-2022; Northern California Best Lawyer, *Best Lawyers®*, 2018-2021; Super Lawyer, *Super Lawyers Magazine*, 2017-2018; Order of the Coif, Stanford Law School; Urban A. Sontheimer Award (graduating second in his class), Stanford Law School; Award-winning Investigative Newspaper Reporter and Editor in California and Connecticut

Helen J. Hodges | Of Counsel

Helen Hodges is Of Counsel in the Firm's San Diego office. She specializes in securities fraud litigation. Hodges has been involved in numerous securities class actions, including: *Dynegy*, which was settled for \$474 million; *Thurber v. Mattel*, which was settled for \$122 million; *Nat'l Health Labs*, which was settled for \$64 million; and *Knapp v. Gomez*, Civ. No. 87-0067-H(M) (S.D. Cal.), in which a plaintiffs' verdict was returned in a Rule 10b-5 class action. Additionally, beginning in 2001, Hodges focused on the prosecution of *Enron*, where a record \$7.2 billion recovery was obtained for investors.

Education

B.S., Oklahoma State University, 1979; J.D., University of Oklahoma, 1983

Honors / Awards

Rated AV by Martindale-Hubbell; Hall of Fame, Oklahoma State University, 2022; served on the Oklahoma State University Foundation Board of Trustees, 2013-2021; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2021; Philanthropist of the Year, Women for OSU at Oklahoma State University, 2020; Super Lawyer, *Super Lawyers Magazine*, 2007

David J. Hoffa | Of Counsel

David Hoffa is Of Counsel in the Firm's Washington D.C. office. He has served as a liaison to over 110 institutional investors in portfolio monitoring, securities litigation, and claims filing matters. His practice focuses on providing a variety of legal and consulting services to U.S. state and municipal employee retirement systems and single and multi-employer U.S. Taft-Hartley benefit funds. In addition to serving as a leader on the Firm's Israel Institutional Investor Outreach Team, Hoffa also serves as a member of the Firm's lead plaintiff advisory team, and advises public and multi-employer pension funds around the country on issues related to fiduciary responsibility, legislative and regulatory updates, and "best practices" in the corporate governance of publicly traded companies.

Early in his legal career, Hoffa worked for a law firm based in Birmingham, Michigan, where he appeared regularly in Michigan state court in litigation pertaining to business, construction, and employment related matters. Hoffa has also appeared before the Michigan Court of Appeals on several occasions.

Education

B.A., Michigan State University, 1993; J.D., Michigan State University College of Law, 2000

Andrew W. Hutton | Of Counsel

Drew Hutton is Of Counsel in the Firm's San Diego and New York offices, responsible for simplifying cases of complex financial fraud. Hutton has prosecuted a variety of securities actions, achieving high-profile recoveries and results. Representative cases against corporations and their auditors include *In re AOL Time Warner Sec. Litig.* (\$2.5 billion) and *In re Williams Cos. Sec. Litig.* (\$311 million). Representative cases against corporations and their executives include *In re Broadcom Sec. Litig.* (\$150 million) and *In re Clarent Corp. Sec. Litig.* (class plaintiff's 10b-5 jury verdict against former CEO). Hutton is also active in shareholder derivative litigation, achieving monetary recoveries and governance changes, including *In re Affiliated Computer Servs. Derivative Litig.* (\$30 million), *In re KB Home S'holder Derivative Litig.* (\$30 million), and *In re KeyCorp Derivative Litig.* (modified CEO stock options and governance). Hutton has also litigated securities cases in bankruptcy court (*In re WorldCom, Inc.* – \$15 million for individual claimant) and a complex options case before FINRA (eight-figure settlement for individual investor). Hutton is also experienced in complex, multi-district consumer litigation. Representative nationwide insurance cases include *In re Prudential Sales Pracs. Litig.* (\$4 billion), *In re Metro. Life Ins. Co. Sales Pracs. Litig.* (\$2 billion), and *In re Conseco Life Ins. Co. Cost of Ins. Litig.* (\$200 million). Representative nationwide consumer lending cases include a \$30 million class settlement of Truth-in-Lending claims against American Express and a \$24 million class settlement of RICO and RESPA claims against Community Bank of Northern Virginia (now PNC Bank).

Hutton is the founder of Hutton Law Group, a plaintiffs' litigation practice currently representing retirees, individual investors, and businesses, and is also the founder of Hutton Investigative Accounting, a financial forensics and investigation firm. Before founding Hutton Law and joining Robbins Geller, Hutton was a public company accountant, Certified Public Accountant, and broker of stocks, options, and insurance products. Hutton has also served as an expert litigation consultant in both financial and corporate governance capacities. Hutton is often responsible for working with experts retained by the Firm in litigation and has conducted dozens of depositions of financial professionals, including audit partners, CFOs, directors, bankers, actuaries, and opposing experts.

Education

B.A., University of California, Santa Barbara, 1983; J.D., Loyola Law School, 1994

Nancy M. Juda | Of Counsel

Nancy Juda is Of Counsel to the Firm and is based in the Firm's Washington, D.C. office. Her practice focuses on advising Taft-Hartley pension and welfare funds on issues related to corporate fraud in the United States securities markets. Juda's experience as an ERISA attorney provides her with unique insight into the challenges faced by pension fund trustees as they endeavor to protect and preserve their funds' assets.

Prior to joining Robbins Geller, Juda was employed by the United Mine Workers of America Health & Retirement Funds, where she began her practice in the area of employee benefits law. She was also associated with a union-side labor law firm in Washington, D.C., where she represented the trustees of Taft-Hartley pension and welfare funds on qualification, compliance, fiduciary, and transactional issues under ERISA and the Internal Revenue Code.

Using her extensive experience representing employee benefit funds, Juda advises trustees regarding their options for seeking redress for losses due to securities fraud. She currently advises trustees of funds providing benefits for members of unions affiliated with North America's Building Trades of the AFL-CIO. Juda also represents funds in ERISA class actions involving breach of fiduciary claims.

Education

B.A., St. Lawrence University, 1988; J.D., American University, 1992

Francis P. Karam | Of Counsel

Frank Karam is Of Counsel to the Firm and is based in the Firm's Melville office. Karam is a trial lawyer with 30 years of experience. His practice focuses on complex class action litigation involving shareholders' rights and securities fraud. He also represents a number of landowners and royalty owners in litigation against large energy companies. He has tried complex cases involving investment fraud and commercial fraud, both on the plaintiff and defense side, and has argued numerous appeals in state and federal courts. Throughout his career, Karam has tried more than 100 cases to verdict.

Karam has served as a partner at several prominent plaintiffs' securities firms. From 1984 to 1990, Karam was an Assistant District Attorney in the Bronx, New York, where he served as a senior Trial Attorney in the Homicide Bureau. He entered private practice in 1990, concentrating on trial and appellate work in state and federal courts.

Education

A.B., College of the Holy Cross; J.D., Tulane University School of Law

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2019-2020; "Who's Who" for Securities Lawyers, *Corporate Governance Magazine*, 2015

Ashley M. Kelly | Of Counsel

Ashley Kelly is Of Counsel in the San Diego office, where she represents large institutional and individual investors as a member of the Firm's antitrust and securities fraud practices. Her work is primarily federal and state class actions involving the federal antitrust and securities laws, common law fraud, breach of contract, and accounting violations. Kelly's case work has been in the financial services, oil & gas, e-commerce, and technology industries. In addition to being an attorney, she is a Certified Public Accountant. Kelly was an important member of the litigation team that obtained a \$500 million settlement on behalf of investors in *Luther v. Countrywide Fin. Corp.*, which was the largest residential mortgage-backed securities purchaser class action recovery in history.

Education

B.S., Pennsylvania State University, 2005; J.D., Rutgers University-Camden, 2011

Honors / Awards

Rising Star, *Super Lawyers Magazine*, 2016, 2018-2021

Jerry E. Martin | Of Counsel

Jerry Martin is Of Counsel in the Firm's Nashville office. He specializes in representing individuals who wish to blow the whistle to expose fraud and abuse committed by federal contractors, health care providers, tax cheats, or those who violate the securities laws. Martin was a member of the litigation team that obtained a \$65 million recovery in *Garden City Emps.' Ret. Sys. v. Psychiatric Solutions, Inc.*, the fourth-largest securities recovery ever in the Middle District of Tennessee and one of the largest in more than a decade.

Before joining the Firm, Martin served as the presidentially appointed United States Attorney for the Middle District of Tennessee from May 2010 to April 2013. As U.S. Attorney, he made prosecuting financial, tax, and health care fraud a top priority. During his tenure, Martin co-chaired the Attorney General's Advisory Committee's Health Care Fraud Working Group. Martin has been recognized as a national leader in combatting fraud and has addressed numerous groups and associations, such as Taxpayers Against Fraud and the National Association of Attorneys General, and was a keynote speaker at the American Bar Association's Annual Health Care Fraud Conference.

Education

B.A., Dartmouth College, 1996; J.D., Stanford University, 1999

Honors / Awards

Super Lawyer, *Super Lawyers Magazine*, 2016-2019

Ruby Menon | Of Counsel

Ruby Menon is Of Counsel to the Firm and serves as a member of the Firm's legal, advisory, and business development group. She also serves as the liaison to the Firm's many institutional investor clients in the United States and abroad. For over 12 years, Menon served as Chief Legal Counsel to two large multi-employer retirement plans, developing her expertise in many areas of employee benefits and pension administration, including legislative initiatives and regulatory affairs, investments, tax, fiduciary compliance, and plan administration.

Education

B.A., Indiana University, 1985; J.D., Indiana University School of Law, 1988

Eugene Mikolajczyk | Of Counsel

Eugene Mikolajczyk is Of Counsel to the Firm and is based in the Firm's San Diego Office. Mikolajczyk has over 30 years' experience prosecuting shareholder and securities litigation cases as both individual and class actions. Among the cases are *Heckmann v. Ahmanson*, in which the court granted a preliminary injunction to prevent a corporate raider from exacting greenmail from a large domestic media/entertainment company.

Mikolajczyk was a primary litigation counsel in an international coalition of attorneys and human rights groups that won a historic settlement with major U.S. clothing retailers and manufacturers on behalf of a class of over 50,000 predominantly female Chinese garment workers, in an action seeking to hold the Saipan garment industry responsible for creating a system of indentured servitude and forced labor. The coalition obtained an unprecedented agreement for supervision of working conditions in the Saipan factories by an independent NGO, as well as a substantial multi-million dollar compensation award for the workers.

Education

B.S., Elizabethtown College, 1974; J.D., Dickinson School of Law, Penn State University, 1978

Roxana Pierce | Of Counsel

Roxana Pierce is Of Counsel in Robbins Geller Rudman & Dowd LLP's Washington D.C. office. She is an international lawyer whose practice focuses on protecting investor rights and the rights of victims of consumer fraud, waste, and abuse, including county pension funds, institutional investors, and state and city governmental entities. She zealously represents her clients with claims for consumer protection, securities, products liability, contracts, and other violations, whether through litigation, arbitration, mediation, or negotiation. She has represented clients in over 75 countries and 12 states, with extensive experience in the Middle East, Asia, Russia, the former Soviet Union, Germany, Belgium, the Caribbean, and India. Pierce's client base includes large institutional investors, state, county, and city retirement funds, pension funds, attorneys general, international banks, asset managers, foreign governments, multinational corporations, sovereign wealth funds, and high-net-worth individuals. She presently has over 20 class, private, and group actions on file, including cases against the largest pharmaceutical and automobile manufacturers in the world for securities fraud consumer rights violations.

Pierce has counseled international clients since 1994. She has spearheaded the contract negotiations for hundreds of projects, including several valued at over \$1 billion, and typically conducts her negotiations with the leadership of foreign governments and the leadership of Fortune 500 corporations, foreign and domestic. Pierce presently represents several European legacy banks in litigation concerning the 2008 financial crisis.

Pierce has been assisting the litigation team at Robbins Geller with the investigation of the opioids and e-cigarette issues facing many states, cities, and municipalities for more than four years. In particular, she has been working closely with doctors and other health care providers to obtain evidence relating to the opioid crisis facing Maryland, the District of Columbia, Pennsylvania, and Florida.

Education

B.A., Pepperdine University, 1988; J.D., Thomas Jefferson School of Law, 1994

Honors / Awards

Certificate of Accomplishment, Export-Import Bank of the United States; Humanitarian Spirit Award for Advocacy, The National Center for Children and Families, 2019

Sara B. Polychron | Of Counsel

Sara Polychron is Of Counsel in the Firm's San Diego office, where her practice focuses on complex securities litigation. She is part of the litigation team prosecuting actions against investment banks and the leading credit rating agencies for their role in the structuring and rating of residential mortgage-backed securities and their subsequent collapse.

Sara earned her Bachelor of Arts degree with honors from the University of Minnesota, where she studied Sociology with an emphasis in Criminology and Law. As an undergraduate she interned with the Hennepin County Attorney's Office, where she advocated for victims of domestic violence and assisted in sentencing negotiations in Juvenile Court. Sara received her Juris Doctor degree from the University of San Diego School of Law, where she was the recipient of two academic scholarships. While in law school, she interned with the Center for Public Interest Law and was a contributing author and assistant editor to the California Regulatory Law Reporter. She also worked as a legal research assistant at the law school and clerked for two San Diego law firms.

Education

B.A., University of Minnesota, 1999; J.D., University of San Diego School of Law, 2005

Svenna Prado | Of Counsel

Svenna Prado is Of Counsel in the Firm's San Diego office, where she focuses on various aspects of international securities and consumer litigation. She was part of the litigation teams that secured settlements against German defendant IKB, as well as Deutsche Bank and Deutsche Bank/West LB for their role in structuring residential mortgage-backed securities and their subsequent collapse. Before joining the Firm, Prado was Head of the Legal Department for a leading international staffing agency in Germany where she focused on all aspects of employment litigation and corporate governance. After she moved to the United States, Prado worked with an internationally oriented German law firm as Counsel to corporate clients establishing subsidiaries in the United States and Germany. As a law student, Prado worked directly for several years for one of the appointed Trustees winding up Eastern German operations under receivership in the aftermath of the German reunification. Utilizing her experience in this area of law, Prado later helped many clients secure successful outcomes in U.S. Bankruptcy Court.

Education

J.D., University of Erlangen-Nuremberg, Germany, 1996; Qualification for Judicial Office, Upper Regional Court Nuremberg, Germany, 1998; New York University, "U.S. Law and Methodologies," 2001

Stephanie Schroder | Of Counsel

Stephanie Schroder is Of Counsel in the Firm's San Diego office. Schroder advises institutional investors, including public and multi-employer pension funds, on issues related to corporate fraud in the United States and worldwide financial markets. Schroder has been with the Firm since its formation in 2004, and has over 20 years of securities litigation experience.

Schroder has represented institutional investors in securities fraud litigation that has resulted in collective recoveries of over \$2 billion. Most recently, Schroder was part of the Robbins Geller team that obtained a \$1.21 billion settlement in *In re Valeant Pharms. Int'l, Inc. Sec. Litig.*, a case that *Vanity Fair* reported as “the corporate scandal of its era” that had raised “fundamental questions about the functioning of our health-care system, the nature of modern markets, and the slippery slope of ethical rationalizations.” This is the largest securities class action settlement against a pharmaceutical manufacturer and the ninth largest securities class action settlement ever. Additional prominent cases include: *In re AT&T Corp. Sec. Litig.* (\$100 million recovery at trial); *In re FirstEnergy Corp. Sec. Litig.* (\$89.5 million recovery); *Rasner v. Sturm (FirstWorld Communications)*; and *In re Advanced Lighting Sec. Litig.* Schroder also specializes in derivative litigation for breaches of fiduciary duties by corporate officers and directors. Significant litigation includes *In re OM Grp. S'holder Litig.* and *In re Chiquita S'holder Litig.* Schroder previously represented clients that suffered losses from the Madoff fraud in the *Austin Capital* and *Meridian Capital* litigations, which were also successfully resolved. In addition, Schroder is a frequent lecturer on securities fraud, shareholder litigation, and options for institutional investors seeking to recover losses caused by securities and accounting fraud.

Education

B.A., University of Kentucky, 1997; J.D., University of Kentucky College of Law, 2000

Kevin S. Sciarani | Of Counsel

Kevin Sciarani is Of Counsel to the Firm and is based in the San Diego office, where his practice focuses on complex securities litigation. Sciarani earned Bachelor of Science and Bachelor of Arts degrees from the University of California, San Diego. He graduated *magna cum laude* from the University of California, Hastings College of the Law with a Juris Doctor degree, where he served as a Senior Articles Editor on the *Hastings Law Journal*.

During law school, Sciarani interned for the U.S. Securities and Exchange Commission and the Antitrust Section of the California Department of Justice. In his final semester, he served as an extern to the Honorable Susan Illston of the United States District Court for the Northern District of California. Sciarani also received recognition for his *pro bono* assistance to tenants living in foreclosed properties due to the subprime mortgage crisis.

Education

B.S., B.A., University of California, San Diego, 2005; J.D., University of California, Hastings College of the Law, 2014

Honors / Awards

J.D., *Magna Cum Laude*, Order of the Coif, University of California, Hastings College of the Law, 2014; CALI Excellence Award, Senior Articles Editor, Hastings Law Journal, University of California, Hastings College of the Law

Christopher P. Seefer | Of Counsel

Christopher Seefer is Of Counsel in the Firm's San Francisco office. He concentrates his practice in securities class action litigation, including cases against Verisign, UTStarcom, VeriFone, Nash Finch, NextCard, Terayon, and America West. Seefer served as an Assistant Director and Deputy General Counsel for the Financial Crisis Inquiry Commission, which reported to Congress in January 2011 its conclusions as to the causes of the global financial crisis. Prior to joining the Firm, he was a Fraud Investigator with the Office of Thrift Supervision, Department of the Treasury (1990-1999), and a field examiner with the Office of Thrift Supervision (1986-1990).

Education

B.A., University of California Berkeley, 1984; M.B.A., University of California, Berkeley, 1990; J.D., Golden Gate University School of Law, 1998

Arthur L. Shingler III | Of Counsel

Arthur Shingler is Of Counsel in the Firm's San Diego office. Shingler has successfully represented both public and private sector clients in hundreds of complex, multi-party actions with billions of dollars in dispute. Throughout his career, he has obtained outstanding results for those he has represented in cases generally encompassing shareholder derivative and securities litigation, unfair business practices litigation, publicity rights and advertising litigation, ERISA litigation, and other insurance, health care, employment, and commercial disputes.

Representative matters in which Shingler served as lead litigation or settlement counsel include, among others: *In re Royal Dutch/Shell ERISA Litig.* (\$90 million settlement); *In re Priceline.com Sec. Litig.* (\$80 million settlement); *In re General Motors ERISA Litig.* (\$37.5 million settlement, in addition to significant revision of retirement plan administration); *Wood v. Ionatron, Inc.* (\$6.5 million settlement); *In re Lattice Semiconductor Corp. Derivative Litig.* (corporate governance settlement, including substantial revision of board policies and executive management); *In re 360networks Class Action Sec. Litig.* (\$7 million settlement); and *Rothschild v. Tyco Int'l (US), Inc.*, 83 Cal. App. 4th 488 (2000) (shaped scope of California's Unfair Practices Act as related to limits of State's False Claims Act).

Education

B.A., Point Loma Nazarene College, 1989; J.D., Boston University School of Law, 1995

Honors / Awards

B.A., *Cum Laude*, Point Loma Nazarene College, 1989

Leonard B. Simon | Of Counsel

Leonard Simon is Of Counsel in the Firm's San Diego office. His practice has been devoted to litigation in the federal courts, including both the prosecution and the defense of major class actions and other complex litigation in the securities and antitrust fields. Simon has also handled a substantial number of complex appellate matters, arguing cases in the United States Supreme Court, several federal Courts of Appeals, and several California appellate courts. He has also represented large, publicly traded corporations. Simon served as plaintiffs' co-lead counsel in *In re Am. Cont'l Corp./Lincoln Sav. & Loan Sec. Litig.*, MDL No. 834 (D. Ariz.) (settled for \$240 million), and *In re NASDAQ Market-Makers Antitrust Litig.*, MDL No. 1023 (S.D.N.Y.) (settled for more than \$1 billion). He was also in a leadership role in several of the state court antitrust cases against Microsoft, and the state court antitrust cases challenging electric prices in California. He was centrally involved in the prosecution of *In re Washington Pub. Power Supply Sys. Sec. Litig.*, MDL No. 551 (D. Ariz.), the largest securities class action ever litigated.

Simon is an Adjunct Professor of Law at Duke University, the University of San Diego, and the University of Southern California Law Schools. He has lectured extensively on securities, antitrust, and complex litigation in programs sponsored by the American Bar Association Section of Litigation, the Practising Law Institute, and ALI-ABA, and at the UCLA Law School, the University of San Diego Law School, and the Stanford Business School. He is an Editor of *California Federal Court Practice* and has authored a law review article on the PSLRA.

Education

B.A., Union College, 1970; J.D., Duke University School of Law, 1973

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Top Lawyer in San Diego, *San Diego Magazine*, 2016-2020; Super Lawyer, *Super Lawyers Magazine*, 2008-2016; J.D., Order of the Coif and with Distinction, Duke University School of Law, 1973

Laura S. Stein | Of Counsel

Laura Stein is Of Counsel in the Firm's Philadelphia office. Since 1995, she has practiced in the areas of securities class action litigation, complex litigation, and legislative law. Stein has served as one of the Firm's and the nation's top asset recovery experts with a focus on minimizing losses suffered by shareholders due to corporate fraud and breaches of fiduciary duty. She also seeks to deter future violations of federal and state securities laws by reinforcing the standards of good corporate governance. Stein works with over 500 institutional investors across the nation and abroad, and her clients have served as lead plaintiff in successful cases where billions of dollars were recovered for defrauded investors against such companies as: AOL Time Warner, TYCO, Cardinal Health, AT&T, Hanover Compressor, 1st Bancorp, Enron, Dynegy, Inc., Honeywell International, Bridgestone, LendingClub, Orbital ATK, and Walmart, to name a few. Many of the cases led by Stein's clients have accomplished groundbreaking corporate governance achievements, including obtaining shareholder-nominated directors. She is a frequent presenter and educator on securities fraud monitoring, litigation, and corporate governance.

Education

B.A., University of Pennsylvania, 1992; J.D., University of Pennsylvania Law School, 1995

John J. Stoia, Jr. | Of Counsel

John Stoia is Of Counsel to the Firm and is based in the Firm's San Diego office. He is one of the founding partners and former managing partner of the Firm. He focuses his practice on insurance fraud, consumer fraud, and securities fraud class actions. Stoia has been responsible for over \$10 billion in recoveries on behalf of victims of insurance fraud due to deceptive sales practices such as "vanishing premiums" and "churning." He has worked on dozens of nationwide complex securities class actions, including *In re Am. Cont'l Corp./Lincoln Sav. & Loan Sec. Litig.*, which arose out of the collapse of Lincoln Savings & Loan and Charles Keating's empire. Stoia was a member of the plaintiffs' trial team that obtained verdicts against Keating and his co-defendants in excess of \$3 billion and settlements of over \$240 million.

He also represented numerous large institutional investors who suffered hundreds of millions of dollars in losses as a result of major financial scandals, including AOL Time Warner and WorldCom. Currently, Stoia is lead counsel in numerous cases against online discount voucher companies for violations of both federal and state laws including violation of state gift card statutes.

Education

B.S., University of Tulsa, 1983; J.D., University of Tulsa, 1986; LL.M., Georgetown University Law Center, 1987

Honors / Awards

Rated AV Preeminent by Martindale-Hubbell; Top Lawyer in San Diego, *San Diego Magazine*, 2013-2020; Super Lawyer, *Super Lawyers Magazine*, 2007-2017; Litigator of the Month, *The National Law Journal*, July 2000; LL.M. Top of Class, Georgetown University Law Center

Christopher J. Supple | Of Counsel

Chris Supple is Senior Counsel to Robbins Geller, having joined the Firm after spending the past decade (2011-2021) as Deputy Executive Director and General Counsel at MassPRIM (the Massachusetts Pension Reserves Investment Management Board). While at MassPRIM, Supple also served for the last half-decade as Chair and Co-Chair of the Securities Litigation Committee of NAPPA (the National Association of Public Pension Attorneys). Supple is very familiar with, and experienced in, the role that institutional investors play in private securities litigation, having successfully directed MassPRIM's securities litigation activity in dozens of actions that recovered more than a billion dollars for investors, including *Schering-Plough* (\$473 million), *Massey Energy* (\$265 million), and *Fannie Mae* (\$170 million).

Supple's 30-plus years of experience in law and investments also includes over five years as a federal prosecutor, six years in senior leadership positions for two Massachusetts Governors, and over ten years in private law practice where his clients included MassPRIM and also its sibling Health Care Security/State Retiree Benefits Trust Fund. Supple began his career (after a federal court clerkship) as a litigating attorney assigned to securities cases at the Boston law firm of Hale and Dorr (now called WilmerHale). Supple has litigated in state and federal courts throughout the nation, and has successfully tried over 25 cases to jury verdict, tried dozens of cases to judges sitting without juries, argued hundreds of evidentiary and non-evidentiary motions, and settled dozens of cases by negotiated agreement. Supple holds the Investment Foundations™ Certificate awarded by the CFA (Chartered Financial Analyst) Institute, and for nearly a decade was an adjunct law professor teaching a course in Federal Criminal Prosecution.

Education

B.A., The College of the Holy Cross, 1985; J.D., Duke University School of Law, 1988

Honors / Awards

J.D., with Honors, Duke University School of Law, 1988

David C. Walton | Of Counsel

David Walton was a founding partner of the Firm. For over 25 years, he has prosecuted class actions and private actions on behalf of defrauded investors, particularly in the area of accounting fraud. He has investigated and participated in the litigation of highly complex accounting scandals within some of America's largest corporations, including Enron (\$7.2 billion), HealthSouth (\$671 million), WorldCom (\$657 million), AOL Time Warner (\$629 million), Countrywide (\$500 million), and Dynegy (\$474 million), as well as numerous companies implicated in stock option backdating.

Walton is a member of the Bar of California, a Certified Public Accountant (California 1992), a Certified Fraud Examiner, and is fluent in Spanish. In 2003-2004, he served as a member of the California Board of Accountancy, which is responsible for regulating the accounting profession in California.

Education

B.A., University of Utah, 1988; J.D., University of Southern California Law Center, 1993

Honors / Awards

Recommended Lawyer, *The Legal 500*, 2019; Super Lawyer, *Super Lawyers Magazine*, 2015-2016; California Board of Accountancy, Member, 2003-2004; *Southern California Law Review*, Member, University of Southern California Law Center; Hale Moot Court Honors Program, University of Southern California Law Center

Bruce Gamble | Special Counsel

Bruce Gamble is Special Counsel to the Firm in the Firm's Washington D.C. office and is a member of the Firm's institutional investor client services group. He serves as liaison with the Firm's institutional investor clients in the United States and abroad, advising them on securities litigation matters. Gamble formerly served as Of Counsel to the Firm, providing a broad array of highly specialized legal and consulting services to public retirement plans. Before working with Robbins Geller, Gamble was General Counsel and Chief Compliance Officer for the District of Columbia Retirement Board, where he served as chief legal advisor to the Board of Trustees and staff. Gamble's experience also includes serving as Chief Executive Officer of two national trade associations and several senior level staff positions on Capitol Hill.

Education

B.S., University of Louisville, 1979; J.D., Georgetown University Law Center, 1989

Honors / Awards

Executive Board Member, National Association of Public Pension Attorneys, 2000-2006; American Banker selection as one of the most promising U.S. bank executives under 40 years of age, 1992

Tricia L. McCormick | Special Counsel

Tricia McCormick is Special Counsel to the Firm and focuses primarily on the prosecution of securities class actions. McCormick has litigated numerous cases against public companies in the state and federal courts which resulted in hundreds of millions of dollars in recoveries to investors. She is also a member of a team that is in constant contact with clients who wish to become actively involved in the litigation of securities fraud. In addition, McCormick is active in all phases of the Firm's lead plaintiff motion practice.

Education

B.A., University of Michigan, 1995; J.D., University of San Diego School of Law, 1998

Honors / Awards

J.D., *Cum Laude*, University of San Diego School of Law, 1998

R. Steven Aronica | Forensic Accountant

Steven Aronica is a Certified Public Accountant licensed in the States of New York and Georgia and is a member of the American Institute of Certified Public Accountants, the Institute of Internal Auditors, and the Association of Certified Fraud Examiners. Aronica has been instrumental in the prosecution of numerous financial and accounting fraud civil litigation claims against companies that include Lucent Technologies, Tyco, Oxford Health Plans, Computer Associates, Aetna, WorldCom, Vivendi, AOL Time Warner, Ikon, Doral Financial, First BanCorp, Acclaim Entertainment, Pall Corporation, iStar Financial, Hibernia Foods, NBTY, Tommy Hilfiger, Lockheed Martin, the Blackstone Group, and Motorola. In addition, he assisted in the prosecution of numerous civil claims against the major United States public accounting firms.

Aronica has been employed in the practice of financial accounting for more than 30 years, including public accounting, where he was responsible for providing clients with a wide range of accounting and auditing services; the investment bank Drexel Burnham Lambert, Inc., where he held positions with accounting and financial reporting responsibilities; and at the SEC, where he held various positions in the divisions of Corporation Finance and Enforcement and participated in the prosecution of both criminal and civil fraud claims.

Education

B.B.A., University of Georgia, 1979

Andrew J. Rudolph | Forensic Accountant

Andrew Rudolph is the Director of the Firm's Forensic Accounting Department, which provides in-house forensic accounting expertise in connection with securities fraud litigation against national and foreign companies. He has directed hundreds of financial statement fraud investigations, which were instrumental in recovering billions of dollars for defrauded investors. Prominent cases include *Qwest*, *HealthSouth*, *WorldCom*, *Boeing*, *Honeywell*, *Vivendi*, *Aurora Foods*, *Informix*, *Platinum Software*, *AOL Time Warner*, and *UnitedHealth*.

Rudolph is a Certified Fraud Examiner and a Certified Public Accountant licensed to practice in California. He is an active member of the American Institute of Certified Public Accountants, California's Society of Certified Public Accountants, and the Association of Certified Fraud Examiners. His 20 years of public accounting, consulting, and forensic accounting experience includes financial fraud investigation, auditor malpractice, auditing of public and private companies, business litigation consulting, due diligence investigations, and taxation.

Education

B.A., Central Connecticut State University, 1985

Christopher Yurcek | Forensic Accountant

Christopher Yurcek is the Assistant Director of the Firm's Forensic Accounting Department, which provides in-house forensic accounting and litigation expertise in connection with major securities fraud litigation. He has directed the Firm's forensic accounting efforts on numerous high-profile cases, including *In re Enron Corp. Sec. Litig.* and *Jaffe v. Household Int'l, Inc.*, which obtained a record-breaking \$1.575 billion settlement after 14 years of litigation, including a six-week jury trial in 2009 that resulted in a verdict for plaintiffs. Other prominent cases include *HealthSouth*, *UnitedHealth*, *Vesta*, *Informix*, *Mattel*, *Coca-Cola*, and *Media Vision*.

Yurcek has over 20 years of accounting, auditing, and consulting experience in areas including financial statement audit, forensic accounting and fraud investigation, auditor malpractice, turn-around consulting, business litigation, and business valuation. He is a Certified Public Accountant licensed in California, holds a Certified in Financial Forensics (CFF) Credential from the American Institute of Certified Public Accountants, and is a member of the California Society of CPAs and the Association of Certified Fraud Examiners.

Education

B.A., University of California, Santa Barbara, 1985

EXHIBIT G

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF LESTER R.
	)	HOOVER FILED ON BEHALF OF
vs.	)	SAXENA WHITE P.A. IN SUPPORT OF
	)	APPLICATION FOR AWARD OF
PATTERSON COMPANIES, INC., et al.,	)	ATTORNEYS' FEES AND EXPENSES
)	
Defendants.)	
)	

I, Lester R. Hooker, declare as follows:

1. I am a Director of the law firm of Saxena White P.A. (“Saxena White” or the “Firm”). I am submitting this declaration in support of the application for an award of attorneys’ fees and expenses incurred in connection with services rendered in the above-entitled action (the “Action” or “Litigation”).¹

2. My firm, as Co-Lead Counsel and Class Counsel of record for the Court-appointed Lead Plaintiffs and Class Representatives Plymouth County Retirement System, Pembroke Pines Fund for Firefighters and Police Officers, Central Laborers Pension Plan, and Gwinnett County Public Employees Retirement System, was involved in all aspects of the prosecution and resolution of the Action, as set forth in the Joint Declaration of Class Counsel in Support of Class Representatives’ (I) Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds; and (II) Motion for an Award of Attorneys’ Fees and Expenses and Awards to Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4).

3. The information in this declaration regarding Saxena White’s time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I am the Director who oversaw and/or conducted the day-to-day activities in the Litigation and I, together with attorneys working under my direction, reviewed my Firm’s time records in connection with the preparation of this declaration. The purpose of this review was to confirm both the

¹ All capitalized terms not otherwise defined herein have the same meaning as those set forth in the Stipulation of Settlement, dated October 11, 2021, and filed October 14, 2021 (the “Stipulation” or “Settlement Agreement”). ECF No. 241.

accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the Litigation. Only time that inured to the benefit of Lead Plaintiffs and the Class, and that advanced the claims resolved by the Settlement, is reflected in the Firm's lodestar calculation. Accordingly, some reductions were made to time in the exercise of billing judgment. Based on this review and the adjustments made, I believe that the time reflected in the Firm's lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the Litigation. Time expended in preparing the application for fees and expenses has not been included in this report, and time for timekeepers who had worked fewer than ten hours on the matter was also removed from the time report.

4. After the reductions referred to above, the number of hours spent on the Litigation by my Firm is 22,714. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney/paraprofessional) time based on the Firm's current rates is \$11,214,057.50.

5. The hourly rates shown in Exhibit A are consistent with hourly rates submitted by the Firm in other securities class action litigation. My Firm's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side and that have been approved by courts in other securities class actions and complex actions within this Circuit and nationwide. Different timekeepers within the same employment category (*e.g.*, shareholders, directors, associates, paralegals, etc.) may have different rates based on a variety of factors, including years of practice, years at the firm, year in the current position (*e.g.*, years as a director), relevant experience, relative expertise,

and the rates of similarly experienced peers at our firm or other firms. For personnel who are no longer employed by the Firm, the “current rate” used for the lodestar calculation is based upon the rate for that person in his or her final year of employment with the Firm.

6. My Firm’s lodestar figures do not include expense items. Expense items are recorded separately, and these amounts are not duplicated in Saxena White’s hourly rates.

7. My Firm has incurred a total of \$788,133.36 in unreimbursed litigation expenses in connection with the prosecution of this Action from its inception through April 15, 2022. Those expenses and charges are summarized by category in Exhibit B.

8. The following is additional information regarding certain of these expenses:

(a) Litigation Fund Contributions: \$470,000.00. The Firm made contributions to a litigation expense fund maintained by Robbins Geller Rudman & Dowd LLP to pay for certain litigation expenses. A complete breakdown of the contributions to, and payments from, the litigation expense fund is attached as Exhibit F to the Declaration of Lucas F. Olts Filed on Behalf of Robbins Geller Rudman & Dowd LLP, filed herewith.

(b) Experts/Consultants/Investigators: \$142,467.50.

(i) \$30,000.00. Saxena White employed an outside investigator, Quest Research & Investigations LLC, to assist the Firm in timely identifying and interviewing numerous potential witnesses, including former employees of Patterson, in connection with the preparation of the complaints.

(ii) \$112,467.50. Saxena White retained Global Economics Group—a company with expertise in both securities class action damages and in settlement plans of allocation—to provide expert advice on market efficiency, damages, and loss causation

issues. Lead Counsel consulted with experts from Global Economics Group throughout the litigation of the Action.

(c) Transcript and Deposition Expenses: \$66,941.70. Saxena White paid third-party vendors, including Veritext Legal Solutions and HD Legal Video, for services pertaining to the taking of depositions, including fees for transcription and video recording.

(d) Transportation, Hotels & Meals: \$39,402.75. In connection with the prosecution of the Action, the Firm has incurred costs for travel expenses to, among other things, attend court hearings, meet with witnesses, mediators and opposing counsel and take or defend depositions.

(e) Discovery Costs: \$33,356.77. Saxena White paid a third-party vendor, KL Discovery, for services that included maintaining a document database and preparing documents for production.

(f) Online Legal and Financial Research: \$30,917.45. The charges reflected are for out-of-pocket payments to legal, financial, and factual research services such as Westlaw, Lexis/Nexis, PACER, Thomson Reuters Eikon, and CFRA, for research done in connection with this Litigation. These resources were used to obtain access to court filings, to conduct legal research and cite-checking of briefs, and to obtain factual and financial information regarding the claims asserted through access to various financial and news databases and other factual databases. These expenses represent the actual expenses incurred by Saxena White for use of these services in connection with this Litigation. There are no administrative charges included in these figures. Online research is billed to each case based on actual usage at a charge set by the vendor. When Saxena White utilizes online

services provided by a vendor with a flat-rate contract, access to the service is by a billing code entered for the specific case being litigated. At the end of each billing period, Saxena White's costs for such services are allocated to specific cases based on the percentage of use in connection with that specific case in the billing period.

9. The expenses pertaining to this Action are reflected in the books and records of Saxena White, which are regularly prepared and maintained in the ordinary course of business. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

10. The identification and background of my Firm is attached hereto as Exhibit C.

I declare under penalty of perjury that the foregoing is true and correct. Executed this fifth day of May, 2022, at Boca Raton, FL.

/s/ Lester R. Hooker

LESTER R. HOOKER

EXHIBIT A

EXHIBIT A*Plymouth County Ret. Sys. v. Patterson Cos., Inc., et al.*, No. 18-cv-00871-MJD-HB

Saxena White P.A.

Inception through April 15, 2022

NAME	ROLE	HOURS	RATE	LODESTAR
Joseph E. White, III	(SH)	73.50	\$985.00	\$72,397.50
Kyla Grant	(D)	412.50	\$740.00	\$305,250.00
Lester R. Hooker	(D)	1,337.75	\$880.00	\$1,177,220.00
Steven B. Singer	(D)	311.50	\$985.00	\$306,827.50
Dianne M. Pitre	(A)	712.75	\$600.00	\$427,650.00
Donald Grunewald	(A)	273.25	\$575.00	\$157,118.75
Jill Miller	(A)	538.75	\$575.00	\$309,781.25
Jonathan Lamet	(A)	830.50	\$660.00	\$548,130.00
Joshua Saltzman	(A)	1,154.50	\$630.00	\$727,335.00
Kenneth Rehns	(A)	233.50	\$600.00	\$140,100.00
Scott Guarcello	(A)	910.00	\$680.00	\$618,800.00
Athma Birju	(SA)	692.75	\$365.00	\$252,853.75
Billie Tarnove	(SA)	283.00	\$365.00	\$103,295.00
Christine Sciarino	(SA)	552.00	\$460.00	\$253,920.00
Christopher Donnelly	(SA)	171.00	\$400.00	\$68,400.00
Craig Berry	(SA)	76.50	\$365.00	\$27,922.50
Craig Walenta	(SA)	303.25	\$365.00	\$110,686.25
David Stauber	(SA)	31.75	\$365.00	\$11,588.75
Denise Bryan	(SA)	183.00	\$460.00	\$84,180.00
Elisabeth Porter	(SA)	355.00	\$365.00	\$129,575.00
Harriet Atsegbua	(SA)	471.25	\$400.00	\$188,500.00
Karen Thompson	(SA)	2,288.25	\$400.00	\$915,300.00
Kwabena Mensah	(SA)	744.25	\$365.00	\$271,651.25
Leslie Martey	(SA)	2,313.00	\$400.00	\$925,200.00
Lorianne Williams	(SA)	23.00	\$365.00	\$8,395.00
Marjorie Peralta	(SA)	302.25	\$365.00	\$110,321.25
Mauri Lynn Levy	(SA)	367.00	\$400.00	\$146,800.00
Michele Fassberg	(SA)	1,488.25	\$400.00	\$595,300.00
Nina Hakoun	(SA)	191.00	\$400.00	\$76,400.00
Rebecca Nilsen	(SA)	2,531.75	\$460.00	\$1,164,605.00
Ryan Joseph	(SA)	909.50	\$400.00	\$363,800.00
Tara Heydt	(SA)	198.50	\$410.00	\$81,385.00
Timothy Odronic	(SA)	421.75	\$365.00	\$153,938.75

<i>NAME</i>	<i>ROLE</i>	<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Valerie Kanner Bonk	(SA)	227.00	\$400.00	\$90,800.00
Victoria Cook	(SA)	283.00	\$365.00	\$103,295.00
Zerin Taher	(SA)	273.00	\$400.00	\$109,200.00
Sherry Woodbine	(SA)	24.00	\$365.00	\$8,760.00
Client Relations				
Marc Grobler	(CR)	95.00	\$325.00	\$30,875.00
Stefanie Leverette	(CR)	56.25	\$300.00	\$16,875.00
Paralegals and Administrative Staff				
Brandon Smith	(PL)	46.25	\$300.00	\$13,875.00
Charlene Wallace	(PL)	23.00	\$250.00	\$5,750.00
TOTAL		22,714		\$11,214,057.50

(SH) Shareholder

(D) Director

(A) Attorney

(SA) Staff Attorney

(CR) Client Relations

(PL) Paralegal

EXHIBIT B

EXHIBIT B

Plymouth County Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
Saxena White P.A.

Inception through April 15, 2022

<i>CATEGORY</i>		<i>AMOUNT</i>
Filing, Witness and Other Fees		\$25.00
Class Action Notices/Press Releases/Marketing		\$333.00
Transportation, Hotels & Meals		\$39,402.75
Telephone and Conference Call		\$478.52
Postage and Delivery		\$542.41
Transcript and Deposition Expense		\$66,941.70
Experts/Consultants/Investigators		\$142,467.50
Name: Quest Research & Investigations LLC (QRI)	\$30,000.00	
Name: Global Economics Group LLC	\$112,467.50	
Printing and Photocopies		\$3,668.26
Online Legal and Financial Research		\$30,917.45
Discovery Costs		\$33,356.77
Litigation Fund Contribution		\$470,000.00
<i>TOTAL</i>		<i>\$788,133.36</i>

EXHIBIT C



SAXENA WHITE

“A highly experienced
group of lawyers
with national reputations in large securities class actions...”

- Hon. Alan Gold, U.S. District Court, Southern District of Florida

FIRM RESUME

FLORIDA | NEW YORK | CALIFORNIA | DELAWARE
www.saxenawhite.com



SAXENA WHITE

Saxena White P.A. was founded in 2006 by Maya Saxena and Joseph White. After spending many years at one of the country's largest class action law firms, we wanted to do business a different way. Our goal in forming the Firm was to become big enough to handle prominent and complex litigation while remaining small enough to offer each client responsive, ethical, and personalized service.

Today our Firm's capabilities exceed those of our largest competitors. We obtain victories against major corporations represented by the nation's top defense firms. We represent some of the largest pension funds in major securities fraud cases and have recovered billions of dollars on behalf of injured investors. We have succeeded in improving how corporations do business by requiring the implementation of significant corporate governance reforms. We have formed long-lasting relationships with our clients who know we are only a phone call away. However, the most important attribute of the Firm, and the key to its continued success, is the people. Saxena White was built upon the quality, integrity, and camaraderie, of its people — attributes that continue to be its greatest legacy.

What Makes us Different?

- *We are proud to be a nationally certified woman- and minority-owned securities litigation firm specializing in representing institutional investors.*
- *We take a selective approach to litigation, recommending only a few fraud cases per year and litigating them aggressively.*
- *The securities fraud cases in which we have served as lead counsel are rarely dismissed due to our careful selection criteria.*
- *We offer tailored portfolio monitoring services to our clients that reflect their individual philosophies toward litigation.*
- *We emphasize community outreach and welcome opportunities to support our clients in their communities.*

NOTABLE RECOVERIES

■ *In re Wells Fargo & Company Shareholder Derivative Litigation*

Saxena White served as Co-Lead Counsel in this landmark case alleging that the Board and executive management of Wells Fargo knew or consciously disregarded that Wells Fargo employees were illicitly creating millions of deposit and credit card accounts for their customers, without those customers' consent, in an attempt to drive up "cross selling," i.e., selling complementary Wells Fargo banking products to prospective or existing customers.

Over significant competition from the top law firms in our industry, the court selected Saxena White as one of the two firms most qualified in the nation to lead this high-profile case, noting the superior quality of the work performed. Through this shareholder derivative action, Saxena White held Defendants accountable for a scandal that has significantly damaged one of America's largest financial institutions.

On April 7, 2020, the court approved a \$320 million settlement on behalf of nominal Defendant Wells Fargo & Company with the Company's officers, directors, and senior management. The Settlement includes a \$240 million cash payment from Defendants' insurers—representing the largest insurance-funded monetary component of any shareholder derivative settlement by over \$100 million.

Saxena White zealously advocated for the interests of the Company and obtained excellent results. After a thorough investigation of the relevant claims; the filing of a detailed complaint; successfully defeating two motions to dismiss; active intervention in, stays of, and dismissals of multiple state court actions; consolidation and coordination with related federal actions; extensive review of over 3.5 million pages of documents from Defendants, Wells Fargo, and numerous third parties; consultation with experts, the \$320 million settlement was reached in this derivative action.

In approving this historic settlement, the court remarked that "this represents an excellent result for the shareholders" of Wells Fargo. The court noted "the risk" that Saxena White "took in litigation on a contingency basis – a risk they have borne for more than three years."

■ *Peace Officers' Annuity and Benefit Fund of Georgia, et al. v. DaVita Inc., et al.*

After four years of hard-fought litigation, Saxena White secured an outstanding recovery of \$135 million on behalf of the settlement class. The settlement with DaVita and its senior executives resulted in the second largest all-cash securities class action recovery ever obtained in the District of Colorado, ranking among the Tenth Circuit's top five securities fraud class action recoveries in history. Moreover, the settlement amount is not only comprised of the proceeds from Defendants' insurance tower, but also includes a substantial monetary contribution from DaVita—a rare occurrence in securities class actions that underscores the exceptional nature of the recovery and the tenacity of Saxena White in achieving it.

Before agreeing to settle the case against DaVita, Saxena White undertook extensive efforts to advance the class' claims and to ensure that Plaintiffs were in a position to maximize their recovery. Saxena White's extensive litigation efforts included, an exhaustive investigation that uncovered critical internal documents and confidential witnesses, and culminated in the filing of a highly detailed, 111-page amended complaint; successfully opposing a motion to dismiss that challenged every major element of Plaintiffs' claims; and intensive fact, expert and class-certification discovery. Lead Counsel also engaged in extensive settlement negotiations, including six mediation sessions before one of the most respected mediators in the country.



Significantly, Saxena White not only initiated this action by filing the initial complaint, but the firm also filed the only leadership application at the lead plaintiff stage—a rare occurrence in these types of cases, where the PSLRA specifically requires that notice of the lead plaintiff deadline be disseminated to shareholders, and multiple applications are routinely filed. Thus, absent the efforts of Saxena White, it is almost certain that settlement class members would have recovered nothing for their claims.

■ *In re Wilmington Trust Securities Litigation*

Saxena White served as Co-Lead Counsel in a class action against Wilmington Trust, its senior executives, board of directors, outside auditor, and the underwriters of one of its secondary offerings. Co-Lead Plaintiffs conducted a comprehensive and wide-ranging investigation, culminating in an amended complaint that detailed how Defendants violated the Securities Exchange Act of 1934 by concealing the drastic deterioration of Wilmington Trust's loan portfolio and improperly accounting for the value of its loans under Generally Accepted Accounting Principles. In particular, Defendants understated Wilmington Trust's provision for loan losses as its loan portfolio declined in quality, improperly delayed recognition of losses on the portfolio, and inflated its financial results by misstating the fair value of its loan portfolio. Defendants' misconduct artificially inflated the price of Wilmington Trust securities during the Class Period. Lead Plaintiffs further alleged that Defendants violated the Securities Act of 1933 by issuing untrue statements in connection with the Company's February 23, 2010 public equity offering, by understating Wilmington Trust's provision for loan losses.

After prevailing over thousands of pages of briefing on Defendants' multiple motions to dismiss, Lead Plaintiffs sought to be appointed as class representatives and certify a class of damaged investors. Following extensive briefing and discovery, the court certified a class on September 3, 2015. In certifying the class, Saxena White also secured important new precedent for aggrieved shareholders nationwide who have fallen victim to securities fraud. The court's opinion rejected Defendants' argument that the Supreme Court's opinion in *Comcast Corp. v. Behrend*, 569 U.S. 27 (2013) requires plaintiffs to submit a damages methodology and model at the class certification stage. Having defeated an argument that securities fraud defendants are increasingly relying upon to avoid responsibility for their illegal actions, Saxena White's efforts have again provided investors with a powerful weapon with which to combat corporate wrongdoing at the class certification stage. Indeed, in addition to certifying the class, the court applauded Saxena White's "excellent lawyers" and noted that Ms. Saxena's "argument was very well argued."

Having certified a class, Saxena White and Lead Plaintiffs embarked on a monumental discovery effort to marshal the highly complex and technical evidence required to establish Defendants' fraud. As part of this massive undertaking, we closely reviewed and analyzed nearly 13 million pages of documents. Our efforts required us to not only take on a veritable who's who of highly skilled defense counsel, but also multiple branches of the U.S. Government. After two years of hard-fought motion practice, we successfully compelled the Federal Reserve and the Office of the Comptroller of the Currency to waive the bank examination privilege for over 35,000 documents that those regulators had withheld. Compelling the production of such documents is a rare feat and was the culmination of a multi-year effort to relentlessly fight for the information and facts that were relevant to the prosecution of the case. We also prevailed over the U.S. Attorney's Office, successfully moving to lift the discovery stay imposed at its request. As a result, we were able to depose key fact witnesses. In all, we deposed 39 witnesses in seven states, which generated nearly 11,000 pages of testimony and almost 900 exhibits.

After nearly eight years of hard-fought litigation, we negotiated an outstanding \$210 million recovery on behalf of the Class. This remarkable settlement represents a recovery of nearly 40% of the Class's maximum

likely recoverable damages, which is eight times greater than the 5% median recovery in the Third Circuit. The recovery also ranks among the top ten securities fraud settlements in the Third Circuit, and is in the top 5% of all securities fraud settlements since the PSLRA was enacted in 1995. On November 19, 2018, the court approved the settlement in its entirety. Notably, the court twice observed that Saxena White achieved the recovery independently of the Government's criminal investigation. The court was also complimentary of the "legal prowess" exhibited by Saxena White's "highly experienced attorneys."

■ *In re HD Supply Securities Litigation*

Saxena White served as Lead Counsel in a class action against HD Supply Holdings, Inc., a commercial distributor of home improvement supplies. In 2016, the Company disclosed it had experienced significant failures that imperiled its supply chain and financially harmed the business. The complaint alleged that the Company and its senior executives misled investors about the extent to which its supply chain had recovered. At the start of the class period, Defendants assured investors that the recovery was "on track" and the Company was "perfectly poised" to deliver strong results in 2017. HD Supply's stock price skyrocketed in response. What Defendants then knew but failed to disclose, however, was that the supply chain was not in "as good condition as it's ever been," but in reality suffered from systemic problems and required a multi-million-dollar overhaul. The complaint further alleged that, while in possession of that material non-public information, HD Supply's then-CEO whom had not sold a single share over the last year, liquidated an astonishing 80% of his holdings in HD Supply, for proceeds of \$54 million, shortly after making those representations. When the truth about the catastrophic state of the Company's supply chain and the need for heavy spending to remedy its deficiencies was subsequently revealed to the market, the Company's stock price declined significantly, causing investors substantial losses.

Saxena White engaged in extensive litigation efforts against HD Supply, including defeating Defendants' motion to dismiss, engaging in extensive fact discovery and deposition preparations, and moving for class certification. Moreover, as a result of the filing of the complaint, the SEC subsequently commenced an investigation into HD Supply's then-CEO's alleged insider trading. Ultimately, the parties participated in settlement negotiations through which Plaintiffs obtained a \$50 million cash settlement on behalf of the Class - one of the largest securities class action settlements ever achieved in the U.S. District Court for the Northern District of Georgia.

■ *Milbeck v. TrueCar, et al.*

Saxena White served as Lead Counsel in a class action against TrueCar, Inc. that alleged that the Company and its senior executives misled investors about TrueCar's relationship with its most significant business partner, United States Automobile Association (USAA). TrueCar's SEC filings disclosed that USAA's marketing of TrueCar's services on USAA's website alone generated approximately one third of TrueCar's annual revenue and warned that if USAA made even a minor change to its marketing of TrueCar on USAA's website, TrueCar's business could be harmed. The complaint alleged that, prior to the start of the Class Period, USAA informed TrueCar that it intended to substantially modify its website, including by reducing the prominence of its marketing of TrueCar's services. Thus, Defendants knew that the risk TrueCar had warned investors about had, in fact, materialized, but failed to disclose this material information. The complaint also alleged that TrueCar's CFO and other insiders engaged in insider trading while in possession of material non-public information regarding the impending USAA website changes. When the truth that TrueCar's earnings were severely negatively impacted as a result of USAA's website redesign was finally revealed, the Company's stock price declined significantly, causing investors substantial losses.



Saxena White engaged in extensive litigation efforts on an exceptionally expedited case schedule, including defeating Defendants' motion to dismiss, reviewing over 200,000 documents produced by Defendants and obtaining class certification. Thereafter, the parties participated in negotiations through which Plaintiff ultimately obtained a \$28.25 million cash settlement on behalf of the Class.

■ ***John Cumming v. Wesley R. Edens, et al. (New Senior Investment Group)***

Described as a “landmark” settlement by *Law360*, in 2019 the Delaware Court of Chancery approved a \$53 million settlement in a shareholder derivative action against real estate investment trust New Senior Investment Group. The suit targeted New Senior's \$640 million acquisition of a portfolio of senior living properties owned by an affiliate of its investment manager, which, according to Plaintiff's experts, damaged New Senior by over \$100 million. The settlement is the largest derivative action settlement as a percentage of market capitalization to date in Delaware and is one of the top ten derivative action settlements in the history of the Court of Chancery.

The Plaintiff's extensive discovery efforts in the case included the review of more than 800,000 pages of documents, 16 depositions, and the filing of six motions to compel. Following fact discovery, the parties exchanged ten expert reports related to the damages from the real estate portfolio purchase and from a related secondary stock offering. After a mediation and extensive follow-up negotiations, the parties agreed to settle the litigation in exchange for the payment of \$53 million in cash to New Senior. The settlement also included valuable corporate governance reforms, including the board's agreement to approve and submit to New Senior's stockholders for adoption at the annual meeting amendments to New Senior's bylaws and certificate of incorporation which would (a) provide that directors be elected by a majority of the votes cast in any uncontested election of directors, and (b) eliminate New Senior's staggered board, so that all directors are elected on an annual basis.

In his remarks at the final settlement hearing, Vice-Chancellor Joseph R. Sights called the settlement “impressive” and further described counsel's efforts as “hard fought, but fought in the right way to reach a productive result.”

■ ***In re Rayonier Inc. Securities Litigation***

Saxena White served as Co-Lead Counsel in a class action against Rayonier that accused the Company and its senior executives of misleading investors about its timber inventory and harvesting rates in the Pacific Northwest. When the Company's new management ultimately disclosed that Rayonier had overharvested its premium Pacific Northwest timberlands by over 40% each year for over a decade and overstated its merchantable timber by 20% in this critical region, the Company's stock price declined significantly, causing investors substantial losses.

After litigating this case for nearly three years and defeating Defendants' motion to dismiss, Plaintiffs ultimately negotiated a \$73 million cash settlement on behalf of the Class, the second largest recovery from a securities class action achieved in the Middle District of Florida. The \$73 million settlement is nearly nine times the national median settlement and nearly ten times greater than the median recovery in the Eleventh Circuit. As noted by Judge Timothy J. Corrigan, this was an “exceptional result[] achieved for the benefit of the Settlement Class.”

■ ***Westchester Putnam Counties Heavy & Highway Laborers Local 60 Benefit Funds v. Brixmor Property Group, Inc. et al.***

Saxena White filed a case in the United States District Court for the Southern District of New York against Brixmor and certain of its senior executives for securities fraud. Following the appointment of Lead Plaintiffs and Saxena White as Lead Counsel, Lead Plaintiffs filed a comprehensive amended complaint alleging that throughout the Class Period, Defendants purposefully falsified Brixmor's income items for over two years in order to portray consistent quarterly same property NOI growth; the Company lacked adequate internal and financial controls; and as a result, Defendants' Class Period statements about Brixmor's business, operations, and prospects were false and misleading.

After extensive litigation efforts and negotiation, Lead Plaintiffs obtained a \$28 million settlement. The settlement is an exceptional recovery for the Class, representing a significant percentage of the Class's maximum estimated aggregate damages that was multiples ahead of the typical recovery in securities class actions. After a fairness hearing to evaluate the merits of the settlement, the Honorable Analisa Torres issued an order granting the final approval of the settlement as fair, adequate, and reasonable.

■ ***In re Jefferies Group, Inc. Shareholders Litigation***

Saxena White served as Co-Lead Counsel in a class action involving breach of fiduciary duty claims against the board of directors of Jefferies Group, Inc., in connection with that company's merger with Leucadia National Corporation. In 2012, Jefferies entered into a merger agreement with Leucadia, a holding company which owned 28% of Jefferies and whose founders served on Jefferies' board. Leucadia's founders had a longstanding personal and professional relationship with Jefferies CEO, Richard Handler, which included lucrative joint ventures, personal investment advice and support, numerous financing transactions, and off-market stock purchases. As Leucadia's founders neared retirement, Handler recognized an opportunity to merge his company with Leucadia and serve as CEO of the much larger, combined company. Negotiating in secret for months before informing the independent board members, Handler and Leucadia's founders structured a deal that greatly benefitted Leucadia, to the detriment of Jefferies shareholders.

After aggressively litigating this case for almost two years and defeating Defendants' motion to dismiss and motion for summary judgment, Plaintiffs ultimately negotiated a settlement which required Leucadia to pay \$70 million to class members, an outstanding result for former Jefferies shareholders.

■ ***City Pension Fund for Firefighters and Police Officers in the City of Miami Beach v. Aracruz Celulose S.A., et al.***

One of our Firm's areas of expertise is litigating cases against foreign corporations. We obtained a significant victory against a Brazilian corporation, Aracruz Celulose. Accomplishing what no other law firm has ever done, Saxena White successfully served process on all three individual executives under the Inter-American Convention on Letters Rogatory. Our efforts included working closely with a Brazilian law firm to defeat Defendants' challenges to service in both the Brazilian trial and appellate courts.

After defeating three motions to dismiss filed by the foreign Defendants, Saxena White began the massive and highly technical discovery process. Because the vast majority of the documents were in Portuguese, we hired native Brazilian attorneys to analyze and translate the tens of thousands of documents that were produced. These documents were also incredibly complex, dealing with five dozen separate financial derivative instruments. Simply valuing one instrument required approximately 50,000 calculations. We consulted



closely with highly-respected industry and academic experts to gain an unprecedented understanding of the workings of these instruments and how they were valued.

In the end, our hard work paid off. Saxena White successfully negotiated a \$37.5 million settlement against Aracruz and its executives. This represents up to 50% of maximum provable damages – an outstanding result compared to the average national recovery in cases of this magnitude.

■ ***In re Bank of America Securities, Derivative and ERISA Litigation***

This derivative case arose out of Bank of America's acquisition of Merrill Lynch during the height of the financial crisis in late 2008. After successfully defending the complaint's core allegations against multiple motions to dismiss, Saxena White embarked on an extensive discovery process that included 31 depositions of senior BofA and Merrill executives and their attorneys, the review and analysis of 3 million pages of documents from BofA, Merrill, and multiple third parties, and close consultation with nationally recognized financial and economic experts.

On January 11, 2013, the court approved the settlement, which includes a \$62.5 million cash component and fundamental corporate governance reforms. The cash component alone ranks this settlement among the top ten derivative settlements approved by federal courts. The extensive corporate governance reforms include the creation of a Board-level committee tasked with special oversight of mergers and acquisitions, which is aimed at preventing the alleged deficiencies surrounding the Merrill Lynch acquisition. The corporate governance reforms also include other components, including revisions to committee charters and director education requirements, which caused one noted scholar to observe that BofA is now at the forefront of corporate governance practices.

■ ***In re Lehman Brothers Equity/Debt Securities Litigation***

After conducting an extensive investigation into Lehman and its executives, Saxena White was the first firm to file a complaint alleging violations of the federal securities laws. Subsequent events, including the largest bankruptcy filing in U.S. history, interjected unique challenges to prosecuting this case – not the least of which was that because Lehman itself was in bankruptcy, damaged shareholders could not recover damages from it.

Despite these formidable obstacles, we continued to prosecute the case. Our efforts paid off. In the spring of 2012, the court approved a \$90 million partial settlement with Lehman's senior executives and directors, and a \$426 million settlement with several dozen underwriters of its securities. After nearly two more years of hard-fought litigation, we reached a \$99 million settlement with E&Y, Lehman's outside auditor, which was approved in the spring of 2014. The \$99 million settlement ranks among the largest ever obtained from an outside auditor and is an outstanding recovery for damaged shareholders.

■ ***FindWhat Investor Group v. FindWhat.com***

Saxena White also has significant appellate experience. In this Eleventh Circuit appeal, we won a precedent-setting opinion with the court holding that corporations and their executives who make fraudulent statements that prevent artificial inflation in a company's stock price from dissipating are just as liable under the securities laws as those whose fraudulent statements introduce artificial inflation into the stock price in the first place. The Eleventh Circuit rejected Defendants' position that the mere repetition of lies already transmitted to the market cannot damage investors. "We decline to erect a per se rule," wrote the court,



that “once a market is already misinformed about a particular truth, corporations are free to knowingly and intentionally reinforce material misconceptions by repeating falsehoods with impunity.”

The Eleventh Circuit’s opinion is a significant win for aggrieved investors. It is the first such ruling from any of the Courts of Appeals in the nation, and will help defrauded investors seeking to recover damages due to fraud.

■ ***Central Laborers’ Pension Fund v. Sirva***

Saxena White served as Lead Counsel in this case, which was litigated in the Northern District of Illinois. After two and a half years of hard-fought litigation, an extensive investigation which involved conducting nearly 120 witness interviews, and the review of approximately 2.7 million documents produced by Defendants, a two day mediation was conducted at which we were able to reach a global \$53.3 million settlement on behalf of the proposed shareholder class. In addition, Saxena White conducted a comprehensive review of SIRVA’s corporate governance procedures in an effort to ensure that securities fraud and accounting violations were less likely to occur at the Company in the future. This careful and comprehensive review, which was spearheaded in conjunction with retained corporate governance experts, confirmed that SIRVA had made great strides in improving its governance standards over the course of our lawsuit. This was especially true in the area of its internal controls, which was a primary concern. The Company formally recognized, in writing, that the lawsuit was one of the main reasons it reformed its governance standards, which confirmed that Saxena White was the key catalyst compelling SIRVA to recognize the need to change the way it does business.

In addition, Saxena White was able to obtain even more governance improvements by convincing the Board to discard their plurality (also known as “cumulative”) standard for the election of their directors in favor of a modified majority standard (also known as the “Pfizer model”). This important change gives every SIRVA shareholder a greater voice, as well as improving director accountability, by forcing directors who do not receive a majority of the votes to tender their resignation for the Board’s consideration. Furthermore, SIRVA also agreed to strengthen its requirements regarding director attendance at shareholder meetings, which created more director accountability and increased shareholder input. Importantly, judges are unable to order these types of governance changes – it was only the negotiation and litigation pressure that we imposed upon the Company that allowed these changes to be implemented.

■ ***In re Sadia S.A. Securities Litigation***

Sadia was a Brazilian company specializing in poultry and frozen goods that exported a majority of its products. The Company engaged in wildly speculative currency hedging while telling investors that its hedges were conservative and used to protect against sudden changes in currency fluctuation. Plaintiffs filed a securities fraud complaint against Sadia and its senior executives and board members alleging violations of the federal securities laws. Because the individual Defendants in this case were also citizens of Brazil, they had to be served pursuant to the Inter-American Convention on Letters Rogatory. We were successful in serving the individuals, once again accomplishing what few other law firms have been able to do.

We prevailed on the motion to dismiss and on the motion for class certification. Discovery was greatly complicated by the fact that the vast majority of the documents were in Portuguese, and the court had no subpoena power to force witnesses to appear for deposition. In spite of this, we hired attorneys fluent in Portuguese to help us with the review, and we were able to depose one of the Company’s executives. After three mediations over the course of eight months, we reached a \$27 million cash settlement with Defendants.



■ ***In re Cox Radio, Inc. Shareholders Litigation***

Saxena White represented a Florida Police Pension Plan in an action against Cox Radio. The Pension Plan alleged that the initial price offered to public shareholders in the tender offer was unfair and did not properly value the assets of Cox Radio. After considerable discovery and expedited motion practice, we were instrumental in raising the price of the deal by nearly 30%, creating nearly \$18 million in additional value for all public shareholders. We also obtained the issuance of additional meaningful disclosures regarding the valuation process used in the deal.

■ ***In re Clear Channel Outdoor Holdings, Inc. Derivative Litigation***

Saxena White filed a derivative action on behalf of nominal Defendant Clear Channel Outdoor Holdings against certain of the Company's current and former directors, its majority stockholder, Clear Channel Communications, Inc., and other entities with respect to a 2009 agreement between the Company and Clear Channel. The derivative action brought forth claims that Outdoor's directors breached their fiduciary duties by approving a \$1 billion unsecured loan on highly unfavorable terms to Clear Channel. In response to the claims brought forth in the derivative action, the Company's board of directors established a Special Litigation Committee (the "SLC") and empowered it to investigate the matters and claims raised in the action.

After an extensive evaluation and investigation of the derivative claims, the SLC initiated discussions with certain of the Defendants to explore the prospects of settlement. The SLC also initiated discussions with Plaintiffs in order to explore the prospects of settling the derivative action. After several months of working with the SLC, the parties to the derivative action reached an agreement in principle to resolve the action on terms that will provide substantial and meaningful benefits to the Company and its shareholders, including an agreement that would provide a dividend to shareholders in the amount of \$200 million, as well as additional corporate governance reforms. The settlement agreement acknowledges that Plaintiffs' involvement in the settlement negotiations was a factor in achieving the benefits received by Outdoor and its shareholders as a result of the settlement.

SHAREHOLDERS & DIRECTORS

**MAYA SAXENA**

Maya Saxena, co-founder of Saxena White P.A., has been practicing exclusively in the securities litigation field for over 20 years, representing institutional investors in shareholder actions involving breaches of fiduciary duty and violations of the federal securities laws. Prior to forming Saxena White, Ms. Saxena served as the Managing Partner of the Florida office of one of the nation's largest securities litigation firms, successfully directing numerous high profile securities cases. Ms. Saxena gained valuable trial experience before entering private practice while employed as an Assistant Attorney General in Ft. Lauderdale, Florida. During her time as an Assistant Attorney General, Ms. Saxena represented the State of Florida in civil cases at the appellate and trial level and prepared amicus curiae briefs in support of state policies at issue in state and federal courts. In addition, Ms. Saxena represented the Florida Highway Patrol and other law enforcement agencies in civil forfeiture trials.

Ms. Saxena has been instrumental in recovering nearly a billion dollars on behalf of investors. Recently, Ms. Saxena played a key role in obtaining a \$320 million settlement against Wells Fargo & Company. The settlement includes a \$240 million cash payment from Defendants' insurers-representing the largest insurance-funded monetary component of any shareholder derivative settlement by over \$100 million. Ms. Saxena also led the litigation team that settled against Wilmington Trust for \$210 million, one of the largest settlements in 2018. Other prominent settlements include: Rayonier, Inc. (\$73 million settlement), SIRVA, Inc. (\$53.3 million settlement), Aracruz Celulose (\$37.5 million settlement), Brixmor Property Group (\$28 million settlement), and Sunbeam (settled with Arthur Andersen LLP for \$110 million-one of the largest settlements ever with an accounting firm-and a \$15 million personal contribution from former CEO Al Dunlap).

Ms. Saxena is a frequent speaker at educational forums involving public pension funds and advises public and multi-employer pension funds on how to address fraud-related investment losses. She is an active member of the National Association of Public Pension Attorneys ("NAPPA") and co-chairs its Securities Litigation Committee. As part of her professional endeavors, Ms. Saxena writes numerous articles on protecting shareholder rights, and works closely with other NAPPA members to author, update, and publish a white paper on post-*Morrison* International Securities Litigation.

Maya Saxena was named a *Law360* 2021 Securities MVP, one of only five attorneys chosen in the area. Ms. Saxena was also named a "500 Leading Plaintiff Financial Lawyer" by *Lawdragon* in 2020 and 2021. She was recognized in the *South Florida Business Journal's* "Best of the Bar" as one of the top lawyers in South Florida, and has been selected to the Florida *Super Lawyers* list for the last twelve consecutive years. Ms. Saxena was also selected by her peers for inclusion in *The Best Lawyers in America*® four years in a row, as well as one of Florida's "Legal Elite" by *Florida Trend* magazine.

Ms. Saxena graduated from Syracuse University *summa cum laude* in 1993 with a dual degree in policy studies and economics, and graduated from Pepperdine University School of Law in 1996. Ms. Saxena is a member of the Florida Bar, and is admitted to practice before the United States District Courts for the Southern and Middle Districts of Florida, as well as the Eleventh Circuit Court of Appeals, and the Supreme Court of the United States.

**JOSEPH E. WHITE, III**

Joseph E. White, III, co-founder of Saxena White P.A., has represented shareholders as lead counsel in major securities fraud class actions and derivative actions for nearly 20 years. He has represented lead and representative plaintiffs in front-page cases, including actions against Bank of America, Lehman Brothers and Washington Mutual. He has successfully settled cases yielding over one billion dollars against numerous publicly traded companies, including cases against Rayonier, Inc. (\$73 million), Brixmor Property Group (\$28 million), SIRVA, Inc. (\$53.3 million), and one of the largest settlements in 2018, Wilmington Trust (\$210 million). Mr. White has also developed an expertise in litigating precedent-setting cases against foreign publicly traded companies, and settled two cases involving Brazilian corporations: Sadia, Inc. (\$27 million) and Aracruz Celulose (\$37.5 million).

Mr. White has also helped achieve meaningful corporate governance and monetary recoveries for shareholders in merger related and derivative lawsuits. Recently, Mr. White played an instrumental role in obtaining a \$320 million settlement in *In re Wells Fargo & Company Shareholder Litigation*. The settlement includes a \$240 million cash payment from Defendants' insurers-representing the largest insurance-funded monetary component of any shareholder derivative settlement by over \$100 million. In *In re Clear Channel Outdoor Holdings Derivative Litigation*, Mr. White's efforts obtained repayment of a \$200 million loan from Outdoor's parent which was then paid as a special dividend to Outdoor shareholders. Mr. White regularly lectures on topics of interest to pension trustees, and advises municipal, state, and international institutional investors on instituting effective systems to monitor and prosecute securities and related litigation.

Mr. White was named a "500 Leading Plaintiff Financial Lawyer" by *Lawdragon* in 2020 and 2021. He was named a Florida's "Legal Elite" by *Florida Trend* magazine, and has been recognized as a "Top Lawyer" by Palm Beach Illustrated. He is also a *Lawyers of Distinction* Certified Member.

Mr. White earned an undergraduate degree in Political Science from Tufts University before obtaining his Juris Doctor from Suffolk University School of Law.

Mr. White is a member of the Massachusetts, Florida, New York and Pennsylvania Bars. He is also admitted to the United States District Courts for the Southern, Northern, and Middle Districts of Florida, the Southern District of New York, the District of Massachusetts, the District of Colorado, the Western District of Michigan, and the Northern District of Illinois. Mr. White is also admitted to the United States Circuit Courts of Appeals for the First and Eleventh Circuits, and the Supreme Court of the United States.

**STEVEN B. SINGER**

Steven B. Singer is a Director at Saxena White P.A., and oversees the Firm's securities litigation practice. Prior to joining the Firm, Mr. Singer was employed for more than 20 years at Bernstein Litowitz Berger & Grossmann LLP, a well-known plaintiffs' firm, where he served as a senior partner and member of the firm's management committee.

During his career Mr. Singer has been the lead partner responsible for prosecuting many of the most significant and high-profile securities cases in the country, which collectively have recovered billions of dollars for investors. He led the litigation against Bank of America relating to its acquisition of Merrill Lynch, which resulted in a landmark settlement shortly before trial (\$2.43 billion), one of the largest recoveries in history. Mr. Singer's work on that case was the subject of extensive media coverage, including numerous articles published in *The New York Times*. He also has substantial trial experience and was one of the lead trial lawyers on the WorldCom Securities Litigation (\$6 billion settlement) after a four-week jury trial.

Recently, Mr. Singer led the litigation team that successfully recovered \$320 million against Wells Fargo & Company. The settlement includes a \$240 million cash payment from Defendants' insurers-representing the largest insurance-funded monetary component of any shareholder derivative settlement by over \$100 million. In addition, Mr. Singer has been lead counsel in numerous other actions that have resulted in substantial settlements, including cases involving Citigroup Inc. (\$730 million, representing the second largest recovery in a case brought on behalf of bond purchasers), Lucent Technologies (\$675 million), Mills Corp. (\$203 million), WellCare Health Plans (\$200 million), Satyam Computer Services (\$150 million), Biovail Corp. (\$138 million), Bank of New York Mellon (\$180 million), JP Morgan Chase (\$150 million), and one of the largest settlements in 2018, Wilmington Trust (\$210 million).

Mr. Singer has been consistently recognized by industry observers for his legal excellence and achievements. He has been selected as one of the "500 Leading Lawyers in America" by *Lawdragon*, a "Litigation Star" by *Benchmark Litigation*, and as one of the "Leading Lawyers" in securities litigation by the *Legal 500 US Guide* — one of only seven plaintiffs' attorneys so recognized.

Mr. Singer graduated *cum laude* from Duke University in 1988, and from Northwestern University School of Law in 1991. He is a member of the New York State Bar, as well as the United States District Courts for the Southern and Eastern Districts of New York, the Northern District of Illinois, and the District of Colorado.



DAVID KAPLAN

David Kaplan is a Director at Saxena White and manages the Firm's California office. Mr. Kaplan has nearly twenty years of experience in the field of securities and shareholder litigation. He has helped investors achieve hundreds of millions of dollars in recoveries in federal and state courts nationwide, including in class actions, direct "opt out" actions, and shareholder derivative litigation.

Prior to joining Saxena White, Mr. Kaplan was a partner at Bernstein Litowitz Berger & Grossman LLP, where he co-chaired its direct-action practice, represented lead plaintiffs in securities class actions, and counseled institutional investor clients on potential legal claims as a member of the firm's new matters department. Before that, Mr. Kaplan was a senior associate at Irell & Manella LLP, where he handled a variety of high-stakes business disputes and complex litigation matters.

A large part of Mr. Kaplan's day-to-day practice involves advising mutual funds, hedge funds, pension funds, sovereign wealth funds, insurance companies, and other institutional asset managers on whether to remain passive participants in securities class actions or opt out to protect and maximize their securities fraud recoveries. Mr. Kaplan has represented prominent institutional investor opt out groups in federal courts nationwide.

Mr. Kaplan also has extensive experience advising institutional clients on pursuing securities fraud recoveries in international jurisdictions. His work in this area includes virtually all countries in which shareholder collective actions are authorized by law, including Canada, Australia, England, the Netherlands, Germany, Italy, France, Japan, Israel, and Brazil.

Mr. Kaplan has authored multiple articles relating to class actions and the federal securities laws, which have been published in *The National Law Journal*, *The Daily Journal*, *Law360*, *Pensions & Investments*, *The D&O Diary*, and *The NAPPA Report*, among other publications. He is an editor of the *American Bar Association's Class Actions and Derivative Suits Committee's Newsletter*.



Mr. Kaplan was named a “500 Leading Plaintiff Financial Lawyer” by *Lawdragon* in 2020 and 2021, and has repeatedly been selected as a “Rising Star” by *Super Lawyers*.

Mr. Kaplan graduated with a Bachelor of Arts, *cum laude*, from Washington and Lee University, and earned his Juris Doctor, High Honors, from Duke University School of Law, where he was an editor of *Duke Law Review*. He is admitted to practice in California, United States District Courts for the Central, Northern, and Southern Districts of California, and the Eastern District of Wisconsin. He is also admitted to the United States Court of Appeals for the Ninth Circuit, and the United States Bankruptcy Court for the Central District of California.



LESTER R. HOOKER

Lester R. Hooker, Director, is involved in all of Saxena White’s practice areas, including securities class action litigation and shareholder derivative actions. During his tenure at Saxena White, Mr. Hooker has obtained substantial monetary recoveries and secured valuable corporate governance reforms on behalf of investors nationwide.

Mr. Hooker played a key role on the litigation teams that have successfully prosecuted securities fraud class and derivative actions, including *In re Wells Fargo & Company Shareholder Litigation* (\$320 million settlement, which includes a \$240 million cash payment from Defendants’ insurers - representing the largest insurance - funded monetary component of any shareholder derivative settlement by over \$100 million), *In re HD Supply Holdings, Inc. Securities Litigation* (\$50 million settlement-one of the largest securities class action settlements ever achieved in the U.S. District Court for the Northern District of Georgia), *In re Rayonier Inc. Securities Litigation* (\$73 million settlement), *Westchester Putnam Counties Heavy and Highway Laborers Local 60 Benefit Funds v. Brixmor Property Group, Inc. et al.*, (\$28 million settlement), *Central Laborers’ Pension Fund v. Sirva, Inc.*, (\$53.3 million settlement along with the adoption of important corporate governance reforms), *City Pension Fund for Firefighters and Police Officers in the City of Miami Beach v. Aracruz Celulose S.A., et al.*, (\$37.5 million settlement), *In re Sadia, Inc. Securities Litigation* (\$27 million settlement), and *In re Tower Group International, Ltd. Securities Litigation* (\$20.5 million settlement).

Mr. Hooker received a Bachelor of Arts degree with a major in English from the University of California at Berkeley. He earned his Juris Doctor from the University of San Diego School of Law, where he was awarded the Dean’s Outstanding Scholar Scholarship. Mr. Hooker received his master’s degree in Business Administration with an emphasis in International Business from the University of San Diego School of Business, where he was awarded the Ahlers Center International Graduate Studies Scholarship. Mr. Hooker was named a “500 Leading Plaintiff Financial Lawyer” by *Lawdragon* in 2020 and 2021. He was also named a “Rising Star” by *Super Lawyers*, an “Up and Comer” by *South Florida Legal Guide’s*, and a “Top Lawyer” by *Palm Beach Illustrated*.

Mr. Hooker is a member of the State Bars of California, Florida, New York, and the District of Columbia, and is admitted to practice law in the United States District Courts for the Northern, Central, Southern and Eastern Districts of California, the Southern, Middle and Northern Districts of Florida, the Western District of Michigan, the District of Colorado, and the Northern District of Illinois. Mr. Hooker is also admitted to practice law in the United States Court of Appeals for the Ninth Circuit.

**THOMAS CURRY**

Thomas Curry is a Director at Saxena White and manages the Firm's Delaware office. He represents investors in corporate governance matters, with a particular focus on M&A litigation in the Delaware Court of Chancery.

Prior to joining Saxena White, Mr. Curry was an associate at Labaton Sucharow LLP, where he represented investors in many of the most significant and highest profile corporate governance matters to arise in recent years. Mr. Curry has particular expertise in representing public investors shortchanged by corporate sales and other M&A activity influenced by insider conflicts of interest. He has successfully represented investors in a wide variety of derivative, class, and appraisal matters challenging conflicted M&A transactions in the Delaware Court of Chancery and other jurisdictions around the United States. Mr. Curry also has significant experience advising United States-based investors seeking to protect their interests in connection with M&A activity subject to the law of foreign jurisdictions.

Mr. Curry successfully represented the lead petitioners in appraisal actions arising from Coach's acquisition of Kate Spade and General Electric's combination of its oil and gas business with Baker Hughes. He was a key member of teams that secured a \$35.5 million derivative recovery in litigation arising from AGNC Investment Corp.'s internalization of its investment manager and corporate reforms valued at approximately \$25 million in litigation arising from a related-party loan extended by Clear Channel Outdoor Holdings to its controlling stockholder, iHeart Communications.

Mr. Curry has been named a "Rising Star" in the field of M&A litigation by *The Legal 500* in both 2019 and 2020.

Mr. Curry began his legal career at the prominent Wilmington defense firm Morris, Nichols, Arsht & Tunnell LLP. He earned a Juris Doctor from Cornell Law School and a Bachelor of Arts from Temple University.

Mr. Curry is admitted to practice in Delaware, and the United States District Court for the District of Delaware.

**KYLA GRANT**

Kyla Grant, Director, has extensive experience in federal securities class action suits, securities enforcement, and complex commercial litigation in both federal and state courts. Before joining Saxena White, Ms. Grant practiced securities litigation at two top-ranked global law firms, Shearman & Sterling LLP and WilmerHale. Ms. Grant has been a member of the litigation teams that have successfully recovered hundreds of millions of dollars on behalf of injured shareholders, including the recent \$320 million derivative settlement against Wells Fargo & Company. She was also a member of the litigation team that obtained a \$28 million settlement against Brixmor Property Group, Inc.

Ms. Grant graduated from the University of Hawai'i at Mānoa with distinction in 2004, where she received a Bachelor of Arts degree, majoring in both English and Political Science. She received her Juris Doctor degree from the University of Virginia School of Law in 2008. While attending law school, she was a recipient of the Dean's Scholarship, was appointed as a Dillard Fellow (a role in which she worked with first year students to improve their persuasive writing skills) and was an Articles Editor for the *Virginia Journal of International Law*.

Ms. Grant is a member of the New York State Bar and the United States District Court for the Southern District of New York.

**LISA RIVERA**

Lisa Rivera, Director, serves as the Firm's Chief Financial and Operating Officer and brings over thirty years of experience in both the public and private sectors, having served in key positions with direct responsibility for fiscal management, policy and strategic planning, operations and compliance. Ms. Rivera has represented commercial litigation clients in the area of forensic accounting, as well as having served public accounting clients with their tax and business advisory needs.

Ms. Rivera graduated from New York University's Stern School of Business in 1994, where she received a Bachelor of Science degree, majoring in Accounting. She received her Juris Doctor degree from Rutgers University School of Law in 2003. Ms. Rivera is admitted to practice law in the State of New Jersey. Additionally, she is a Certified Public Accountant and Chartered Global Management Accountant.

**MARISA N. DEMATO**

Marisa DeMato, Director, has more than 16 years of experience advising leading pension funds and other institutional investors on issues related to corporate fraud in U.S. securities markets, and provides representation in complex civil actions. Her work focuses on monitoring the well-being of institutional investments and counseling clients on best practices in corporate governance of publicly traded companies.

Prior to joining Saxena White, Ms. DeMato was a partner with a nationally recognized securities litigation firm where she represented institutional investors in shareholder litigation and achieved significant settlements on behalf of clients. She represented Seattle City Employees' Retirement System in a \$90 million derivative settlement that achieved historic corporate governance reforms from Twenty-First Century Fox, Inc., following allegations of workplace harassment incidents at Fox News. Ms. DeMato also successfully represented investors in high-profile cases against LifeLock, Camping World, Rent-A-Center, and Castlight Health. In addition, Ms. DeMato was an integral member of legal teams that secured multimillion dollar securities and consumer fraud settlements, including *In re Managed Care Litigation* (\$135 million recovery); *Cornwell v. Credit Suisse Group* (\$70 million recovery); *Michael v. SFBC International, Inc.* (\$28.5 million recovery); *Ross v. Career Education Corporation* (\$27.5 million recovery); and *Village of Dolton v. Taser International Inc.* (\$20 million recovery).

An accomplished speaker, Ms. DeMato has lectured on topics pertaining to securities fraud litigation, fiduciary responsibility, and corporate governance issues throughout the U.S. and Europe. Notably, Ms. DeMato has testified before the Texas House of Representatives Pensions Committee on the changing legal landscape for public pensions following the Supreme Court's *Morrison* decision and best practices for non-U.S. investment recovery.

Ms. DeMato is one of the industry's leading advocates for institutional investing in women and minority-owned firms. She chairs Saxena White's Women's Alliance, which is designed to foster women-centered development and leadership in the pension, investment and legal communities. Ms. DeMato previously served as co-chair of an annual Women's Initiative Forum, which has been recognized by *Euromoney and Chambers USA* as one of the best gender diversity initiatives.

Recently, Ms. DeMato was recognized by *The National Law Journal* as a "Plaintiffs' Trailblazer" and was named a "Northeast Trailblazer" by *The American Lawyer*. Ms. DeMato was also named one of the "500 Leading Plaintiff Financial Lawyers in America" by *Lawdragon* in 2020 and 2021.



Ms. DeMato is an active member of the National Association of Securities Professionals (NASP), the American Association for Justice (AAJ), and the National Association of Public Pension Attorneys (NAPPA), where she serves on the NAPPA Securities Litigation Committee. As a member of the SACRS Education Committee, she is responsible for developing and planning educational programming for the State Association of County Retirement Systems (SACRS) in California.

Ms. DeMato earned her Juris Doctor from the University of Baltimore School of Law. She received her Bachelor of Arts from Florida Atlantic University. Ms. DeMato is a member of the Florida Bar and District of Columbia Bar. She is admitted to the United States District Courts for the Southern and Northern Districts of Florida.

ATTORNEYS**MARIO ALVITE**

Mario Alvite performs analysis of potential securities and shareholder rights actions. Mr. Alvite's efforts are focused on stages of litigation including case origination and pre-trial discovery. Mr. Alvite is experienced in e-discovery and project management in the corporate litigation, transactional, and regulatory areas. He has served on teams representing investors against Wilmington Trust and Rayonier Inc.

Mr. Alvite received his Bachelor of Business Administration from Florida International University. He later earned his Juris Doctor from Nova Southeastern University. He is a member of the Florida Bar, and is admitted to practice in the United States District Court for the Southern and Middle Districts of Florida.

**RACHEL A. AVAN**

Rachel Avan has more than a decade of experience in securities litigation. She focuses on investigating and developing U.S. and non-U.S. securities fraud class, group, and individual actions, as well as advising institutional investors regarding alternatives for recovery for fraud-related investment losses.

Ms. Avan's analysis of new and potential matters is informed by her extensive experience as a securities litigator. Prior to joining Saxena White, Ms. Avan was of counsel at a nationally recognized securities litigation firm, where she assisted in prosecuting numerous high-profile securities class actions and corporate governance matters. She also served as a key member of the firm's case evaluation team and managed the firm's non-U.S. securities litigation practice for several years.

Ms. Avan has significant expertise analyzing the merits, risks, and benefits of potential claims outside the United States—in virtually all countries in which it is possible for injured shareholders to seek a recovery. She has played an essential role in ensuring that institutional investors receive substantial recoveries through non-U.S. securities litigation.

Ms. Avan brings valuable insight into corporate matters, having served as an associate at a corporate law firm, where she counseled domestic and international public companies regarding compliance with federal and state securities laws. Her analysis of corporate securities filings is also informed by her previous work assisting with the preparation of responses to inquiries by the U.S. Securities and Exchange Commission and the Financial Industry Regulatory Authority.

Ms. Avan has authored multiple articles relating to U.S. and non-U.S. securities litigation, which have been published in *The New York Law Journal*, *Financial Executive*, *Law360*, and *The NAPP Report*, among other publications. For her achievements, Ms. Avan consistently has been selected as a "Rising Star" by *Super Lawyers*, a Thomson Reuters publication.

Ms. Avan earned her Juris Doctor from Benjamin N. Cardozo School of Law in 2006. She received her master's degree in English and American Literature from Boston University in 2002 and her bachelor's degree, *cum laude*, in Philosophy and English from Brandeis University in 2000. Ms. Avan is a member of the New York Bar and Connecticut Bar. She is admitted to the United States District Court for the Southern District of New York.

**TAYLER BOLTON**

Tayler Bolton has extensive litigation experience with a particular focus on litigation in the courts of Delaware. Ms. Bolton's practice focuses on corporate governance and fiduciary duty litigation. She also has significant experience in corporate bankruptcy and commercial litigation.

Ms. Bolton earned a Bachelor of Music (Voice) and a Bachelor of Arts (Communication) from the University of Oklahoma. She received her Juris Doctor from Emory University School of Law where she served as an editor of the Emory Corporate Governance and Accountability Review, served as the elected Conduct Court Justice of the Student Bar Association, received the Emory Woman of Excellence Award, and was inducted into the Order of Barristers.

Following graduation from law school, Ms. Bolton served as a foreign law clerk to the Honorable Hanan Melcer in the Supreme Court of the State of Israel and served as a law clerk to the Honorable Diane Clarke-Streett in the Superior Court of Delaware.

Ms. Bolton is currently active in the Delaware Barristers Association, the Richard S. Rodney Inn of Court, and the Multicultural Judges and Lawyers Section where she received the Haile L. Alford Excellence Award.

Ms. Bolton is a member of the Delaware, New York, and Texas State Bars, and is admitted to practice law in the United States District Court for the District of Delaware.

**RHONDA CAVAGNARO**

Rhonda Cavagnaro is Special Counsel to Saxena White and a member of the Firm's Institutional Outreach group. She brings extensive expertise in many areas of employee benefits and pension administration with nearly two decades of public fund experience. Ms. Cavagnaro frequently speaks at industry conferences to further trustee education on fiduciary issues facing institutional investors.

Ms. Cavagnaro began her legal career as an Assistant District Attorney in New York City, where she was instrumental in creating the office's General Crimes Unit, covering major crimes. As an ADA, Ms. Cavagnaro gained valuable trial experience and prosecuted hundreds of misdemeanor and felony cases.

Ms. Cavagnaro started her career serving public pensions as Assistant General Counsel at the New York City Employees' Retirement System. She then went on to become the first General Counsel to the New York City Police Pension Fund in February 2002, where she worked for over 11 years, providing advice to the Board of Trustees and 140-member staff with respect to benefits administration, fiduciary issues, employment issues, legislation, and transactional matters. Ms. Cavagnaro last served as the Assistant CEO for the Santa Barbara County Employee's Retirement System, where under the general direction of the CEO and Board of Trustees, she oversaw the day to day operations of the System.

Ms. Cavagnaro graduated with a Bachelor of Arts in Political Science and History from the University of Rochester, in Rochester, New York, and earned her Juris Doctor from the California Western School of Law in San Diego, California. She is a member of the New York and New Jersey State Bars, and is admitted to the United States District Court for the Southern and Eastern Districts of New York, and is a current member of the National Association of Public Pension Attorneys.

**ALEC T. COQUIN**

Alec T. Coquin is an Attorney at Saxena White P.A. Mr. Coquin focuses on prosecuting complex securities fraud cases on behalf of institutional investors.

Prior to joining Saxena White, Mr. Coquin was an Associate with a nationally recognized securities litigation firm. Mr. Coquin supported the Firm team that helped recover a \$140 million settlement against Barrick Gold Corporation, one of the world's largest gold mining companies, in *In re Barrick Gold Securities Litigation*. Alec was also an integral part of the Firm teams that helped recover \$15.75 million in a securities class action against Prothena Corporation, \$39 million in a securities class action against World Wrestling Entertainment, \$39.5 million in a securities class action against Intuitive Surgical, and \$29.5 million in a securities class action against Advanced Micro Devices.

Mr. Coquin earned his Juris Doctor from St. John's University School of Law, where he was the Associate Managing Editor of the *St. John's Law Review*, and his Bachelor of Arts from Wesleyan University.

Mr. Coquin is a member of the New York Bar. He is admitted to the United States District Court for the District of Maryland, the Northern District of California, the Eastern District of Michigan and the Eastern and Southern Districts of New York. He is also admitted to the United States Court of Appeals for the Second and Ninth Circuits.

**OMAR D. DAVIS**

Omar D. Davis has an extensive background as a retirement plan legal advisor and manager that has provided him with a deep understanding of the issues and challenges facing institutional investors. Mr. Davis has served in various capacities for several large retirement plans. Most recently, Mr. Davis was the Director of Employer Services at the Public School and Education Employee Retirement Systems of Missouri (PSRS/PEERS), a \$50+ billion pension plan serving retired educators and school employees across the State of Missouri. His public retirement plan background extends to earlier roles at the Missouri Department of Transportation & Missouri State Highway Patrol Employees' Retirement System (MPERS), where he was General Counsel, and the Missouri State Employees' Retirement System (MOSERS), where he served as Investment Legal & Compliance Counsel.

Prior to his retirement system background, Mr. Davis worked for more than a decade in Missouri state government as an agency leader, including as the Director of the Department of Revenue and the Director of the Department of Labor & Industrial Relations. He has been recognized for his leadership and service numerous times throughout his career.

Prior to joining Saxena White, Mr. Davis offered client organizations a wealth of public sector experience as an executive search consultant, focusing on the public retirement, public agency, asset owner and manager sectors.

**SARA DILEO**

Sara DiLeo has extensive experience in federal securities class action lawsuits, derivative litigation, and complex commercial litigation in both federal and state courts. Recently, Ms. DiLeo was a member of the litigation team that successfully recovered a \$320 million



derivative settlement for shareholders of Wells Fargo & Company. She was also part of the litigation teams that obtained a \$28.25 million settlement for shareholders of TrueCar, Inc., and a \$50 million settlement for shareholders of HD Supply Holdings, Inc.-one of the largest securities class action settlements ever achieved in the U.S. District Court for the Northern District of Georgia. Before joining Saxena White, Ms. DiLeo practiced securities litigation for nine years at a top-ranked global law firm, Skadden, Arps, Slate, Meagher & Flom LLP.

Ms. DiLeo graduated from New York University's College of Arts & Sciences program in 2003, where she received a Bachelor of Arts degree with a double major in Political Science and Psychology. She received her Juris Doctor degree from Fordham University School of Law in 2008. While attending law school, Ms. DiLeo was an Articles Editor for the *Fordham Urban Law Journal* and interned for the Hon. Barbara Jones in the United States District Court for the Southern District of New York.

Ms. DiLeo is a member of the New York Bar.



HANI FARAH

Hani Farah is an Attorney at Saxena White's California office. Prior to joining Saxena White, Mr. Farah practiced at a leading securities litigation law firm where he analyzed potential new cases, primarily U.S. securities class action and individual opt-outs suits, as well as international securities litigation.

Prior to joining traditional practice, Mr. Farah was the primary legal counsel for a U.S. presidential candidate. In this role, Mr. Farah researched and provided counsel on myriad issues relevant during the 2016 campaign.

Mr. Farah graduated *cum laude* from the University of California San Diego in 2011. He later graduated *cum laude* from the University of San Diego School of Law in 2015. He is a member of the California Bar, and is admitted to practice in the United States District Court for the Central District of California.



WILLIAM FORGIONE

Prior to joining Saxena White, William Forgione served as a senior legal executive with Teachers Insurance and Annuity Association ("TIAA") and its subsidiaries for over 25 years. While at TIAA, he held a variety of leadership positions, including as Executive Vice President and General Counsel with TIAA Global Asset Management and Nuveen, a leading financial services group of companies that provides investment advice and portfolio management through TIAA and numerous investment advisors. He oversaw the legal, compliance, and corporate governance aspects associated with the organization's \$900 billion investment portfolios and asset management businesses, including TIAA's general account, various separate accounts, registered and unregistered funds and institutional investment mandates.

Under Mr. Forgione's leadership, TIAA was actively involved in a number of significant investment litigation matters in order to recover the maximum amount for the benefit of its investment portfolios and the beneficial owners. These included acting as lead plaintiff in class action lawsuits, initiating proxy contests, pursuing direct actions where appropriate and asserting appraisal rights when it felt the consideration to be paid to shareholders in connection with various merger and acquisition activity involving portfolio companies was inadequate.

Mr. Forgione also served as Deputy General Counsel to TIAA, where among his many responsibilities, he acted as a strategic partner and advisor to the heads of TIAA's pension and insurance business lines. He also served as a member of TIAA's Senior Leadership Team, actively participating on a number of management committees. In addition, Mr. Forgione has valuable corporate governance experience, having advised and served on a number of Boards, including Nuveen, the Westchester Group, several foreign operating subsidiaries of TIAA, as well as various Risk Management, Investment, Asset-Liability and Audit Committees. He also has served as lead counsel on several large business acquisitions.

After graduating *summa cum laude* from Binghamton University with a B.S. in Accounting, Mr. Forgione received his J.D. degree from Boston University. Among many industry associations, he has served as President and a member of the Board of Trustees of the Association of Life Insurance Counsel, President and Trustee of the American College of Investment Counsel and Chairman of the Investment Committee of the Life Insurance Council of New York. Mr. Forgione has spoken at many industry conferences and seminars, taught undergraduate and graduate courses in Accounting and Law and has won such awards as *Charlotte Business Journal's* Corporate Counsel Award for his success in corporate law.

Prior to joining TIAA, Mr. Forgione was associated with Fried, Frank, Harris, Shriver & Jacobson LLP, and Csaplar & Bok, where he practiced in the areas of mergers and acquisitions and corporate finance. He is a member of the New York State Bar.



DONALD GRUNEWALD

Donald Grunewald focuses on performing research for securities and derivatives litigation. He has served on the litigation teams that successfully prosecuted securities fraud class actions and shareholder derivative actions, including *Peace Officers' Annuity and Benefit Fund of Georgia, et al. v. DaVita Inc., et al.* (\$135 million settlement, the second largest all-cash securities class action settlement in D. Colo. history), *Plymouth County Ret. Sys. v. GTT Communications, Inc.* (\$25 million settlement), and *Milbeck v. TrueCar, Inc., et al.* (\$28.25 million settlement). Before joining Saxena White, Mr. Grunewald taught Legal Research and other legal courses at a college in New York for six years. He has prepared economic and legal research for litigation, businesses, and academics.

Mr. Grunewald earned his Bachelor of Arts in Economics, *magna cum laude*, from Haverford College in 2004. He later earned a Bachelor of Arts in Jurisprudence from Oxford University and a Master of Laws from the University of Pennsylvania Law School.

Mr. Grunewald has been a member of the New York State Bar since 2008.



SCOTT GUARCELLO

Scott Guarcello's practice focuses on the discovery stage of litigation. With over ten years of significant complex e-discovery experience, he brings to Saxena White an expertise honed by the numerous e-discovery services and training programs that he created, led and supported while serving as a Senior Managing Attorney for a global e-discovery consulting and services provider.

Combining both discovery and technical expertise, Mr. Guarcello advises on best practices concerning information governance principles, ESI protocols, collections, processing, large-scale document reviews, production management, and related infrastructure applications. Recently, Mr. Guarcello was a member of the litigation team that successfully obtained a \$320 million derivative settlement against Wells Fargo &



Company. He was also part of the litigation teams that recovered a \$28.25 million settlement against TrueCar, Inc., and secured a \$50 million settlement against HD Supply Holdings, Inc.-one of the largest securities class action settlements ever achieved in the U.S. District Court for the Northern District of Georgia.

Mr. Guarcello earned a Bachelor of Science from Stetson University and received a Juris Doctor from Florida International University where he graduated *cum laude* with a concentration in securities law. He was a regular recipient of the Dean's List Award and received the CALI Book Awards for the Complex Litigation and Corporate Tax courses. Mr. Guarcello has also received the Legal Elite Award for 2017 and 2018 and holds extensive industry certifications that span review tools, feature-specific technical applications, project management and analytics. As an active member in the e-discovery community, Mr. Guarcello has been a guest speaker for both intimate and large audiences.

Mr. Guarcello is a member of the Florida Bar.



SCOTT KOREN

Scott Koren is an Attorney at Saxena White. Mr. Koren concentrates on new case development by performing research on potential securities class actions and new derivative and corporate governance actions. Mr. Koren's efforts are focused on beginning stages of litigation including case origination and pre-trial discovery. Additionally, Mr. Koren has served on teams representing investors against HD Supply Holdings Inc. and DaVita, Inc.

Mr. Koren received his undergraduate degree in Business Management and Entrepreneurship from the University of Arizona and received his Juris Doctor degree from Pace University School of Law.

Mr. Koren is a member of the New York Bar.



JONATHAN D. LAMET

Jonathan Lamet has extensive experience in litigating direct securities actions and derivative actions involving publicly traded companies.

Before joining Saxena White, Mr. Lamet practiced commercial and civil litigation, including directors and officers liability, securities and fraud litigation, bankruptcy adversary proceedings, and class action defense for seven years at an Am-Law 100 firm, Akerman LLP.

Mr. Lamet graduated from Yeshiva University, Sy Syms School of Business in 2010, where he received his Bachelor of Science in Business Management. He received his Juris Doctor degree from University of Miami School of Law in 2013. Mr. Lamet was a member of the University of Miami Law Review. While attending law school, Mr. Lamet interned for the United States Attorney's Office, Economic Crimes Division, for the Southern District of Florida, and for the Hon. William Turnoff in the United States District Court for the Southern District of Florida.

Mr. Lamet is a member of the Florida Bar, the United States District Courts for the Southern and Middle Districts of Florida, and the United States Court of Appeals for the Eleventh Circuit.

**CRAIG C. MAIDER**

Craig C. Maider is an Attorney at Saxena White P.A. Mr. Maider focuses his practice on litigating large scale class actions in federal court on behalf of institutional investors.

Mr. Maider has represented investors in commodity futures manipulation cases, including as lead counsel in a certified class action against Kraft Foods Group and Mondelez Global for manipulation of the wheat futures market (*Ploss v. Kraft Foods Group, Inc. et al.*, Case No. 15-cv-2937 (N.D. Ill.) (Kness, J.)) and against Lansing Trade Group, LLC in a separate manipulation of the wheat futures market. *Budicak Inc. et al. v. Lansing Trade Group, LLC et al.*, Case No. 19-cv-2449 (D. Kan.) (Robinson, J.). Mr. Maider has also represented a putative end-user class of indirect purchasers alleging that the nation's largest chemical manufacturers conspired to inflate the price of caustic soda, a chemical commodity used in myriad industrial processes (*In re Caustic Soda Antitrust Litigation*, Lead Case Docket No. 1:19-CV-00385 (W.D.N.Y.) (Wolford, J.)).

Mr. Maider received his J.D. from the Benjamin N. Cardozo School of Law in 2016, where he graduated with honors. While at Cardozo, he also participated in the Securities Arbitration Clinic, recovering damages on behalf of investors. He received a B.S. in Finance from Rutgers University, with honors, in 2011 and previously held Series 7 and 63 licenses.

Mr. Maider is a member of the New Jersey Bar and the New York Bar. He is admitted to the United States District Court for the Southern District of New York.

**JILL MILLER**

Jill Miller focuses her practice on e-discovery, including project management and litigation support services for class actions and other complex litigation. Ms. Miller was a member of the team that secured one of the largest settlements in 2018, *In re Wilmington Trust Corporation Securities Litigation* (\$210 million). Prior to joining Saxena White, Ms. Miller served as team lead at various law firms for discovery in large, complex class actions and mass torts in the areas of securities fraud, software technology, pharmaceutical and patent infringement.

Prior to her litigation experience, Ms. Miller was an associate at Ruden McClosky where she practiced real estate law. During her 11 years with the firm, she represented large developers of residential and commercial real estate throughout the South Florida area. Ms. Miller began her legal career as an associate in the real estate practice division of a major New Jersey law firm where she concentrated her practice on residential and commercial real estate transactions and development. She also dedicated a significant portion of her practice to casino licensing and compliance.

For the past several years, Ms. Miller has volunteered her time as a Guardian ad Litem, protecting the rights of abused and neglected children in Broward County, Florida.

Ms. Miller received her law degree from Hofstra University in New York where she was the Articles Editor of the *International Property Investment Journal*. She also interned at the United States Federal Court, Eastern District of New York during her third year of law school.

Ms. Miller is admitted to practice in Florida, and the United States District Court for the Southern District of Florida.

**DIANNE PITRE**

Dianne Pitre prosecutes securities fraud, corporate governance and shareholder rights litigation on behalf of injured shareholders. Ms. Pitre has served on the litigation teams that successfully prosecuted securities fraud class actions and shareholder derivative actions, including *In re Wells Fargo & Company Shareholder Litigation* (\$320 million settlement), *Peace Officers' Annuity and Benefit Fund of Georgia, et al. v. DaVita Inc., et al.* (\$135 million settlement, the second largest all-cash securities class action settlement in D. Colo. history), *In re Rayonier Inc. Securities Litigation* (\$73 million settlement), *Milbeck v. TrueCar, Inc., et al.* (\$28.25 million settlement), and *Plymouth County Ret. Sys. v. GTT Communications, Inc.* (\$25 million settlement).

Before joining Saxena White, Ms. Pitre was a legal intern for Jack in the Box, Inc. and Alliant Insurance Services, Inc. She worked extensively with their in-house departments, assisting in a variety of corporate, employment, and government regulation matters. Ms. Pitre was an intern for Jewish Family Service of San Diego and Housing Opportunities Collaborative, two San Diego pro bono legal organizations. Additionally, she served as a Legal Intern for the San Diego City Attorney's Office with their Advisory Division, Public Works Section.

Ms. Pitre graduated from the University of California, San Diego in 2008, where she received a Bachelor of Arts degree, majoring in Political Science with a minor in Law and Society. In 2012, she received her Juris Doctor degree from the University of San Diego School of Law. While attending law school, Ms. Pitre earned various scholarships and awards, including the San Diego La Raza Lawyers Association Scholarship and Frank E. and Dimitra F. Rogozienski Scholarship for outstanding academic performance in business law courses. Her outstanding law school academic achievements culminated in two CALI Excellence for the Future Awards for receiving the top grade in her Fall 2011 International Sports Law and Entertainment Law classes. Ms. Pitre is an alumna of Phi Delta Phi, the international legal honor society and oldest legal organization in continuous existence in the United States. Ms. Pitre has recently been recognized as a *Super Lawyer* "Rising Star" for the last three years in a row.

Ms. Pitre is a member of the Florida and California State Bars. She is admitted to practice before the United States District Courts for the Southern and Northern Districts of Florida and the Northern, Central, Southern, and Eastern Districts of California.

**JOSHUA SALTZMAN**

Joshua Saltzman focuses his practice on securities and derivative litigation. Before joining Saxena White, Mr. Saltzman litigated investor class actions, opt-out securities actions and derivative actions at two boutique law firms in New York City. Recently, Mr. Saltzman was a member of the litigation team that obtained a \$53 million derivative settlement on behalf of New Senior Investment Group, which was the largest settlement of all time in a derivative lawsuit when measured as a percentage of the company's total market capitalization. He was also a member of the litigation team that obtained a \$50 million settlement on behalf of HD Supply Holdings, Inc. – one of the largest securities class action settlements ever achieved in the U.S. District Court for the Northern District of Georgia.

Additionally, Mr. Saltzman has been a member of litigation teams that have obtained numerous other substantial recoveries on behalf of investors, including cases involving American International Group (\$40 million settlement on behalf of AIG employees who invested in AIG's company stock fund, representing one of the largest ERISA stock drop recoveries of all time), Cornerstone Therapeutics (\$17.9 million for



minority stockholders of Cornerstone Therapeutics whose shares were purchased in a controller buyout), and Petrobras (high percentage recovery on behalf of state pension system in opt-out securities action).

Mr. Saltzman received a Bachelor of Arts degree in English from Rutgers University in 2002, and a Juris Doctor degree from Brooklyn Law School in 2011, graduating *magna cum laude*. During law school, Mr. Saltzman served as an editor on the *Brooklyn Law Review*, where he published a note, and interned for the Honorable Victor Marrero in the United States District Court for the Southern District of New York.

Mr. Saltzman is a member of the New York Bar, the United States District Court for the Southern District of New York, and the United States Court of Appeals for the Third Circuit.



DAVID L. WALES

David L. Wales is Senior Counsel at Saxena White P.A., focusing on corporate governance litigation. Mr. Wales is an experienced securities litigator and trial attorney, and a former Assistant United States Attorney for the Southern District of New York.

Prior to joining Saxena White, Mr. Wales was a partner for 12 years at a nationally recognized securities litigation firm, where he served as one of the leaders of the corporate governance litigation practice.

During his career, Mr. Wales has led numerous significant corporate governance actions including the derivative action against the board of directors of Pfizer Inc., arising out of the off-label marketing of pharmaceuticals, resulting in a \$75 million recovery and the first case requiring the establishment of a board-level regulatory compliance committee. Mr. Wales has been a leader in the fight against corporate abuse in the sale of opioids including a derivative action on behalf of McKesson Corporation achieving a \$175 million recovery and substantial corporate governance reforms, and successfully tried a books and records action against Walmart Inc. He was a leader in the action against the board and senior management of Twenty-First Century Fox, Inc., arising out of workplace harassment, obtaining a \$90 million recovery and ground-breaking corporate governance reforms. Mr. Wales has successfully litigated numerous actions arising out of mergers and acquisitions, as well as conflicted transactions, including *In re New Senior Investment Group, Inc. Derivative Litigation*, a \$53 million recovery arising out of a conflicted transaction and *In re Jefferies Group, Inc. Shareholders Litigation*, a \$70 million settlement on behalf of shareholders in the sale of the company.

Mr. Wales has extensive experience successfully prosecuting class actions under the federal securities laws, including *In Re Merck & Co., Inc. Securities Litigation*, achieving a \$1.06 billion settlement weeks before trial; *Public Employees' Retirement System of Mississippi v. Merrill Lynch & Co. Inc.*, obtaining a \$315 million settlement after arguing the first successful class certification motion in an RMBS action; and *In re Sepracor Corp. Securities Litigation*, a \$52.5 million recovery in a certified securities fraud class action.

Mr. Wales has been consistently recognized for his legal excellence. He is AV rated, the highest rating from *Martindale-Hubbell*[®]. He has also been named a top practitioner by Legal 500, a "New York Super Lawyer" in securities litigation by Thomson Reuters, and as one of the "500 Leading Plaintiff Financial Lawyers" by *Lawdragon*. Mr. Wales is a frequent speaker on corporate governance including ESG and securities fraud matters.

Mr. Wales graduated *magna cum laude* from the State University of New York at Albany and *cum laude* from the Georgetown University Law Center.

Mr. Wales is a member of the New York Bar and the District of Columbia Bar. He is admitted to the United States District Court for the Northern, Southern, Eastern and Western Districts of New York, the District of Columbia, the Eastern District of Michigan, and the Northern District of Illinois and the Trial Bar. He is also admitted to the United States Court of Appeals for the Second, Third and Fourth Circuits.



ADAM WARDEN

Adam Warden is involved in all of Saxena White's practice areas, including shareholder derivative actions, securities fraud litigation, and merger and acquisition litigation. During his tenure at Saxena White, Mr. Warden has been a member of the teams securing significant recoveries, including *Cumming v. Edens* (derivative settlement of \$53 million for claims challenging acquisition by senior living operator New Senior Investment Group, Inc., representing more than 10% of the company's market capitalization), *In re Wells Fargo & Company Shareholder Litigation* (derivative settlement valued at \$320 million, including \$240 million in cash and corporate governance reforms), *In re Jefferies Group, Inc. Shareholders Litigation* (class action settlement of \$70 million, one of the largest settlements in the history of the Delaware Court of Chancery), and *In re Parametric Sound Corporation Shareholders' Litigation* (\$9.65 million settlement, the second largest post-merger class action settlement in Nevada state history).

Mr. Warden has been recognized as a *Super Lawyer* "Rising Star" in 2018, a *South Florida Legal Guide's* "Up and Comer" from 2018-2020, and a *Palm Beach Illustrated* "Top Lawyer" in 2020. Mr. Warden is also a member of Saxena White's Diversity and Social Responsibility Committee.

Mr. Warden earned his Bachelor of Arts degree from Emory University in 2001 with a double major in Political Science and Psychology. He received his Juris Doctor from the University of Miami School of Law in 2004. During law school, Mr. Warden served as the Articles Editor of the *University of Miami International and Comparative Law Review*.

Mr. Warden is a member of the Florida Bar and the District of Columbia Bar. He is admitted to the United States District Courts for the Southern, Middle, and Northern Districts of Florida.



WOLFRAM T. WORMS

Wolfram T. Worms is an Attorney in Saxena White's California office. Mr. Worms has twenty years of experience in securities litigation and has assisted shareholders in recovering over a billion dollars.

Mr. Worms began his career practicing law at Gibson Dunn and Crutcher LLP, a national defense firm, and Bernstein Litowitz Berger and Grossmann LLP, a plaintiffs securities litigation firm. Prior to joining Saxena White, Mr. Worms owned and operated a private investigation business specializing in securities fraud and related forms of corporate misconduct. In this capacity, Mr. Worms was engaged by court-appointed lead counsel, or prospective lead counsel, on hundreds of securities fraud cases. Representative examples of Mr. Worms' successful engagements as a private investigator include the securities class actions against Regions Financial Corporation (\$90 million settlement), Hospira, Inc. (\$60 million settlement), Sirva, Inc. (\$53 million settlement), and Baxter International (\$42.5 million settlement). Mr. Worms has also coordinated with the U.S. Securities Exchange Commission and the U.S. Department of Justice on major securities fraud investigations and advised the U.S. Senate Financial Crisis Inquiry Commission regarding the role of rating agencies in the mortgage crisis.



At Saxena White, Mr. Worms is a member of the Firm's case starting group, where he leverages his extensive experience in the field of securities litigation in identifying, investigating, and advising the Firm's institutional clients on potential new matters.

Mr. Worms received his Bachelor of Arts degree with a major in History from Western Oregon University. He earned his Juris Doctor from the UCLA School of Law.

Mr. Worms is a member of the California Bar.

PROFESSIONALS**SHERRIL CHEEVERS***Client Services Specialist*

Ms. Cheevers is a Client Services Specialist at Saxena White. She is responsible for client outreach and business development among institutional investors. Ms. Cheevers attends industry conferences and organizes events and opportunities to give back to the community.

Prior to joining Saxena White, Ms. Cheevers worked as a sales and community liaison in multiple markets. Ms. Cheevers earned her Bachelor of Science from the University of Tampa.

**MICHAEL A. D'ALONZO***Client Services Specialist*

Michael A. D'Alonzo is a Client Services Specialist at Saxena White. Prior to joining Saxena White, Mr. D'Alonzo served over 21 years with the FBI, most recently as the Assistant Special Agent in Charge of the FBI Miami Office. In this role, he was responsible for the oversight of the Miami Divisions Resident Agencies and Miami's Special Operations Groups. As head of the Resident Agencies, he was responsible for both the counterterrorism and criminal investigations in the Fort Pierce, West Palm Beach, Homestead and Key West Resident Agencies.

During his service with the FBI, Mr. D'Alonzo served as a Supervisory Special Agent for over 9 years. While in the FBI Newark Division in New Jersey, he was responsible for Newark's Special Operations Group which provided support to covert and undercover operations, and Newark's Humint Squad, responsible for identifying and addressing FBI intelligence gaps. In the Newark Division, he developed educational platforms for state and local law enforcement entities regarding the Newark Division Intelligence Program, while maintaining effective liaison with New Jersey colleges and universities, increasing domain awareness, and increasing intelligence production efforts.

Prior to his service with the FBI Newark Division, Mr. D'Alonzo served in the FBI New York Office as both a criminal and counterterrorism Supervisory Special Agent. In his criminal role, he was responsible for New York's Civil Rights and Crimes Against Children programs. This role involved oversight of investigations related to human trafficking as well as overseeing kidnapping investigations.

As a counterterrorism Supervisory Special Agent, Mr. D'Alonzo was responsible for a Joint Terrorism Task Force. He was responsible for ensuring the coordination between other field offices, legal attaché offices, local law enforcement, state police, the Central Intelligence Agency, National Security Agency, Department of Homeland Security, and Department of Defense. Mr. D'Alonzo was also engaged with international terrorism cases that were worked hand in hand with foreign law enforcement organizations such as the Canadian Security Intelligence Service, Royal Canadian Mounted Police, New Scotland Yard and British Security Services. He had oversight over high profile investigations including Operation High Rise, Operation Silent Digit, Aafia Siddiqui, and Syed Hashmi, all of whom were found guilty of terrorism related charges.

Mr. D'Alonzo was elevated to Supervisory Special Agent at FBI Headquarters in the Counterterrorism Division's International Terrorism Operations Section I. In this role, he served as a program manager for numerous FBI field offices and was responsible for the coordination and support for FBI forward operations



in the field. As a Special Agent assigned to the FBI New York Office, Mr. D'Alonzo was part of the FBI's Special Operations Group and the Criminal Division, working South American, Columbian drugs. Prior to his FBI employment, Mr. D'Alonzo served as a Police Officer in the State of New Jersey for 9 years following his graduation from Villanova University, PA.



MARC GROBLER

Manager of Case Analysis

Marc Grobler plays a key role in new case development including performing in-depth investigations into potential securities fraud class actions, derivative, and other corporate governance related actions. By using an array of financial and legal industry research tools, Mr. Grobler analyzes information that helps support the theories behind our litigation efforts. He is also responsible for protecting the financial interests of our clients by managing the Firm's portfolio monitoring services and performing complex loss and damage calculations.

Prior to joining the Firm, he served as the Senior Business Analyst in the New York office of a leading securities class action law firm and has worked within the securities litigation industry for over 15 years.

Mr. Grobler graduated *cum laude* from Tulane University's A.B. Freeman School of Business in 1997, with a concentration in Accounting. With over 20 years of overall professional financial experience, he started his career in New York at PricewaterhouseCoopers performing audits within the Financial Services Group—audit clients included Prudential Financial and Wasserstein Perella. Prior to entering the securities litigation industry, he worked within the asset management group at Goldman Sachs where he was responsible for the financial reporting of a group of billion dollar fund-of-fund investments. Mr. Grobler also previously worked at UBS Warburg as a Financial Analyst in the investment banking division that focused on financial institutions such as banks, asset managers, insurance and start-up financial technology companies.



CHUCK JERLOMAN

Senior Client Services Specialist

Chuck Jeroloman, Senior Client Services Specialist, has been with the Firm since 2010. Mr. Jeroloman focuses on public pension clients to provide relevant educational materials, and personalized communication and service. Mr. Jeroloman is a frequent participant and speaker at state and national investor conferences, including the Georgia Public Pension Trustee Association, the Florida Public Pension Trustee Association, the National Conference on Public Employee Retirement Systems, and many more. He currently serves on the Florida Public Pension Trustees Association's Advisory Board.

Prior to joining Saxena White, Mr. Jeroloman worked in law enforcement for 28 years. He was at the Delray Beach Police Department for 23 years, and served as a homicide/robbery detective, street level narcotics investigator, field training officer, and a member of the S.W.A.T. and Terrorists Task Force. He was a Delray Beach Police and Fire Pension Board Trustee for 14 years, five of which he served as Chairman, and was also a member of the Delray Beach Fire and Police VEBA Board. Mr. Jeroloman also spent five years as a Deputy Sheriff with the Rockland County Sheriff's Department in New York. During that time, he was a member of the Joint Terrorists Task Force with the FBI, NYPD, Rockland County Sheriff's Department. During his tenure in law enforcement, Mr. Jeroloman served for 23 years as Union Representative for the Police Benevolent Association (PBA) and Fraternal Order of Police (FOP) as Union Treasurer for PBA in N.Y from 1982-87,

then for Delray Beach FOP 1988-94, and last with Delray Beach PBA from 1994-2006 with 2001-2006 as President.

Mr. Jeroloman earned his Associate Degree in Criminal Justice from Pasco-Hernando Community College. After college, Mr. Jeroloman was very active in the baseball community. He was an associate scout with the Anaheim Angels and Texas Rangers, and volunteered as a youth baseball coach through high school levels. Mr. Jeroloman also served as a director vice president for the Okeeheelee Athletic Association, and was Founding Chairman to Wellington High Baseball Booster Association and Palm Beach Central Baseball Booster Association.



SAM JONES
Financial Analyst

Sam Jones is a Financial Analyst with Saxena White's California office. Prior to joining Saxena White, Mr. Jones worked for over ten years as a financial analyst at a leading securities litigation law firm where he specialized in developing techniques for data modeling and visualization. He worked on numerous landmark securities cases including *In re Bank of America Securities Litigation* (\$2.425 billion recovery); *In re Lehman Brothers Equity/Debt Securities Litigation* (\$735 million recovery); *In re Wachovia Corp. Securities Litigation* (\$627 million recovery); and *Merrill Lynch Mortgage Pass-Through Litigation* (\$315 million recovery).

In the fallout of the housing and credit crisis, Sam pioneered techniques in data management and analysis for the firm's then-developing RMBS and structured finance practice. He has worked on numerous individual and class action RMBS cases against most of the major Wall Street banks.

Sam graduated from Vassar College, where he studied anthropology with a focus on economics. After graduation he worked extensively as a field archaeologist throughout the U.S. and in Israel before transitioning to a career in securities litigation and financial analysis.



STEFANIE LEVERETTE
Manager of Client Services

Stefanie Leverette is Saxena White's Manager of Client Services. In this role, she manages the Firm's client outreach and developmental programs and oversees the Firm's portfolio monitoring program. Since joining Saxena White in 2008, Ms. Leverette has coordinated the Firm's presence at industry conferences attended by representatives of various institutional clients throughout the United States. In addition, Ms. Leverette is responsible for the timely dissemination of all reports, notifications and all new cases and class action settlements that may have an impact to an investment portfolio. Ms. Leverette's main role is acting as the liaison between institutional clients and the Firm.

Ms. Leverette is a member of the Firm's Diversity and Social Responsibility Committee and a member of the Women's Initiative Subcommittee. She is also a member of the Firm's Case Starting Team, providing institutional clients with important information regarding potential litigation.

Ms. Leverette earned her undergraduate degree in Business Administration with a focus on Management from the University of Central Florida, and her Master's in Business Administration with a focus on International Business at Florida Atlantic University.

**JEROME PONTRELLI***Chief of Investigations*

With over two decades of law enforcement experience, including 12 years with the Federal Bureau of Investigation, Jerome Pontrelli serves as Saxena White's Chief of Investigations. He oversees all of the Firm's efforts to detect, investigate, and prosecute securities cases. Prior to joining Saxena White, Mr. Pontrelli was Director of Investigations at Labaton Sucharow LLP, where his cases resulted in monetary relief for harmed investors in excess of \$4 billion. He was also part of the firm's initial SEC Whistleblower Program.

Over the years, in the FBI and in private practice, Mr. Pontrelli has led over one hundred investigations of possible securities violations. Throughout his award-winning career, he has developed extensive experience in securities-related matters. Mr. Pontrelli began his career with the FBI in Covert Special Operations, and was later assigned to the FBI/NYPD Joint Bank Robbery Task Force. Following the September 11th attacks, Mr. Pontrelli was assigned to the Joint Terrorism Task Force. He later transferred to the White Collar Crime Heath Care Fraud Unit. Mr. Pontrelli has an extensive network of high-level relationships throughout the state and federal law enforcement communities.

Mr. Pontrelli received a Bachelor of Arts degree from St. Thomas Aquinas College and a Master of Arts degree from Seton Hall University. He graduated from the FBI Academy in 1996.

**RIAN WROBLEWSKI***Head of Investigative Intelligence*

With over eighteen years of intelligence gathering experience, Rian Wroblewski serves as Saxena White's Head of Investigative Intelligence. He oversees all of the Firm's efforts to generate proprietary sources of intelligence using advanced technological tools, systems, and methods. Prior to joining Saxena White, Mr. Wroblewski was Senior Manager of Investigative Intelligence at Labaton Sucharow LLP, where his cases resulted in monetary relief for harmed investors in excess of \$4 billion. He was also part of the firm's initial SEC Whistleblower Program.

Over the years, Mr. Wroblewski has provided expert commentary to The Washington Post, Investor's Business Daily, Canadian Broadcasting Corporation, and other news outlets. Mr. Wroblewski has provided consulting to database providers, eDiscovery vendors, corporate boards, and government entities throughout the world. He has extensive pro bono experience assisting political asylum seekers and targets of honor killings, working alongside the FBI and Department of State. Mr. Wroblewski is an active member of the FBI's InfraGard Program. He has an extensive network of high-level relationships within the global intelligence community.

Mr. Wroblewski received a Bachelor of Science degree from John Jay College of Criminal Justice.

STAFF ATTORNEYS**DENISE BRYAN**

With over 20 years of overall professional experience, Ms. Bryan began her legal career in New York at Prudential Securities. While at Prudential Securities, she reviewed claims alleging fraudulent practices and determined settlements in accordance with the guidelines of the Limited Partnership Settlement Fund as established by the Securities and Exchange Commission.

Ms. Bryan gained experience in the insurance industry as an attorney in the Environmental Claims Department of American International Group, and as an underwriter focusing on Professional Liability coverage for financial institutions including banks, insurance companies, and broker dealers. She was an Assistant Vice President at Marsh Inc. in New York and Chicago, where she was an insurance broker focused on providing Professional Liability coverage to Fortune 500 companies.

Ms. Bryan has been working in the area of e-discovery since 2007. She supervised teams of attorneys conducting large scale document reviews at a consulting group specializing in providing litigation support services to national and international companies. Ms. Bryan is a member of the New York Bar.

**REBECCA NILSEN**

Ms. Nilsen is experienced in e-discovery and litigation support services for class actions and other complex litigation. She has over 13 years of litigation experience in matters related to Federal Trade Commission, U.S Securities and Exchange Commission, Fair Debt Collection Practices and Consumer Financial Protection Bureau.

Ms. Nilsen graduated *cum laude* from Florida Atlantic University where she received a Bachelor of Arts with a major in Criminal Justice. In 2002, she received her Juris Doctorate degree from Nova Southeastern University, Shepard Broad College of Law. While attending law school, Ms. Nilsen interned in the Pro Bono Honor Program earning the Gold Award for 2001 – 2002. Ms. Nilsen is a member of the Florida Bar, and is admitted to practice before the United States District Courts for the Southern and Northern Districts of Florida.

**CHRISTINE SCIARRINO**

Christine Sciarrino has extensive experience in e-discovery as a project attorney for class action securities fraud litigation. Her legal practice has focused primarily on early resolution of matters, with an objective toward achieving optimum results for litigating parties through superb pre-trial preparation and informed decision making. As an experienced practitioner for plaintiffs who have been wronged by financial institutions and other entities, Ms. Sciarrino has most recently dedicated her expertise exclusively to this area.

Ms. Sciarrino graduated from Florida Atlantic University, where she received a Bachelor of Arts degree with a major in History. She received her Juris Doctor from the St. Thomas University School of Law. Ms. Sciarrino also earned a Master of Fine Arts in Creative Writing at Florida Atlantic University in 2004. Ms. Sciarrino is a member of the Florida Bar.

**HARRIET ATSEGBUA**

Ms. Atsegbua received her Juris Doctor from the Southern Methodist University Dedman School of Law, Master of Arts from the University of Denver, Josef Korbel School of International Studies, and her Bachelor of Science from Emory University. Ms. Atsegbua is a member of the New York and Texas Bars.

VALERIE KANNER BONK

Ms. Bonk received her Juris Doctor from Catholic University of America Columbus School of Law and her Bachelor of Arts from University of Maryland. Ms. Bonk is a member of the Maryland Bar.

PAUL BURNS

Mr. Burns received his Juris Doctor from St. Thomas University School of Law and his Bachelor of Science from University of Central Florida. Mr. Burns is member of the Florida Bar.

CHRISTOPHER DONNELLY

Mr. Donnelly received his Juris Doctor from University of Pennsylvania Law School, his LL.M from New York University and his Bachelor of Arts from Rutgers University. Mr. Donnelly is a member of the Florida, California, New Jersey, and New York Bars, and he is admitted to practice before the United States District Court for the Southern District of Florida.

MICHELE FASSBERG

Ms. Fassberg received her Juris Doctor from St. Thomas University School of Law and her Bachelor of Arts from Florida International University. Ms. Fassberg is a member of the Florida Bar.

NINA HAKOUN

Ms. Hakoun received her Juris Doctor from Nova Southeastern University and her Bachelor of Arts from Florida International University. Ms. Hakoun is a member of the Florida Bar.

TARA HEYDT

Ms. Heydt received her Juris Doctor from UCLA School of Law and her Bachelor of Arts from the University of Pennsylvania. Ms. Heydt is a member of the Florida Bar.

RYAN JOSEPH

Mr. Joseph received his Juris Doctor from New York Law School and his Bachelor of Science from Boston University. Mr. Joseph is a member of the Florida Bar.

MAX KOTELEVETS

Mr. Kotelevets received his Juris Doctor from New York Law School and his Bachelor of Arts from Stony Brook University. Mr. Kotelevets is a member of the New York, Florida and New Jersey Bars, and is admitted to practice before the United States District Courts for the Southern and Eastern Districts of New York.

MAURI LEVY

Ms. Levy received her Juris Doctor Degree from Villanova University School of Law and her Bachelor of General Arts and Sciences from Pennsylvania State University. Ms. Levy is a member of the Pennsylvania Bar and is admitted to practice before the United States District Court for the Eastern District of Pennsylvania.

**LESLIE MARTEY**

Ms. Martey received her Juris Doctor from Fordham University School of Law and her Bachelor of Arts from C.W. Post College. Ms. Martey is a member of the New York Bar.

ZERIN TAHER

Ms. Taher received her Juris Doctor from Western Michigan University, and her Masters of Business Administration and Bachelor of Science from Nova Southeastern University. Ms. Taher is a member of the Florida Bar.

KAREN THOMPSON

Karen Thompson received her Juris Doctor from St. Thomas University School of Law and her Bachelor of Arts from the University of Bridgeport. Ms. Thompson is a member of the Florida Bar.

COURTNEY WEISHOLTZ

Ms. Weisholtz received her Juris Doctor from Nova Southeastern University and her Bachelor of Arts from Northern Illinois University. She is a member of the Florida Bar, and is admitted to practice before the United States District Court for the Southern District of Florida.

OFFICES

FLORIDA

7777 Glades Road, Suite 300
Boca Raton, FL 33434
P: 561.394.3399
F: 561.394.3382

NEW YORK

10 Bank Street, 8th Floor
White Plains, NY 10606
P: 914.437.8551
F: 888.631.3611

CALIFORNIA

12750 High Bluff Drive, Suite 475
San Diego, CA 92130
P: 858.997.0860
F: 858.369.0096

DELAWARE

1000 N West Street
Suite 1200, Office 1265
Wilmington, DE 19801
P: 302.485.0483
F: 888.424.8566

www.saxenawhite.com

EXHIBIT H

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF GARRETT
	)	BLANCHFIELD, JR. FILED ON
vs.	)	BEHALF OF REINHARDT WENDORF
	)	& BLANCHFIELD IN SUPPORT OF
PATTERSON COMPANIES, INC., et al.,	)	APPLICATION FOR AWARD OF
	)	ATTORNEYS' FEES AND EXPENSES
Defendants.)	
)	

I, Garrett Blanchfield, Jr., declare as follows:

1. I am a member of the firm of Reinhardt Wendorf & Blanchfield (“RWB” or the “Firm”). I am submitting this declaration in support of the application for an award of attorneys’ fees and expenses/charges (“expenses”) in connection with services rendered in the above-entitled action.

2. This Firm is liaison counsel of record for plaintiff Plymouth County Retirement System.

3. The information in this declaration regarding the Firm’s time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I am the partner who oversaw and/or conducted the day-to-day activities in the litigation and I reviewed these reports (and backup documentation where necessary or appropriate) in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the litigation. As a result of this review, reductions were made to both time and expenses in the exercise of billing judgment. Based on this review and the adjustments made, I believe that the time reflected in the Firm’s lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the litigation.

4. After the reductions referred to above, the number of hours spent on the Litigation by my Firm is 97.20. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney/paraprofessional time based on the Firm’s current rates is

\$67,281.00. The hourly rates shown in Exhibit A are consistent with hourly rates submitted by the Firm in other securities class action litigation. The Firm's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side. For personnel who are no longer employed by the Firm, the "current rate" used for the lodestar calculation is based upon the rate for that person in his or her final year of employment with the Firm.

5. My Firm seeks an award of \$1,261.76 in expenses and charges in connection with the prosecution of the litigation. Those expenses and charges are summarized by category in Exhibit B.

6. The following is additional information regarding certain of these expenses:

(a) Filing, Witness and Other Fees: \$800.00. These expenses have been paid to the Court for filing fees. The vendors who were paid for these services are set forth in Exhibit C.

(b) Online Legal and Financial Research: \$461.76. This category includes vendors such as Westlaw and PACER. These resources were used to obtain access to legal research. This expense represents the expense incurred by RWB for use of these services in connection with this litigation. The charges for these vendors vary depending upon the type of services requested.

7. The expenses pertaining to this case are reflected in the books and records of this Firm. These books and records are prepared from receipts, expense vouchers, check records and other documents and are an accurate record of the expenses.

8. The identification and background of my Firm and its partners is attached hereto as Exhibit D.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 19th day of April 2022, at St. Paul, Minnesota

/s/Garrett D. Blanchfield, Jr.

Garrett D. Blanchfield, Jr.

EXHIBIT A

EXHIBIT A

Plymouth County Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-FLN
 REINHARDT WENDORF & BLANCHFIELD
 Inception through March 31, 2022

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Blanchfield, Garrett	(P)	55.4	\$765	\$42,381.00
Penney, Brant	(P)	41.3	\$600	\$24,780.00
Kosek, Shirley	(PL)	.5	\$240	\$120.00
<i>TOTAL</i>		<i>97.2</i>		<i>\$67,281.00</i>

(P) Partner

(A) Associate

EXHIBIT B

EXHIBIT B

Plymouth County Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-FLN
REINHARDT WENDORF & BLANCHFIELD
Inception through March 31, 2022

<i>CATEGORY</i>	<i>AMOUNT</i>
Filing, Witness and Other Fees	800.00
Online Legal and Financial Research	461.76
<i>TOTAL</i>	<i>\$1,261.76</i>

EXHIBIT C

EXHIBIT C

Plymouth County Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-FLN
 REINHARDT WENDORF & BLANCHFIELD

Filing, Witness and Other Fees: \$800.00

<i>DATE</i>	<i>VENDOR</i>	<i>PURPOSE</i>
6/15/2018	Minnesota Dist Court	PHV for Tricia McCormick
8/15/2018	Minnesota Dist Court	PHV for David Rosenfeld
9/6/2018	Minnesota Dist Court	PHV for lucas Olts
9/6/2018	Minnesota Dist Court	PHV for Alexi Pfeffer-Gillett
12/18/2018	Minnesota Dist Court	PHV for Heather Schlesier
10/8/2019	Minnesota Dist Court	PHV for Jennifer Caringal
10/29/19	Minnesota Dist Court	PHV for Jonah Goldstein
11/2/21	Minnesota Dist Court	PHV for Stewart

EXHIBIT D

EXHIBIT D



FIRM PROFILE

Reinhardt Wendorf & Blanchfield zealously represents plaintiff classes in actions involving violations of state and federal antitrust, securities, consumer protection and racketeering laws. Our attorneys have successfully confronted the world's biggest corporations, and recovered billions of dollars for class plaintiffs.. The firm's reputation for excellence has been recognized in courtrooms across America.

The firm was founded in 2003 by Mark Reinhardt, Mark Wendorf and Garrett Blanchfield, and, It is a nationally known class action firm encompasses the values of hard work, ingenuity, integrity, pride in a quality product and successful result.

ANTITRUST LITIGATION

Reinhardt Wendorf & Blanchfield is committed to vigorously prosecuting violations of competition laws and other unlawful business practices on behalf of its clients. The firm's antitrust attorneys have the experience and the economic and legal background necessary to help consumers and businesses injured by anti-competitive conduct. Our attorneys have successfully litigated major antitrust cases in state and federal courts throughout the United States at both the trial court and appellate levels. Some of the antitrust cases in which the firm has held a leadership role are:

In re American Express Anti-Steering Rules Antitrust Litigation (II) *Court File No. 11-MD-02221 (EDNY)*. Reinhardt Wendorf & Blanchfield was co-lead counsel and is a member of the Executive Committee in this massive merchant antitrust case alleging claims of monopolization.

In re American Express Consolidated Merchants Litigation, *Court File No. 04-CV-00366 (SDNY)*. Reinhardt Wendorf & Blanchfield is co-lead counsel in this massive merchant antitrust tying case. This case was heard in the United States Supreme

Court *sub nom*, American Express Company, et al. v. Italian Colors Restaurant, et al., 133 S Ct. 2304 (June 20, 2013).

In re Bromine Antitrust Litigation, Court File No. IP 99-9310-C-B/S (S.D. Ind.). Mark Reinhardt served as lead counsel in this multi-district antitrust class action alleging a nationwide conspiracy to fix the prices of certain bromine products. The plaintiff class recovered nearly \$10,000,000 in cash and product vouchers.

In re Commercial Tissue Products Antitrust Litigation, MDL No. 1189 (N.D. Fla.). The firm was on the executive committee and participated in extensive discovery in this national antitrust case alleging price fixing in the paper products industry. The plaintiff class recovered in excess of \$40,000,000 in settlements.

Kirk Dahl et al., v. Bain Capital Partners LLC, et al., Court File No. 07-cv-12388 (D. Mass.). Reinhardt Wendorf & Blanchfield is class counsel in this antitrust case alleging a conspiracy among some of the world's largest private equity firms to not compete when bidding on large leveraged buyouts. The plaintiff class recovered in excess of \$590 million in settlements.

In re: European Rail Pass Antitrust Litigation, Court File No. 00-Civ.691-WCC (S.D.N.Y.). Reinhardt Wendorf & Blanchfield served as lead counsel in this antitrust class action alleging price fixing of the commission paid to travel agents selling passes for European rail travel. The plaintiff class recovered \$375,000 in cash and \$888,000 in rail passes from two defendants who, in the wake of downturns in the travel industry, faced serious financial difficulties and potential bankruptcy.

In re: Industrial Silicon Antitrust Litigation, Court File No. 95-2104 (W.D. Pa.). The firm served as co-lead and trial counsel in this class action alleging defendants conspired to fix the price of ferrosilicon, silicon metal and ferrosilicon products in violation of U.S. antitrust laws. Lead counsel negotiated \$22.5 million in settlements from six defendants on behalf of the plaintiff class.

Marcus Corporation v. American Express, Court File No. 04-05432 (S.D.N.Y.). Reinhardt Wendorf & Blanchfield is co-lead counsel in this pending anti-trust case challenging the tying of credit cards to charge cards.

In re: Potash Antitrust Litigation, Court File No. 3-93-197 (D. Minn.). The firm served as co-lead counsel in this national antitrust class action alleging the major producers of potash conspired to artificially inflate prices.

In re Rubber Chemicals Antitrust Litigation, Court File No. 02-19278 (Henn. County, Minn.). Reinhardt Wendorf & Blanchfield served on the discovery and expert witness committees in this indirect purchaser antitrust class action and served as lead counsel for the Minnesota case. As lead counsel, Garrett Blanchfield obtained a unanimous reversal of defendants' motion to dismiss from the Minnesota Supreme Court. *Lorix v. Crompton Corp., et al*, 734 N.W.2d 619 (Minn. 2007). The plaintiff class recovered \$3,798,225 in settlements.

*

*

*

In addition, the firm has played a significant role in most of the recent cases alleging nationwide violations of federal antitrust laws.

In re Aftermarket Filters Antitrust Litigation, *Court File No. 08-cv-4883 (N. D. Ill.)*. Reinhardt Wendorf & Blanchfield is class counsel and participated in significant document review in this antitrust case alleging a conspiracy to fix the prices and allocate customers for aftermarket air, oil, fuel and transmission filters in violation of §1 of the Sherman Act. Counsel recovered \$18,000,000 on behalf of the plaintiff class.

In Re: ACTOS End-Payor Antitrust Litigation, *Court File No. 13-cv-09244 (SDNY)*. Reinhardt Wendorf & Blanchfield is class counsel in the antitrust case alleging defendants engaged in an anticompetitive scheme to allocate and unreasonably delay competition in the market for the prescription drugs ACTOS and ACTOS*plus*.

In Re: Aggrenox Antitrust Litigation, *Court File No. 14-md-2516-SRU (D. Conn.)*. Reinhardt Wendorf & Blanchfield is class counsel in this antitrust case alleging defendants participated in an anti-competitive scheme to delay generic competition for Aggrenox, including a “pay-for-delay” settlement to delay entry of a generic version of the drug. End-payor class plaintiffs recovered \$54,000,000 in settlements.

In re Air Cargo Shipping Services Antitrust Litigation, *Court File No. 06-md-01775-JG-VVP (EDNY)*. Reinhardt Wendorf & Blanchfield was class counsel and participated in document review in this class action alleging antitrust violations in the air cargo shipping services market. More than \$848 million has been recovered on behalf of the plaintiff class.

In Re: Aluminum Warehousing Antitrust Litigation, *Court File No. 13-md-2841 (SDNY)*. The firm is class counsel in this antitrust case alleging a conspiracy to increase aluminum stockpiles and load-out delays in order to inflate the Platts Midwest Premium, a key component of aluminum contracts, and thereby drive up aluminum prices.

In Re: Anadarko Basin Oil and Gas Lease Antitrust Litigation, *Court File No. CIV-15-209-HE (W.D. Okla.)*. Mr. Blanchfield served on the Executive Committee in this class action lawsuit alleging defendants fixed the prices paid to leaseholders in exchange for the right to explore for and produce minerals on the land. \$6.95 million in settlements have been recovered on behalf of class plaintiffs.

In re Aspartame Antitrust Litigation, *Court File No. 06-1732-LDD (E.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging price fixing in the sweeteners industry.

In re ATM Fee Antitrust Litigation, *Court File No. 04-cv-02676-CRB (N. D. Cal.)*. Reinhardt Wendorf & Blanchfield is class counsel and participated in significant discovery in this antitrust case relating to bank fees for ATM card usage.

In Re: Automotive Parts Antitrust Litigation, *Court File No. 12-md-02311 (E.D. Mich.)* Reinhardt Wendorf & Blanchfield serves as class counsel and participated in extensive discovery in this massive antitrust case alleging defendants engaged in a decade-long conspiracy to unlawfully fix and artificially raise the price of many automotive parts resulting in increased prices to both automotive manufacturers and consumers. The plaintiff class has recovered \$1.04 billion in settlements.

Binz, et al. v. Amadeus IT Group, S.A., et al., *Court File No. 1:15-cv-05457-KPF (S.D.N.Y.)*. Reinhardt Wendorf & Blanchfield served as class counsel in the antitrust case alleging defendants conspired to fix the price of a service used by airlines to communicate ticket pricing. Reinhardt Wendorf & Blanchfield was responsible for plaintiffs' discovery and depositions.

In re Blood Reagents Antitrust Litigation, *Court File No. 09-md-2081 (E.D. Pa.)* Reinhardt Wendorf & Blanchfield serves as class counsel in this class action alleging a conspiracy to artificially fix, raise and/or stabilize the price of Blood Reagents in the United States resulting in millions in market overcharges to plaintiffs and class members. Almost \$40,000,000 in settlements has been recovered on behalf of the plaintiff class.

In Re: Blue Cross Blue Shield Antitrust Litigation, *Court File No. 13-cv-20000 (N.D. Ala.)*. Reinhardt Wendorf & Blanchfield represents a class of subscribers alleging defendants engaged in a conspiracy to allocate markets in order to establish and maintain monopoly power throughout the regions in which they operate in violation of the Sherman Act. Reinhardt Wendorf & Blanchfield serves on the brief writing committee, worked on trial preparation, analyzed defendant privilege logs which include preparing objections and attending related meet and confers, and participated in extensive document review and trial preparation.

Boland v. Consolidated Multiple Listing Service, Inc. et al., *Court File No. 09-cv-1974-SB (D.S.C.)*. Reinhardt Wendorf & Blanchfield serves as class counsel in this case alleging unlawful restraint of competition among real estate brokerages in violation of federal antitrust laws.

In re: Brand Name Prescription Drugs Antitrust Litigation, *Court File No. 94-C-897 N.D. Ill.)*. The firm performed substantial work including serving as a member of the trial team, representing the class in this prescription drug antitrust price fixing case that recovered over \$700 million in settlements on behalf of the plaintiff class.

In re Broiler Chicken Antitrust Litigation, *Court File No. 16-cv-08637 (N.D. Ill.)*. Reinhardt Wendorf & Blanchfield serves as class counsel in this antitrust case alleging defendants conspired to illegally fix, raise, maintain and stabilize the price of broiler chickens. The firm participated in extensive document review and preparation of witness packets for depositions.

In re Cattle Antitrust Litigation, *Court File No. 19-cv-01222-JRY-HB (D. Minn.)*. Reinhardt Wendorf & Blanchfield serves as class counsel in this antitrust case alleging defendant meat packing conglomerates engaged in an illegal conspiracy to suppress the price paid to the producers of fed cattle.

Chicago Ingredients, Inc. v. Archer Daniels and Midland Company, Inc., Ajinomoto U.S.A., Inc., Ajinomoto Co., Inc., Chiel Foods and Chemicals, Inc., Miwon Co, Ltd., Takeda Chemical Industries, Ltd., Takeda U.S.A., Inc., and Tong Hai Fermentation Industrial Corp., *Master File No. CV-00-0384 (D. Minn.)*. Reinhardt Wendorf & Blanchfield was class counsel in this multi-district antitrust class action.

In re Carbon Black Antitrust Litigation, *Court File No. 03-cv-10191 (D. Mass.)*. The firm served as class counsel in this national antitrust class action alleging specialty chemicals manufacturers conspired to fix the prices for carbon black sold in the united states in violation of federal antitrust laws. \$16,000,000 in settlements were recovered on behalf of the plaintiff class.

In re: Carbon Dioxide Industry Antitrust Litigation, *Court File No. MDL 940 (M.D. Fla.)* Our attorneys and paralegals performed substantial work representing the class in this antitrust case alleging that the major manufacturers of bulk liquid carbon dioxide engaged in a horizontal agreement to fix prices. The plaintiff class recovered \$53 million in settlements along with significant therapeutic relief.

In Re: Cathode Ray Tube (CRT) Antitrust Litigation, *Master File No. 3:07-cv-05944-SC, MDL No. 1917 (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield is class counsel in this antitrust case alleging a national conspiracy to fix the price of, cathode-ray tubes ("CRTs") and products containing CRTs. Over \$149,000,000 in settlements was obtained on behalf of the plaintiff class.

CC1 Limited Partnership, et al v. Horizon Lines, Inc., et al, *Court File No. 08-cv-01467-DRD (D.P.R.)*. Reinhardt Wendorf & Blanchfield is class counsel in this antitrust case alleging a conspiracy to suppress and eliminate competition in the market for coastal water freight transportation services between the United States and Puerto Rico. Class counsel negotiated \$52,250,000 in settlements on behalf of the plaintiff class.

In re Chocolate Confectionary Antitrust Litigation, *Court File No. MDL 1935 (M.D. Pa.)*. Reinhardt Wendorf & Blanchfield is class counsel in this antitrust case alleging a conspiracy to fix the prices of chocolate in the worldwide chocolate market.

In re Cigarette Antitrust Litigation, *Court File No. 1:00-CV-0447-JOF (N.D. Ga.)*. Reinhardt Wendorf & Blanchfield served on the expert witness committee in this nationwide antitrust case against the major manufacturers of cigarettes.

In Re: Domestic Air Transportation Antitrust Litig., *MDL File No. 861 (N.D. Ga.)*. The firm served as class counsel in this class action alleging violations of federal antitrust laws related to airfare pricing. Counsel negotiated settlements totaling \$458,000,000 on behalf of the plaintiff class.

In re: Domestic Drywall Antitrust Litigation, *Court File No. 13-md-2437-MMB (E.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging manufacturers conspired to fix, raise, stabilize and maintain the prices of gypsum board in violation of Federal Antitrust laws. Reinhardt Wendorf & Blanchfield did extensive

discovery work, including taking the deposition of one of the defendants. Over \$170,000,000 in settlements have been obtained on behalf of the settlement class.

In re DRAM Antitrust Litigation, *Court File No. MDL 1486 (C.D. Cal.)*. Reinhardt Wendorf & Blanchfield served as class counsel and participated in extensive discovery in this antitrust case alleging a national conspiracy to fix the price of D-RAM, a type of computer chip. Counsel negotiated settlements in the amount of \$325,997,000 on behalf of the plaintiff class.

Matthew Edwards v. National Milk Producers Federation et. al., *11-cv-4766-JSW (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield represented two of the named plaintiffs in this antitrust case alleging a conspiracy to limit the production of raw farm milk in violation of Federal Antitrust laws. The firm handled discovery for the named plaintiffs, including defending their depositions. The plaintiff class recovered \$52,000,000 in settlements.

Expressions Hair Design v. Schneiderman, *Court File No. 13-cv-3775-JSR (S.D.N.Y.)*. Reinhardt Wendorf & Blanchfield is class counsel in this case alleging the New York no-surcharge law, N.Y. Gen. Bus. Law § 518, violates the First Amendment to the U.S. Constitution, is unconstitutionally vague, and is preempted by federal antitrust law.

In re Fasteners Antitrust Litigation, *Court File No. MDL 1912 (E.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging a national conspiracy to fix the price of fasteners, zippers, snaps, hooks & eyes, rivets, eyelets and similar fastening devices. Counsel recovered \$17,550,000 in settlements for the plaintiff class.

In re Flash Memory Antitrust Litigation, *Master File No. 07-0086 SBA, MDL 1852 (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield was class counsel in this indirect purchaser antitrust class action alleging a national conspiracy to fix the price of flash memory chips which were used in a variety of applications, including, memory cards, USB storage devices, digital audio devices, mobile wireless technology, game consoles and personal computers.

In re Flat Glass Antitrust Litigation (II), *Court File No. 08-cv-180-DWA (W.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel and worked extensively with the economic experts in this antitrust case alleging a national conspiracy to fix the prices of Construction Flat Glass. Over \$22.3 million in settlements was recovered on behalf of the plaintiff class.

In re Flat Glass Antitrust Litigation, *Court File No. 97-cv-550 (W.D. Pa.)*. Reinhardt Wendorf & Blanchfield was on the executive committee of this antitrust case alleging a horizontal price fixing conspiracy. Class counsel recovered \$61.7 million in settlements on behalf of the class.

Fond du Lac Bumper Exchange, Inc., et al. v. Jui Li Enterprise Co., et al, *Court File No. 09-cv-00852 (E.D. Wis.)*. The firm served as class counsel in this national class action alleging a conspiracy to fix the price of aftermarket auto sheet metal parts in violation of

Federal antitrust laws. Settlements in excess of \$28,000,000 have been recovered on behalf of the plaintiff class.

In re Graphics Processing Units Antitrust Litigation, *Court File No. 07-cv-01826-WHA, (N. D. Cal.)*. Reinhardt Wendorf & Blanchfield was class counsel in this indirect purchaser class action alleging violation of federal antitrust laws related to Graphics Processing Units and Cards.

Grubb Lumber Company, Inc. v. Masonite Corporation et al., *Court File No. 18-cv-00718-JAG (E.D. Va)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging defendants participated in an illegal collusive pricing scheme for interior molded doors. The firm has participated in extensive document review as well as prepared documents for and attended depositions.

In re High Fructose Corn Syrup Antitrust Litigation, *Master File No. 95-1477, MDL No. 1087 (D. Ill.)*. Reinhardt Wendorf & Blanchfield was class counsel and participated in extensive discovery in this national antitrust case alleging horizontal price fixing by the major manufacturers of high fructose corn syrup. \$431,000,000 in settlement were recovered on behalf of the plaintiff class.

In re High Pressure Laminates, *Court File No. 00-MD-1368 (CLB) (S.D.N.Y.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging price fixing in the high pressure laminate industry. The plaintiff class recovered \$9.5 million in settlements.

In re Hydrogen Peroxide Antitrust Litigation, *Court File No. 05-1339, MDL 1682 (E.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging price fixing in the manufacture and sale of Hydrogen Peroxide and its downstream products sodium perborate & sodium per carbonate. Counsel obtained over \$87.3 million in settlements from four defendants on behalf of the plaintiff class.

In re International Air Transportation Surcharge Antitrust Litigation, *Court File No. 06-cv-01793-CRB (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield was class counsel in this class action alleging antitrust violations related to fuel surcharges in the air transportation industry. Counsel obtained \$59,007,273 in settlements on behalf the class of U.S. Ticket purchasers and £48,339,176 on behalf U.K. ticket purchasers.

In re K-Dur Antitrust Litigation, *Court File No. 01-1652-JAG (D.N.J.)*. Reinhardt Wendorf & Blanchfield was class counsel and participated in discovery in this antitrust market allocation class action alleging unlawful pay-for-delay agreements between Schering-Plough Corporation, Upsher-Smith Laboratories and American Home Products Corporation related to extended-release potassium chloride tablets and capsules. A settlement in the amount of \$60,000,000 was recovered on behalf of the plaintiff class.

Kleen Products, LLC, et al v. Packaging Corporation of America, et al., *Court File No. 10-cv-5711 (N.D. Ill.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this class action alleging violation of federal antitrust laws. Reinhardt Wendorf & Blanchfield oversaw discovery of one of the defendants in this case in which plaintiffs recovered \$375,400,000 in settlements.

In Re: Lidoderm Antitrust Litigation, *Court File No. 14-md-02521 (N.D. Cal.)*. The firm is class counsel in this class action alleging defendants engaged in an anticompetitive scheme to delay availability of a generic version of the lidocaine patch Lidoderm. Settlements in the case totaled \$166,000,000.

In re Linen Services Antitrust Litigation, *Court File No. 03-cv-7823-GEL (S.D.N.Y.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging price fixing in the linen services industry. Counsel negotiated settlements in the amount of \$6.3 million in cash and \$2.9 million in vouchers on behalf of the plaintiff class.

In re Linerboard Antitrust Litigation, *Court File No. 99-CV-2549 (E.D. Pa)*. Reinhardt Wendorf & Blanchfield served on the expert witness committee and participated in extensive discovery in this antitrust class action alleging the manufacturers of corrugated linerboard conspired to fix prices on a nationwide level. The Plaintiff class recovered over \$200 million in settlements.

In Re: Lithium Ion Batteries Antitrust Litigation, *Court File No. 13-md-02420-YGR (N.D. Cal.)*. The firm is class counsel in this antitrust class action alleging the Manufacturers of Lithium Ion Batteries engaged in a conspiracy to unlawfully fix and artificially raise the prices of Lithium Ion Rechargeable Batteries in violation of federal antitrust laws. Settlements totaling \$70,450,000 have been negotiated on behalf of the plaintiff class.

McDonough, et al v. Toys "R" Us, Inc., et al, *Court File No. 06-cv-0242-AB (E.D. Pa.)*. The firm is class counsel and participated in substantial discovery in this pending class action alleging antitrust violations in the baby products market. Settlements totaling \$35.5 have been obtained on behalf of the plaintiff class.

In Re: Medical X-Ray Film Antitrust Litigation, *Court File No. CV-93-5904-CPS (E.D.N.Y.)*. The firm was on the executive committee in this national class action alleging price fixing in the medical x-ray film industry. The Plaintiff class recovered \$39,360,000 in settlements.

In re Milk Products Antitrust Litigation, *Court File No. 3-96-458 (D. Minn.)*. The firm was on the steering committee of this Minnesota antitrust case alleging a regional conspiracy to fix the price of milk.

In re Monosodium Glutamate Antitrust Litigation, *Court File No. 00-md-1328 PAM/JGL (D. Minn.)*. Reinhardt Wendorf & Blanchfield participated in extensive document review in the antitrust case against the producers of MSG. The plaintiff class recovered \$123,400,000 in settlements.

In re NASDAQ Market Makers Antitrust Litigation, *Court File No. 94 Civ. 3996 RWS (S.D.N.Y.)*. The firm performed substantial work representing the class in this case alleging market manipulation by the market makers in the National Association of Securities Dealers. Over \$1 billion in settlements was recovered on behalf of the plaintiff class.

In re NCAA Student-Athlete Name and Likeness Licensing Litigation, *Court File No. 09-cv-1967 (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield serves as class counsel and represents one of the named plaintiffs in this class action alleging *per se* violations of federal antitrust laws by engaging in a price-fixing conspiracy and a group boycott/refusal to deal that has unlawfully foreclosed class members from receiving compensation in connection with commercial exploitation of their images following their conclusion of intercollegiate athletic competition. A \$40 million settlement was reached with two of the defendants. A trial against the remaining defendant resulted in the Court finding that the NCAA's rules prohibiting compensation for likeness use was an antitrust violation and issued a permanent injunction against those rules.

In Re: National Football League's "Sunday Ticket" Antitrust Litigation, *Court File No. 15-md-02668 (C.D. Cal.)*. The Firm is class counsel in this case filed on behalf of bars and restaurants alleging defendants colluded to charge supra-competitive prices for out of market NFL games via DirecTV's NFL Sunday Ticket package.

In Re: Niaspan Antitrust Litigation, *Court File No. 13-md-2460 (E.D. Penn.)*. Reinhardt Wendorf & Blanchfield is class counsel in this antitrust case alleging defendants engaged in a multifaceted anticompetitive scheme to exclude competition by preventing, suppressing and delaying entry of generic versions from the market for the prescription drug Niaspan.

In re Online DVD Rental Antitrust Litigation, *Court File No. 09-md-2029 (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield serves as class counsel and has participated in extensive discovery in this class action alleging monopolization and illegal restraint of trade in the on-line DVD rental market. Class counsel has negotiated a settlement of \$27,250,000 from one of the defendants.

In re Optical Disk Drive Products Antitrust Litigation, *Court File No. 10-md-2143 (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this class action alleging violation of federal antitrust laws in the optical disk drive market. Counsel negotiated settlement totaling \$37,750,000 on behalf of the plaintiff class.

In re OSB Antitrust Litigation, *Master File No. 06-CV-00826-PSD (E.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging a conspiracy to fix the price of OSB board. RWB worked with the experts, participated in extensive discovery and was in charge of the discovery efforts against one of the defendants. The plaintiff class recovered over \$120,000,000 in settlements.

In Re: Packaged Ice Antitrust Litigation, *Court File No. 08-md-1952-PDV (E.D. Mich.)*. Reinhardt Wendorf & Blanchfield is class counsel and represented one of the named plaintiffs in this antitrust case alleging a national conspiracy to fix the price of packaged ice. The defendants in this case declared bankruptcy, however, counsel was able to negotiate a settlement of \$700,000 with Reddy Ice.

In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation, *MDL 05-1720-JG-JO (S.D.N.Y.)*. RWB is co-lead counsel of a subset of allegations against Visa and MasterCard and is participating in extensive discovery in this massive anti-trust

case against the issuers of credit cards. Counsel recovered in excess of \$6 billion in settlement on behalf of the plaintiff class.

Performance Labs, Inc., et al. v. American Express Co., et al., *Case No. 06-cv-2974-SWK (S.D.N.Y.)*. Reinhardt Wendorf & Blanchfield is co-lead counsel in this case alleging that the restrictions placed on merchants by American Express are antitrust violations.

In re Photochromic Lens Antitrust Litigation, *Court File No. 10-md-2173 (M.D. Fla.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this class action alleging violation of federal antitrust laws.

In re Plastic Cutlery Antitrust Litigation, *Master File No. 96-728 (E.D. Pa.)*. The firm was co-lead counsel in this national antitrust case alleging the major manufacturers of plastic cutlery engaged in a horizontal agreement to fix prices. The Plaintiff class recovered over \$1.1 million in settlements.

In Re: Plastic Tableware Antitrust Litigation, *Master File No. 94-CV-3564 (E.D. Pa.)*. The firm was co-lead counsel in this national antitrust case alleging the major manufacturers of injection molded plasticware engaged in a horizontal agreement to fix prices. Plaintiff class recovered \$9 million in settlements.

In re Polypropylene Carpet Antitrust Litigation, *Master File No. 4:95-CV-193-HLM, MDL Docket No. 1075 (N. D. Ga.)*. The firm was on the executive committee and participated in extensive discovery in this national antitrust case alleging price fixing of polypropylene carpet. The plaintiff class recovered over \$7 million in settlements.

In re Polyurethane Foam Antitrust Litigation, *Court File No. 10-md-2196-JZ (N.D. Ohio)*. Reinhardt Wendorf & Blanchfield serves as class counsel in this antitrust class action alleging violation of federal antitrust laws. The plaintiff class recovered over \$275,500,000 in settlements.

In re Pool Product Distribution Market Antitrust Litigation, *Court File No. 12-md-02328-SSV, (E.D. La)* The firm serves as class counsel in this national antitrust class alleging the Defendants entered into agreements and attempted to monopolize the market for Pool Products in violation of antitrust laws. Counsel negotiated settlements totaling \$15,950,000 on behalf of class plaintiffs.

In re Pork Antitrust Litigation, *Court File No. 18-cv-01776-JRT-HB (D. Minn.)*. Reinhardt Wendorf & Blanchfield serves as class counsel in this antitrust case alleging defendants engaged in an illegal conspiracy to coordinate output and limit production as a means to increase the price of pork in the United States.

In re Pressure Sensitive Labelstock Antitrust Litigation, *Court File No. 03-MDL-1556 (M.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel and participated discovery in this antitrust case alleging price fixing in the pressure sensitive label industry. Settlements of \$46.5 million have been recovered on behalf of the plaintiff class.

In re Publication Paper Litigation, *Court File No. 3:04-MD-1631 (D. Conn.)*. Reinhardt Wendorf & Blanchfield is class counsel in this nationwide antitrust case alleging price fixing of coated and uncoated magazine paper.

In Re: Puerto Rican Cabotage Antitrust Litigation, *Court File No. 08-md-1960 (D.P.R.)*. Reinhardt Wendorf & Blanchfield was class counsel in this antitrust case alleging Jones Act shipping companies engaged in a conspiracy to fix prices for ocean shipping services between the United States and Puerto Rico. \$52,000,000 in settlements were recovered on behalf of the plaintiff class.

In re Refrigerant Compressors Antitrust Litigation, *Court File No. 02-md-02042 (E.D. Mich.)*. Reinhardt Wendorf & Blanchfield serves as class counsel in this pending class action alleging a conspiracy to fix, raise, maintain and/or stabilize prices of, and allocate the worldwide market for, hermetically sealed refrigerant compressors. The plaintiff class recovered \$48.4 million in settlements.

Robertson v. Sea Pines Real Estate Companies, Inc. et al., *Court File No. 10-cv-0095-SB (D.S.C.)*. Reinhardt Wendorf & Blanchfield was class counsel in this case alleging the MLS and various real estate brokerage firms engaged in a conspiracy to restrain competition in the Beaufort/Hilton Head South Carolina area by enforcing unlawful rules, regulations, by-laws, policies, and procedures that caused Plaintiff and the class members to pay higher prices for real-estate-brokerage services.

Seiver et al. v. Time Warner, *Court File No. 03-CV-7747(S.D.N.Y.)*. Reinhardt Wendorf & Blanchfield was co-lead counsel in this antitrust class action alleging Time Warner entered into illegal tying arrangements which required its subscribers to lease unwanted cable modems as part of their subscription fee for cable modem high-speed internet access.

In re Static Random Access Memory (SRAM) Antitrust Litigation, *Court File No. 07-cv-01819-CW (N.D. Cal.)*. The firm was class counsel in this class action case alleging a national conspiracy to fix the price of SRAM, a type of computer chip. Over \$76 million in settlements has been recovered on behalf of the plaintiff class.

In Re: Steel Antitrust Litigation, *Court File No. 08-cv-5214 (N.D. Ill.)*. The firm is class counsel in this antitrust case alleging defendants engaged in a scheme to artificially restrict the supply of steel products in the United States, thereby allowing defendants to charge supra-competitive prices. Settlements in excess of \$163,000,000 have been negotiated on behalf of the plaintiff class with three defendants remaining in the case.

In Re: TFT-LCD (Flat Panel) Antitrust Litigation, *Court File No. M: 07-1827 SI, MDL No. 1827 (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield is class counsel and is participating in extensive discovery in this pending antitrust case alleging a national conspiracy to inflate and stabilize the prices of Thin-Film Transistor Liquid Crystal Displays. Almost \$1.1 billion was recovered on behalf of the plaintiff class.

In re Transpacific Passenger Air Transportation Antitrust Litigation, *Court File No. 07-cv-5634 (N.D. Cal.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this class action alleging a long-running international conspiracy to fix the prices of trans-

Pacific air passenger transportation and the fuel surcharges on this transportation. Over \$147,000,000 has been recovered on behalf of the plaintiff class.

In Re: Treasury Securities Auction Antitrust Litigation, *Court File No. 15-md-02673 (S.D.N.Y.)*. The firm is class counsel in this class action alleging defendants engaged in a scheme to manipulate the market for U.S. Treasury bills, notes and bonds in violation of federal antitrust laws.

Universal Delaware, Inc., d/b/a Gap Truck Stop v. ComData Corporation, *Court File No. 07-cv-1078-JKG-HSP (E.D. Pa.)*. Reinhardt Wendorf & Blanchfield was class counsel and participated in discovery in this class action case alleging anti-competitive conduct related to transaction fees on Comdata Proprietary Card Transactions. Defendants collectively agreed to pay \$130,000,000 in cash settlements.

In re Urethane Antitrust Litigation, *Court File No. 04-1616 (D. Kan.)*. Reinhardt Wendorf & Blanchfield represents the class in this ongoing antitrust class action alleging price fixing in the sale of urethane and urethane chemicals. More than \$1.144 billion was recovered on behalf of the plaintiff class.

In re Vitamins Antitrust Litigation, *Court File No. 99-197-TFH (D.D.C.)*. Reinhardt Wendorf & Blanchfield was class counsel and participated in extensive discovery in this national antitrust case alleging price fixing in the bulk vitamins industry. This case recovered over \$1 billion in settlements from several of the defendants.

SECURITIES CLASS ACTION LITIGATION

The attorneys of Reinhardt Wendorf & Blanchfield are well-known for their class action securities litigation practice. The firm has represented classes of shareholders throughout the country, recovering millions of dollars for defrauded shareholders. Reinhardt Wendorf & Blanchfield aggressively pursues these cases on behalf of shareholders and other victims injured by corporate fraud, misrepresentation, breaches of fiduciary duty, and other financial wrongdoings. Some of the securities cases in which the firm played a significant role are:

In Re: ADC Telecommunications, Inc. Shareholder Litigation, *Court File No. 27-cv-10-17053 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield was class counsel in this derivative case in which the Defendants agreed to make disclosures related to the acquisition.

Bruce Bosshart et. al v. Manugistics Group, Inc., *Court File No. 98-CV-1504 (D. Minn.)*. The firm served as co-lead counsel in this securities fraud class action that recovered \$2 million on behalf of the plaintiff class.

In Re: Caribou Coffee, Inc. Shareholder Litigation, *Court File No. 27-cv-12-24893 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield served as local counsel in this shareholder litigation alleging breach of fiduciary duty related to the decision by the Caribou Board of Directors to sell the company to Joh A. Benckiser Group. As a result of this litigation, Defendants agreed to make additional disclosures about the transaction.

In re Ceridian Corporation *Court File No. 04-CV-03704-MJD-JGL (D. Minn.)*. Reinhardt Wendorf & Blanchfield was liaison counsel in this securities fraud class action.

Unger v. Chronomed, Inc. et al *Court File No.: MC 04-12272 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield was liaison counsel in this Minnesota securities fraud class action.

In Re Computer Learning Centers Securities Litigation, *Court File No. 98-859-A (E.D. Va.)*. The firm was co-lead counsel in the securities class action alleging violation of federal securities laws. Class counsel recovered over \$7.5 million in cash and stock on behalf of the plaintiff class.

Craig Anderson, et. al. v. EFTC Corporation, et al, *Court File No. 98-CV-962 (D. Colo.)*. The firm served as co-lead counsel in the securities class action that recovered \$6 million on behalf of the plaintiff class.

Don Blakstad et al v. Net Perceptions, Inc. et al, *Court File No. 03-17820 (D. Minn.)*. The firm served as class counsel in this securities fraud class action.

In re Engineering Animation Securities Litigation, *Court File No. 4-99-CV-10117 (C.D. Iowa)*. The firm served as class counsel in this securities fraud class action that recovered \$7.5 million on behalf of the plaintiff class.

In Re: FSI International, Inc. Shareholder Litigation, *Court File No. 10-cv-12-1118 (Carver County, Minn.)*. Reinhardt Wendorf & Blanchfield served as local counsel in this shareholder class action alleging breach of fiduciary duty related to the acquisition of FSI by Tokyo Electron Limited.

In re Future Health Care Securities Litig., *Court File No. C-9-95-180 (S.D. Ohio)*. Reinhardt Wendorf & Blanchfield served as class counsel in this securities class action that recovered \$5.75 million in settlements on behalf of the plaintiff class.

In re Gander Mountain Securities Class Action, *Court File No. 05-CV-0183 DWF/JSM (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this securities fraud class action.

Greenblatt v. Nash-Finch Company et al., *Court File No. 27-cv-13-13710 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield was local counsel in this shareholder case alleging breach of fiduciary duty related to the merger of Nash-Finch with SS Delaware, Inc. As a result of this case, the defendants agreed to make additional disclosures related to the transaction.

Scott Halliday, et al. v. Lawson Software, *Court File No. 62-cv-3669 (Ramsey County, Minn.)*. Reinhardt Wendorf & Blanchfield served as liaison counsel in this Minnesota direct shareholder class action for breach of fiduciary duty related to the takeover of Lawson Software by CGC Software Holdings. As a result of this case, the defendants agreed to make additional disclosures to shareholders.

Hennepin County, Minn.) 1986 Recycling Bond Litigation, *Court File CT 92-22272 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield was class counsel and served on the executive committee in this Minnesota class action representing bondholders who alleged improper redemption. The plaintiff class recovered over \$10.6 million in settlements.

IBEW Local 98 Pension Fund v. Best Buy Co., Inc., *Court File No. 11-429 (D. Minn.)*. Reinhardt Wendorf & Blanchfield was plaintiffs' counsel in this class action alleging violations of the Securities Exchange Act of 1934.

In re Imperial Credit Industries, Inc., Securities Litigation, *Case No. CV 98-8842 SVW (C. D. Cal.)*. Reinhardt Wendorf & Blanchfield served as co-lead counsel in this securities fraud class action.

International Union of Operating Engineers, Local 132 Pension Plan v. International Multifoods Corp., et al. *Case No. CV 04-1361 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield served as liaison counsel in this securities class action alleging breach of fiduciary duty related to the merger between International Multifoods Corp. (IMC) and Smucker. As a result of this class action, IMC agreed to include additional information in the Registration Statement related to the merger.

Jones v. Sherman Black, et al., *Court File No. 27-cv-10-2804 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield was class counsel in this shareholder action alleging breach of fiduciary duty. This case was consolidated with the **In Re: Compellant Technologies, Inc. Shareholder Litigation** in Delaware Chancery Court where counsel was able to negotiate additional disclosures and amendments to the merger agreement between Dell and Compellant.

Jim Pierce, et al. v. Americredit Corp., et al., *Court File No. 4:03-CV-026-Y (N.D. Tex.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this securities fraud class action.

Joshua Teitelbaum v. Rural Cellular Corporation, et al., *Court File No.: 21-CV-07-1145 (Douglas Cty, Minn. District Court)*. Reinhardt Wendorf & Blanchfield was liaison counsel in this Minnesota stockholder class action alleging breach of fiduciary duty related to the sale of Rural Cellular Corporation to Verizon Communications. As a result of this litigation, Defendants agreed to make additional significant disclosures about the transaction.

Kirk Dahl, et al. v. Charles Schwab & Co., Inc., 524 N.W.2d 746 (Minn. 1994). Reinhardt Wendorf & Blanchfield was co-lead counsel in this class action alleging violations of stockbroker fiduciary duty.

In Re: Lakes Entertainment Shareholder Litigation, *Court File No. 27-cv-15-1990 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield was local counsel in this shareholder class action alleging breach of fiduciary duty.

Long v. Eschelon Telecom, Inc. et al. *Court File No.: 27-cv-07-6687 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield was liaison counsel in this Minnesota securities class action alleging self-dealing and breach of fiduciary duty. As a result of this case, the defendants agreed to make additional disclosures to shareholders.

Lusk v. Life Time Fitness, Inc., *Court File No. 15-cv-01911 (D. Minn.)*. The Firm serves as local counsel in this class action alleging violations of the Securities Exchange Act of 1934 related to the buyout of Lifetime Fitness by a consortium of investors that included Life Time's founder and CEO.

In re Metris Securities Litigation, *Court File No. 02-3677 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as liaison counsel in this securities fraud class action that settled for \$7,500,000.

In re Nash Finch Securities Litigation, *Court File No. 05-02934 ADM-AJB (D. Minn).* Reinhardt Wendorf & Blanchfield was liaison counsel in this class action alleging violations of the Securities Exchange Act of 1934. The plaintiff class received \$6,750,000 in settlements.

In re Navarre Corp. Securities Litig., *Court File No.: 05-1151-PAM-RLE (D. Minn.).* Reinhardt Wendorf & Blanchfield was liaison class counsel in this securities fraud class action that recovered \$4,000,000 on behalf of the class plaintiffs.

In re Pemstar Securities Litigation, *Court File No. 02-1821 (D. Minn.).* Reinhardt Wendorf & Blanchfield served as liaison class counsel in this securities fraud class action that settled for \$12,000,000.

In re Piper Funds, Inc. Institutional Government Income Portfolio Litigation, *Court File No. 3-94-587 (D. Minn.).* The firm performed substantial work representing the class in this national class action alleging violation of federal securities laws. Settlements totaling \$70 million were recovered on behalf of the plaintiff class.

Police Pension Fund of Peoria v. Capella Education Company, *Court File No. 10-cv-04474 (D. Minn.).* The firm was counsel for the plaintiff class in this securities fraud case alleging defendants made false statement and failed to disclose adverse facts known to them about Capella which caused class members to pay inflated prices for Capella common stock and suffer economic loss when the adverse facts became known in the market.

In re Powerwave Technologies Inc. Securities Litigation, *Court File No. SACV-98-605-GLT (C.D. Cal.)* The firm served as co-lead counsel in this national securities class action that recovered \$3 million on behalf of the plaintiff class.

In re Putnam Mutual Funds Investment Litigation, *MDL Docket No. 1590. Court File No. 04-mc-15863 (D. Md.).* Reinhardt Wendorf & Blanchfield served as class counsel in this mutual fund timing class action which recovered \$3,225,500 in settlements for the plaintiff class.

Reinhardt et al. v. Strong, et al, *Court File No. 03-CV-7438-PKC (S.D.N.Y).* Reinhardt Wendorf & Blanchfield served as class counsel in this mutual fund timing class action. \$13,678,500 in settlements was recovered on behalf of the plaintiff class.

In re Retek Securities Litigation, *Court File No. 02-CV-4209 (D. Minn.).* Reinhardt Wendorf & Blanchfield served as class counsel in this securities fraud class action.

In Re: Rochester Medical Corp. Shareholder Litigation, *Court File No. 55-cv-13-6107 (Olmstad County, Minn.).* Reinhardt Wendorf & Blanchfield Served as local counsel in this shareholder action alleging breach of fiduciary duty related to the sale of Rochester Medical Corp. to C.R. Bard. Inc. As a result of this case, the defendants agreed to make

certain supplemental disclosures regarding material information concerning the merger to ensure shareholders were fully informed.

Rowe v. St. Paul Travelers Companies, Inc., *Court File No. 04-cv-4576-JRT-FLN (D. Minn.)*. Reinhardt Wendorf & Blanchfield was liaison counsel in this derivative case which resulted in changes to the company's Corporate Governance Policy.

In re Rural Cellular Litigation, *Court File No. 03-CV-121 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as liaison counsel in this securities fraud class action.

Sailors v. Northern States Power Co., *Court File No. CV 3-91-479 (D. Minn.)*. The firm served as co-lead counsel in this securities fraud class action.

In Re: SHFL Entertainment, Inc., *Court File No. 27-cv-13-13529 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield served as local counsel in this shareholder action alleging breach of fiduciary duty related to the acquisition of SHFL by Bally Technologies. As a result of this case, the defendants agreed to make additional material supplemental disclosures related to the transaction.

In Re the Sportsman's Guide, Inc. Litigation, *Court File No. 19-C6-06-7903 (Dakota County, Minn.)*. Reinhardt Wendorf & Blanchfield was liaison counsel in this securities class action alleging breach of fiduciary duty related to the acquisition of Sportsman's Guide, Inc. by Redcats USA, Inc. As a result of this litigation, Defendants agreed to make significant disclosures about the transaction.

In re St. Paul Companies Securities Litigation, *Court File No. 02-3825 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as co-liaison counsel in this securities fraud class action. Over \$4,000,000 in settlements was recovered on behalf of the plaintiff class.

In re Stellent, Inc. Securities Litigation, *Master File No. CV-03-4384-RHK-AJB (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as liaison counsel in this securities fraud class action that recovered \$12,000,000 for the Plaintiff class.

In re SuperValu Securities Litigation, *Court File No. 02-CBV-1738 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as co-liaison counsel in this securities fraud class action. Over \$6,000,000 in settlements was recovered on behalf of the plaintiff class.

Svenningson v. Piper, Jaffray and Hopwood, et al., *File No. 3-85-921 (D. Minn.)*. The firm was co-lead counsel in this securities class action alleging failure to perform due diligence. Plaintiff class recovered \$4,000,000 in settlements.

In Re: Synovis Life Technologies, Inc. Shareholder Litigation, *Court File No. 62-cv-11-10039 (Ramsey County, Minn.)*. Reinhardt Wendorf & Blanchfield served as local counsel in this class action alleging breach of fiduciary duty. A settlement was reached in which defendants agreed to make certain additional material disclosures related to the merger with Baxter International, Inc.

In re Transcript International Securities Litigation, *Master File No. 4:98-CV-3099 (D. Neb.)*. Reinhardt Wendorf & Blanchfield was co-lead counsel in this securities fraud class action. The plaintiff class recovered \$3.85 million in cash and 4.46 million shares of common stock. An additional \$11.75 million in settlements was obtained from the accountants and underwriters.

In re Tricord Systems Inc. Securities Litigation, *Master File No. 3-94-746 (D. Minn.)*. The firm was class counsel and served on the executive committee in this securities fraud class action.

In re United Health Group Incorporated PSLRA Litigation, *Court File No. 06-1691 JMR-FLN (D. Minn.)*. Reinhardt Wendorf & Blanchfield was liaison counsel in this securities class action that recovered \$925,500,000 in settlements on behalf of the class in addition to significant corporate governance reforms.

In re Xcel Securities, Derivative & "ERISA" Litigation, *Master File No. 02-2677-DSD-FLN (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as liaison counsel in this securities fraud class action. Class counsel negotiated a settlement in the amount of \$80,000,000 for the plaintiff class.

Young v. ev3, Inc et al., *Court File No. 27-cv-10-14045 (Henn. County, Minn.)*. The firm was class counsel in this shareholder class action alleging breach of fiduciary duty.

CONSUMER AND RICO LITIGATION

The attorneys of Reinhardt Wendorf & Blanchfield have zealously protected consumer rights in state and federal courts, including the United States Supreme Court. Cases the firm has successfully litigated include deceptive acts and practices in the areas of lending, false and deceptive advertising, fraud, breach of contract, misrepresentation, unsafe food, dishonest and deceptive marketing practices, invasion of privacy issues, violations of the Telephone Consumer Protection Act, and other violations of consumers' rights. Some of the consumer and RICO cases in which the attorneys of Reinhardt Wendorf & Blanchfield played a significant role are:

In Re: 100% Grated Parmesan Cheese Marketing and Sales Practices Litigation., *Court File No. 16-cv-05802 (N. D. Ill.).* The firm currently serves on the executive committee in this consumer class action challenging the false and deceptive advertising practices of numerous manufacturers of Parmesan Cheese.

In re American Medical Collection Agency, Inc. Customer Data Security Breach Litigation, *Court File No. 19-md-02904-MCA-MAH (D.N.J.).* Reinhardt Wendorf & Blanchfield serves as class counsel in this consumer privacy class action.

Boyd Demmer, et al v. Illinois Farmers Insurance Group, *Court File No. MC 00-017872 (Henn. County, Minn.).* Reinhardt Wendorf & Blanchfield served as class counsel in this case alleging violation of Minnesota Statutes relating to the collection of insurance premiums for wage loss coverage on automobile policies. As a result of this litigation, counsel obtained refunds of a portion of the PIP premiums paid by class members.

Buchet, et al. v. ITT Consumer Financial Corporation, et al., *File No. 3-91-809 (D. Minn.).* The firm served as co-lead counsel in this national consumer class action alleging RICO violations and forgery. Counsel recovered \$6.4 million in settlements on behalf of the plaintiff class.

Camp v. the Progressive Corporation, et al. *Court File No. 01-2680 (E.D. La.).* The firm served as class counsel and participated in significant discovery in this class action alleging violation of state overtime laws. The plaintiff class recovered over \$6,000,000 in settlements.

In Re: Caterpillar, Inc. C13 and C15 Engine Products Liability Litigation, *Court File No. 14-cv-03722 (D.N.J.).* Reinhardt Wendorf & Blanchfield represents one of the named plaintiffs in this class action alleging MY2007 engines suffer from a common design defect that renders MY2007 CAT engines unreliable, resulting in the engine failing, derating, or requiring repowering.

City of Wyoming v. Procter & Gamble Company, et al., *Court File No. 15-cv-02101-JRT-TNL (D. Minn.)*. Reinhardt Wendorf & Blanchfield represents the named plaintiff in this class action filed on behalf of municipalities for damages caused to sewer systems and waste treatment facilities by “flushable wipes.”

In Re: Conagra Peanut Butter Products Liability Litigation, *Court File No. 07-mdl-1845-TWT (N.D. Ga.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this product liability class action related to peanut butter that was contaminated with salmonella. Millions of dollars in settlements were paid out to individual claimants.

Denton v. Newell Window Furnishings, Inc., *Court File No. 97CH01556 (Cook County, Ill.)*. The firm served as co-lead counsel in this product liability class action related to lead contained in mini blinds.

Elliot v. ITT, et al., *Court File No. 90-C-1841 (N.D. Ill.)*. The firm served as lead counsel in this consumer class action alleging RICO violations and insurance packing.

Frankle v. Best Buy Co., Inc., *Court File No. 08-cv-5501-JRT-JJG (D. Minn.)*. The firm was liaison counsel in this consumer class action alleging the improper installation and venting of dryers in consumer homes. As a result of this case, Best Buy agreed to replace improper dryer venting with heavy metal or semi-rigid duct vent at no cost to the consumer or to reimburse class members their reasonable out-of-pocket expenses if they have already replaced the improper venting.

In Re: General Motors LLC Ignition Switch Litigation, *Court File No. 14-md-2543 (S.D.N.Y.)*. Reinhardt Wendorf & Blanchfield represents the class in this case alleging defendants knowingly sold motor vehicles containing defective ignition switches. These defective switches were cutting off engine power, thus disabling critical functions, such as power steering, power braking and airbags, needed to safely operate vehicles.

Gerriets et al v. Western National Mutual Insurance Company, *Court File No. MC 00-016563 (Henn. County, Minn.)* Reinhardt Wendorf & Blanchfield served as class counsel in this case alleging violation of Minnesota Statutes relating to the collection of insurance premiums for wage loss coverage on automobile policies. Counsel obtained refunds of a portion of the PIP premiums paid by class members.

Good v. Ameriprise Financial, Inc., et al, *Court File No. 06-CV-1027-DWF-SRN (D. Minn.)*. Reinhardt Wendorf & Blanchfield was class counsel in this consumer class action related to the payment of commissions.

H. J. Inc. v. Northwestern Bell Telephone Co., 492 U.S. 229, 109 S.Ct. 2893 (1989) Mark Reinhardt served as lead counsel and both briefed and successfully argued before the Supreme Court of the United States in this national consumer class action alleging RICO bribery. (H.J., Inc. v. Northwestern Bell, 109 U.S. 2893 (1989)).

Hall v. State of Minnesota et al., Court File No. 62-cv-15-2112 (Henn. County, Minn.). Reinhardt Wendorf & Blanchfield is class counsel in this case alleging defendants violate the due process clauses of the United States and Minnesota Constitutions by taking possession of property it knows it does not own then selling, keeping or otherwise benefitting from unrestricted use without providing adequate notice to the rightful owners.

Hamline Park Plaza Partnership, et al. v. Northern States Power Company, Court File No. CT 95-004816 (Henn. County, Minn.). The firm served as lead counsel in this Minnesota class action alleging consumer fraud and deceptive trade practices related to Northern States Power's Lighting Retrofit Program.

Hara v. USAA Casualty Insurance Company, Court File No. 10-cv-3944 (D. Minn.). Reinhardt Wendorf & Blanchfield served as class counsel for this Minnesota class action for damages and equitable relief arising from Defendant's failure to calculate insurance premiums correctly using information available to it, in breach of its obligations under its form insurance policies and under Minnesota statutory law.

Hawkins v. Thorp Loan Credit & Thrift Company, File No. 85-6074 (Henn. County, Minn.). The firm served as lead counsel in this Minnesota consumer class action alleging violation of the Minnesota Small Loan Act. Counsel obtained over \$47 million in cash refunds and product discounts on behalf of the plaintiff class.

In re Herbal Supplements Marketing and Sales Practices Litigation, Court File No. 15-cv-5070 (N.D. Ill.). Reinhardt Wendorf and Blanchfield represents one of the named plaintiffs in this class action alleging certain store brand herbal supplements did not contain the ingredients the product label claimed the product contained, or, contained other substances that were not disclosed on the packaging for those herbal supplements.

In Re High Carbon Concrete Litigation, File No.: 97-20657 (Henn. County, Minn.). The firm was lead counsel in this consumer case brought on behalf of a class of approximately 1000 class members alleging violations of the Minnesota Deceptive Trade Practices Act and the Minnesota Prevention of Consumer Fraud Act. The class-wide settlement provided for complete replacement of the defective concrete application at no cost to the consumer.

Hohn v. ITT, Court File No. 4-87-808 (D. Minn.). The firm served as lead counsel in this RICO and consumer fraud class action.

In re Jetblue Airways Corp. Privacy Litigation, Court File No. 04-md-1587 (E.D.N.Y.). Reinhardt Wendorf & Blanchfield served as class counsel in this consumer privacy class action.

Johnson v. American Family Mutual Insurance Company, Court File No. 10-cv-4224 (D. Minn.). Reinhardt Wendorf & Blanchfield served as class counsel for this Minnesota class action for damages and equitable relief arising from Defendant's failure to calculate insurance premiums correctly using information available to it, in breach of its obligations under its form insurance policies and under Minnesota statutory law.

Johnson v. The Evangelical Lutheran Church in America, *Court File No. 11-cv-00023 (D. Minn.)*. The Firm was counsel for the plaintiff class in this case alleging guaranteed lifetime annuity payments were drastically reduced in violation of the contract Plaintiffs entered into with the Defendants.

Joseph King v. The Home Depot, Inc., *Court File No. 1:04-00239-WQD (D. Md.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this case alleging improper assignment of credit card payments. \$4 million in settlements was recovered for the plaintiff class.

Kluessendorf v. Progressive Preferred Insurance Company, *Court File No. 10-cv-3945 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as class counsel for this Minnesota class action for damages and equitable relief arising from Defendant's failure to calculate insurance premiums correctly using information available to it, in breach of its obligations under its form insurance policies and under Minnesota statutory law.

Lynette Lijewski, et al. v. Regional Transit Board, et al., *Court File No. 4-93-Civ-1108 (D. Minn.)*. The firm served as co-lead counsel in this Minnesota class action alleging violations of the Americans with Disabilities Act. Counsel obtained significant therapeutic relief as well as a cash settlement on behalf of the plaintiff class.

In re Marriott International Customer Data Security Breach Litigation, *Court File No. 19-md-02879-PWG (D. Md.)*. The firm serves as class counsel in this consumer privacy class action.

In Re: McCormick & Company, Inc. Pepper Products Marketing and Sales Practices Litigation, *Court File No. 15-mc-1825-ESH (D.D.C.)*. The firm is plaintiffs' counsel in this class action alleging defendants deceived customers by selling partially empty containers of black pepper, a practice in the food industry commonly known as nonfunctional slack fill.

Naficy et al v. Sprint Spectrum, L.P., *Court File No. CV-98-4093-CBM(Shx) (C.D. Cal.)*. The firm was lead counsel in this California class action alleging the Sprint PCS wireless network had not been developed to a sufficient level to allow Sprint PCS to meet anticipated demand and, as a result, the quality of service did not meet the level of quality promised in Sprint PCS advertisements. The plaintiff class settled with Sprint for restitution totaling 10% of the total airtime charges up to \$20 per account, for a specified month.

In Re: National Football League Players' Concussion Injury Litigation, *Court File No. 12-md-02323 (D. Penn.)*. Reinhardt Wendorf & Blanchfield is class counsel in this case alleging long-term chronic injuries and financial losses suffered as a result of the Defendants wrongful conduct with respect to concussive brain injuries sustained by Plaintiffs during their NFL careers. Counsel for the class negotiated a settlement that includes medical testing and cash payments of \$1.5-\$5 million per player, depending on

diagnosis as well as \$10 million to be spent on education programs to promote safety and injury prevention.

Nelson v. Citibank, *Court File No. 4-29-287 (D. Minn.)*. The firm served as lead counsel in this national consumer class action alleging violations of the National Bank Act.

In re Northwest Privacy Litigation, *Civil File No. CV 04-0126 (D. Minn.)*. The firm was lead counsel in this consumer class action alleging release of confidential customer information in violation of the Electronic Communications Privacy Act, 18 U.S.C. §2701 *et seq.*, and state and federal law.

Leonard & Eileen Olson, et al v. American Family Mutual Insurance Company, *Court File No. MC 00-016519 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this case alleging violation of Minnesota Statutes relating to the collection of insurance premiums for wage loss coverage on automobile policies. Counsel obtained refunds of a portion of the PIP premiums paid by class members.

Palmer v. Illinois Farmers Insurance Company, *Court File No. 10-cv-3956 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as class counsel for this Minnesota class action for damages and equitable relief arising from Defendant's failure to calculate insurance premiums correctly using information available to it, in breach of its obligations under its form insurance policies and under Minnesota statutory law.

Park v. Konica Minolta Photo Imaging, I.S.A., Inc., *File No. 2:05-cv-5519-HAA (D.N.J.)*. Reinhardt Wendorf & Blanchfield served as lead counsel in this national consumer case alleging the deceptive marketing of defective digital cameras. The relief provided in the settlement extended the warranty period with respect to the defective product and, class members received repair of the defective product; reimbursement for the cost of repairs if the consumer had already had the camera repaired; or a partial reimbursement of costs if the consumer bought a new digital camera (regardless of manufacturer).

In re Pet Food Products Liability Litigation, *Court File No. 07-cv-2867 (D.N.J.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this products liability class action alleging contaminated pet food products caused the illness and/or death of thousands of cats and dogs across the United States. \$24,000,000 in settlements was recovered on behalf of the plaintiff class.

In re Plaid Inc. Privacy Litigation, *Master Docket No. 4:20-cv-03056 (N.D.Cal.)*. Reinhardt Wendorf & Blanchfield is on the Executive Committee in this consumer action alleging that defendant illegally obtained access to users' banking information.

Rathbun v. W.T. Grant, 219 N.W.2d 641 (Minn. 1974). Mark Reinhardt served as lead counsel in this consumer class action alleging usury. The case was one of the first class actions brought under the new rules in Minnesota.

Raymond Arent et al v. State Farm Mutual Automobile Insurance Company, *Court File No. MC 00-016521 (Henn. County, Minn.).* Reinhardt Wendorf & Blanchfield served as class counsel in this case alleging violation of Minnesota Statutes relating to the collection of insurance premiums for wage loss coverage on automobile policies. Counsel settled the case and obtained refunds of a portion of the PIP premiums paid by class members.

Roth v. Life Time Fitness, Inc. et al., *Court File No. 15-cv-03270 (D. Minn.)* Reinhardt Wendorf & Blanchfield served as plaintiffs' counsel in this class action alleging failure to pay wages due and owing for work performed by fitness instructors. Counsel obtained a settlement of \$750,000 on behalf of the plaintiff class.

In Re Salmonella Litigation, *File No. PI94-016304 (Henn. County, Minn.)* The firm served as lead counsel in this national consumer class action filed on behalf of individuals who became ill after consuming salmonella bacteria contained in ice cream. Plaintiff class recovered approximately \$4.5 million in settlements for the plaintiff class.

In Re Schmitt Music Litigation, *File No. 3-93-116 (D. Minn.).* The firm served as lead counsel in this consumer class action alleging RICO and usury violations in the state of Minnesota related to the Defendant's "Instrument Trial Purchase Plan" which was marketed to the parents of students in school band programs. The Plaintiff class recovered \$2.5 million in settlements.

Streich v. American Family Mutual Ins. Co., 399 N.W.2d 210 (Minn. Ct. App. 1987). The firm served as lead counsel in this consumer class action alleging consumer fraud. Counsel obtained a substantial settlement for the class.

Sutton v. FCA Restaurant Company LLC, *Court File No. 08-cv-5122-ADM-JJK (D. Minn.).* Reinhardt Wendorf & Blanchfield was class counsel in this class action related credit card numbers and expiration dates being printed on customer receipts in violation of the Fair Credit Reporting Act. Class members received vouchers for free food at defendant's restaurants to settle the case.

In Re: Syngenta Litigation, *Court File No. 27-cv-15-3785 (Hennepin County, Minn.).* Reinhardt Wendorf & Blanchfield represented one of the named plaintiffs in this Minnesota case alleging the defendant introduced genetically modified corn without first obtaining approval from China, causing lost revenue to corn producers. The firm prepared the named plaintiff for trial and defended his day-long deposition. The plaintiff class recovered \$1.51 billion in settlements which is believed to be the largest agricultural settlement in U.S. history.

In re Synthroid Marketing Litigation, *Court File No. 97-cv-6017 (N.D. Ill.).* Reinhardt Wendorf & Blanchfield served as class counsel and participated in extensive discovery in this class action related to the marketing of thyroid medication. Over \$87 million in settlements were paid out to the plaintiff class.

In Re: Takata Airbag Products Liability Litigation, *Court File No. 15-MD-2599 (S.D. Fla.)*. The firm is counsel for the plaintiff class in this products liability class action related to defective Takata airbags installed in many motor vehicles. Plaintiffs' allege the defective airbags often fail to protect vehicle occupants from bodily injury during accidents, either when they fail to deploy or when they violently explode, sometimes expelling metal debris and shrapnel at vehicle occupants.

In Re: Target Corporation Customer Data Security Breach Litigation, *Court File No. 14-md-0522 (D. Minn.)*. Reinhardt Wendorf & Blanchfield serves as Coordinating Liaison Counsel and represents a class of financial institution plaintiffs alleging they have suffered substantial losses as a result of Target's failure to adequately protect its sensitive payment data. Counsel negotiated a settlement of \$39,4000,000 on behalf of the plaintiff class of financial institutions.

Tripp, et al. v. Aetna, et al., *Court File No. 90-0008JC (D.N.M.)*. The firm served as lead counsel in this consumer class action alleging violations of the small loan act and RICO violations.

Percic Enterprises, Inc. v. European Autoworks, Inc., *Court File No. 09-cv-03629 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this class action involving claims under the Telephone Consumer Protection Act.

Small v. Target Corp., *Court File No. 13-1509 (D. Minn.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this case alleging violation of the Telephone Consumer Protection Act.

Tyler v. Hennepin County, et al., *Court File No. 20-cv-00889-PJS-BRT (D. Minn.)*. Reinhardt Wendorf & Blanchfield is lead counsel in this class action alleging that Hennepin County has violated the constitutional rights of homeowners whose homes have been forfeited for failure to pay taxes.

Geraldine Tyler v. State of Minnesota et al., *Court File No. 62-cv-19-6012 (Ramsey County, Minn.)*. Reinhardt Wendorf & Blanchfield co-lead counsel in this suit alleging that the Minnesota violates the state and federal constitutions when it takes real property for nonpayment of taxes and retains all proceeds from the sale of the property.

In re U.S. Bancorp Litigation, *Master File No. 99-891 (D. Minn.)*. The firm served as co-lead counsel in this national consumer class action alleging breach of fiduciary duty in the release of personal customer data. Counsel obtained a settlement of \$5 million in cash and product refunds on behalf of the plaintiff class.

In re Volkswagen and Audi Warranty Extension Litigation, *Court File No. 07-md-1790 (D. Mass.)*. Reinhardt Wendorf & Blanchfield served as class counsel in the national consumer fraud case related to defendant's defective design of the 1.8 litre turbo-charged engines found in model year 1997-2004 Audi vehicles and model year 1998-2004 Volkswagen Passat vehicles. As a result of the litigation, the defendant agreed to reimburse

class members 50-100% of their out-of-pocket costs for oil sludge related engine repairs and replacements and reasonable related expenses.

In Re: Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability Litigation, *Court File No. 15-md-2672 (N.D. Cal.)* The firm is counsel for the plaintiff class in this case alleging Volkswagen deceptively and falsely manufactured, marketed and sold to consumers “clean” diesel automobiles as having low emissions and high fuel efficiency and vehicle performance when, in fact, vehicles contained emissions cheating software that produced false emissions results when tested.

Wright, et al. v. Capella Education Company et al., *Court File No.: 18-cv-01062-WMW-SER (D. Minn.)*. Mr. Blanchfield is co-lead counsel in this class action alleging that an online educational institution uses deceptive trade practices to cause students to enroll.

Yost, et al v. Allstate Insurance Company, *Court File No. MC 00-016522 (Henn. County, Minn.)*. Reinhardt Wendorf & Blanchfield served as class counsel in this case alleging violation of Minnesota Statutes relating to the collection of insurance premiums for wage loss coverage on automobile policies. Counsel obtained refunds of a portion of the PIP premiums paid by class members.

ATTORNEY BIOGRAPHIES

Mark Reinhardt



Mark Reinhardt is a founding partner in Reinhardt Wendorf & Blanchfield. Prior to forming Reinhardt Wendorf & Blanchfield, Mark Reinhardt co-founded Reinhardt & Anderson in 1979. He is a 1971 graduate of Columbus School of Law, Catholic University of America, and recipient of the Reginald Heber Smith Fellowship in 1971 and again in 1972. The Fellowship allowed him to work in the area of significant class action litigation. He is admitted to practice in the Supreme Court of Minnesota and is a member of the bars of the

Supreme Court of the United States, the Courts of Appeals for the Second, Third, Fourth, Sixth, Eighth and Ninth Circuits, the District of Minnesota, Eastern and Western Districts of Wisconsin and the District of Columbia.

For the last 35 years, Mr. Reinhardt has devoted a major amount of his practice to complex commercial and class action litigation. He has tried jury cases to verdict in several different areas of law, including class action/antitrust. He has taken an active role in numerous regional and national class actions and has served as lead counsel or a member of the executive committees of many of these actions. He has briefed and argued these cases at all federal levels, including the United States Supreme Court (H.J., Inc. v. Northwestern Bell, 109 U.S. 2893 (1989)). He has also been employed on a nationwide basis as a consultant on class action and RICO issues and has testified on the RICO statute before the U.S. Senate Judiciary Committee. For over ten years, Mr. Reinhardt's peers have named him a "Leading Minnesota Attorney" in the area of antitrust litigation.

Mr. Reinhardt was an adjunct Professor of law at William Mitchell College of Law and has taught many Continuing Legal Education courses in complex business litigation, racketeering, class actions, and antitrust. He is a member of the advisory board of the Civil RICO Report, a BNA publication. He has published in the areas of RICO and class action litigation. His writings include: Streich v. American Family: Anatomy of a Class Action, 12 Minn. Trial Law. 15 (Fall 1987); The Pattern of Pattern - Cases Post-H.J. Inc., 5 Civ. RICO Rep. 5 (March 6, 1990); The RICO Act, Public Utilities Fortnightly, July 1991; Coming out of the Trenches with RICO, (M.T.L.A. May 1992); Complex Commercial Litigation, (Business Torts, SC Bar-CLE Division, September 1994); When and How to Settle Class Actions (Minnesota State Bar Association CLE, March 1996); and Review of an Antitrust Class Action, (Minnesota State Bar Association CLE, November 1999); Management of the Large Case and Current Class Action Issues: Plaintiff's Perspective, (Minnesota Institute Legal Education, September 2000); Review of Nationwide Antitrust Practice (South Carolina Bankruptcy Association, February 2005) and Class Actions 101, Lunch & Learn (South Carolina Bar Association, June 2009); and Class Action 101, (Ramsey County Bar Association, February 2012).

Mark A. Wendorf



Mr. Wendorf is a founding partner in Reinhardt Wendorf & Blanchfield. Prior to forming Reinhardt Wendorf & Blanchfield, Mr. Wendorf was a partner in the law firm of Reinhardt & Anderson. Mr. Wendorf is a 1986 graduate of William Mitchell College of Law, St. Paul, Minnesota. He practices in the areas of class action antitrust and consumer litigation, and insurance law. His practice includes both trial and appellate work in state and federal courts across the country. Mr. Wendorf served as trial counsel in one of the few antitrust class actions tried in the past 10 years. In addition to his trial and appellate court experience, Mr. Wendorf has written and lectured extensively on issues involving the applicability and reform of statutes of limitation. His writings include: *The First Amendment: Churches Seeking Sanctuary for the Sins of the Fathers*, 31 *Fordham Urb. L.J.* 617 (2004).

Garrett D. Blanchfield



Mr. Blanchfield is a founding partner in the law firm of Reinhardt Wendorf & Blanchfield. Prior to forming Reinhardt Wendorf & Blanchfield, he was a partner in the St. Paul, Minnesota law firm of Reinhardt & Anderson. He has litigated class actions for more than 15 years with a focus on antitrust, securities and consumer cases. He is a 1990 graduate of Hamline University School of Law, where he was the Production Editor for the *Hamline Journal of Public Law and Policy*. Mr. Blanchfield interned with the Minnesota Court of Appeals Judge Doris Huspeni and also interned in the Canadian Department of Justice. Mr. Blanchfield was admitted to the Minnesota Bar in 1990. Upon graduation from law school, Mr. Blanchfield clerked for Minnesota District Court Judge Robert G. Schiefelbein. Mr. Blanchfield has taught legal writing at a local law school and lectured at a securities law CLE. In 2007, he obtained a unanimous reversal of a Minnesota Court of Appeals decision that limited the standing of indirect purchasers under Minnesota's Antitrust Act, *Lorix v. Crompton Corp., et al*, 734 N.W.2d 619 (Minn. 2007). In *Robertson v. Sea Pines Real Estate Co.*, 679 F.3d 278 (4th Cir., 2012), Mr. Blanchfield successfully argued to the 4th Circuit in support of a District Court decision denying Defendant's motions to dismiss a pair of cases alleging violations of the Sherman Act.

Brant D. Penney



Brant Penney is a partner at Reinhardt Wendorf & Blanchfield. Mr. Penney began working as an attorney at Reinhardt & Anderson in 2002 and joined the successor firm of Reinhardt, Wendorf & Blanchfield in August of 2003. A 2002 graduate of William Mitchell College of Law, Mr. Penney has over 10 years of experience litigating class actions in the areas of consumer protection, TCPA, antitrust, employment, and securities law. Mr. Penney has been involved in all aspects of litigation at the state and federal level, and is admitted to practice in the Supreme Court of Minnesota, the Eighth Circuit Court of Appeals, and the District of Minnesota. He also currently serves as a Council Member of the Antitrust Law Section of the Minnesota State Bar Association. Mr. Penney published the following article: The First Amendment: Churches Seeking Sanctuary for the Sins of the Fathers, 31 Fordham Urb. L.J. 617 (2004).

Roberta A. Yard



Roberta Yard is a partner at Reinhardt Wendorf & Blanchfield, where she focuses her practice in the areas of antitrust law, securities, consumer protection and data breach class action litigation. Ms. Yard has been involved in a number of complex class action matters and represents consumers and small businesses in complex litigation throughout the United States. Throughout her career, Ms. Yard has served in various roles on lead and co-lead class counsel litigation teams and has extensive experience in the adversarial process including discovery, motion practice, witness examination, expert management, and class certification. Ms. Yard is a 2002 graduate of Santa Clara University School of Law, where she was the Editor in Chief of the Santa Clara Law Review. She is admitted to practice before the District of Minnesota, Minnesota Supreme Court, and the Eighth Circuit Court of Appeals.

Lisa Neal Hayes



Mrs. Hayes began working as an associate with Reinhardt, Wendorf & Blanchfield in May, 2007. Mrs. Hayes had previously worked with Whatley Drake & Kallas of Birmingham, Alabama. She was admitted to the bar in 2004. Mrs. Hayes graduated from Auburn University in 2000 with a B.S. in Human Development and Family Studies and from Cumberland School of Law in 2004. Mrs. Hayes practices primarily in the area of antitrust class action litigation.

Gerard A. Shannon

Mr. Shannon joined Reinhardt Wendorf & Blanchfield in 2006. He was admitted to the bar in 1985. A 1982 graduate of Hamline University School of Law, Mr. Shannon attended Manhattan College and graduated in 1979 with a B.S. in Finance. Mr. Shannon practices primarily in the area of antitrust class action litigation and specializes in the discovery aspects of the litigation. He has worked extensively on In Re: TFT-LCD (Flat Panel) Antitrust Litigation, In re American Express Consolidated Merchants Litigation, and Kirk Dahl et al., v. Bain Capital Partners LLC, et al.

4851-7968-9260, v. 1

EXHIBIT I

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

PLYMOUTH COUNTY RETIREMENT	)	Civ. No. 0:18-cv-00871-MJD-HB
SYSTEM, Individually and on Behalf of)	
All Others Similarly Situated,	)	<u>CLASS ACTION</u>
)	
Plaintiffs,	)	DECLARATION OF ANNE M.
	)	LOCKNER FILED ON BEHALF OF
vs.	)	ROBINS KAPLAN LLP IN SUPPORT
	)	OF APPLICATION FOR AWARD OF
PATTERSON COMPANIES, INC., et al.,	)	ATTORNEYS' FEES AND EXPENSES
)	
Defendants.)	
)	
<hr/>		

I, Anne M. Lockner, declare as follows:

1. I am a Partner of the law firm of Robins Kaplan LLP (“Robins Kaplan” or the “Firm”). I am submitting this declaration in support of the application for an award of attorneys’ fees and expenses incurred in connection with services rendered in the above-entitled action (the “Action” or “Litigation”).¹

2. My Firm, as Co-Liaison Counsel for Lead Plaintiffs, was involved in many aspects of the prosecution and resolution of the Action, as set forth in Lead Counsel’s Joint Declaration of Class Counsel in support of Class Representatives’ Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds and the Motion for an Award of Attorneys’ Fees and Expenses and Awards to Plaintiffs Pursuant to 15 U.S.C. § 78u-4(a)(4).

3. The information in this declaration regarding Robins Kaplan’s time and expenses is taken from time and expense reports and supporting documentation prepared and/or maintained by the Firm in the ordinary course of business. I am the Partner who oversaw Robins Kaplan’s role as Liaison Counsel in the Litigation and I reviewed my Firm’s time records in connection with the preparation of this declaration. The purpose of this review was to confirm both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and expenses committed to the Litigation. Only time that inured to the benefit of Lead Plaintiffs and the Class, and that advanced the claims resolved by

¹ All capitalized terms not otherwise defined herein have the same meaning as those set forth in the Stipulation of Settlement, dated October 11, 2021, and filed October 14, 2021 (the “Stipulation” or “Settlement Agreement”). ECF No. 241.

the Settlement, is reflected in the Firm's lodestar calculation. Based on this review, I believe that the time reflected in the Firm's lodestar calculation and the expenses for which payment is sought herein are reasonable and were necessary for the effective and efficient prosecution and resolution of the Litigation. Time expended in preparing the application for fees and expenses has not been included in this report.

4. After the reductions referred to above, the number of hours spent on the Litigation by my Firm is 58.2. A breakdown of the lodestar is provided in Exhibit A. The lodestar amount for attorney/paraprofessional time based on the Firm's current rates is \$47,724.00.

5. The hourly rates shown in Exhibit A are consistent with hourly rates submitted by the Firm in other securities class action and other complex class action litigation. My Firm's rates are set based on periodic analysis of rates charged by firms performing comparable work both on the plaintiff and defense side and that have been approved by courts in other securities class actions and complex actions within this Circuit and nationwide. Different timekeepers within the same employment category (*e.g.*, shareholders, partners, associates, paralegals, etc.) may have different rates based on a variety of factors, including years of practice, years at the Firm, year in the current position (*e.g.*, years as a partner), relevant experience, relative expertise, and the rates of similarly experienced peers at our Firm or other firms. For personnel who are no longer employed by the Firm, the "current rate" used for the lodestar calculation is based upon the rate for that person in his or her final year of employment with the Firm.

6. My Firm's lodestar figures do not include expense items. Expense items are recorded separately, and these amounts are not duplicated in Robins Kaplan's hourly rates.

7. My Firm has incurred a total of \$1,851.15 in unreimbursed litigation expenses in connection with the prosecution of this Action from its inception through April 15, 2022. Those expenses and charges are summarized by category in Exhibit B.

8. The expenses pertaining to this Action are reflected in the books and records of Robins Kaplan, which are regularly prepared and maintained in the ordinary course of business. These books and records are prepared from receipts, expense vouchers, check records, and other documents and are an accurate record of the expenses.

9. The identification and background of my Firm is attached hereto as Exhibit C.

I declare under penalty of perjury that the foregoing is true and correct. Executed this third day of May, 2022, at Minneapolis, Minnesota.

/s/ Anne M. Lockner
ANNE M. LOCKNER

EXHIBIT A

Exhibit A*Plymouth County Ret. Sys. v. Patterson Cos., Inc., et al.*, No. 18-cv-00871-MJD-HB

Robins Kaplan LLP

Inception through April 15, 2022

NAME	ROLE	HOURS	RATE	LODESTAR
Anne M. Lockner	(P)	42.70	\$890.00	\$38,003.00
Eric J. Magnuson	(P)	1.4	\$1,045.00	1,463.00
Hollis Salzman	(P)	1.3	\$1,100.00	1,430.00
Kellie C. Lerner	(P)	1.9	\$990.00	1,881.00
Shannon R. Rozell	(A)	5.5	\$430.00	2,365.00
Stephen P. Safranski	(P)	1.0	\$890.00	890.00
Administrative Staff				
Audra O'Rourke	(RA)	3.2	\$445.00	1,424.00
Kathleen Nadem	(SRA)	.2	\$240.00	48.00
Nicholas J. Adler	(I)	1.0	\$220.00	220.00
TOTAL		58.2		\$47,724.00

(P) Partner

(A) Associate

(RA) Research Analyst

(SRA) Senior Research Analyst

(I) Investigator

EXHIBIT B

EXHIBIT B

Plymouth County Ret. Sys. v. Patterson Cos., Inc., et al., No. 18-cv-00871-MJD-HB
Robins Kaplan LLP
Inception through April 15, 2022

<i>CATEGORY</i>	<i>AMOUNT</i>
Printing and Photocopies	\$57.45
Computer Research	\$81.36
Court Reporter	\$230.15
Postage and Delivery	\$172.19
Filing Fees	\$1,300.00
Local Travel	\$10.00
<i>TOTAL</i>	\$1,851.15

EXHIBIT C



SERVING FINANCIAL INDUSTRIES

ROBINS  KAPLAN_{LLP}

800 553 9910

ROBINSKAPLAN.COM

PROTECTING AND DEFENDING FINANCIAL INDUSTRIES CLIENTS

Working across multiple financial products and platforms, we defend the investment community's right to be treated fairly. Our experience is not only from the plaintiff-investor perspective. We also represent one of America's largest banks, a Fortune 100 company, and other financial institutions as plaintiffs and defendants in important financial industry cases. We bring innovative strategies and courtroom-earned foresight to complex investment disputes. In-house forensics helps us unmask and pursue perceived financial inequalities in the marketplace. They also power our unique approach and data-driven methodologies for damages valuation. No matter the financial market or forum rules, our expansive litigation experience and passion for precision seeks to ensure that only pure market forces dictate our client's fortunes.

HIGHLIGHTS

- **Fluent.** We understand a wide range of complex investment instruments and have extensive experience litigating structured finance products, derivatives, and commodities in addition to more traditional securities.
- **Forum Specific.** We are well versed in industry-specific proceedings and rules, including extensive experience with FINRA arbitrations. This understanding of how specific procedural and forum demands shape strategies and options often helps clients reach their litigation goals more quickly.
- **Actionable Analysis.** The advanced degrees, professional accreditations, and certifications held by our team of financial and economic consultants include general and forensic accounting, finance, and economics. This background, along with a trial-tested understanding of litigation realities, provides valuable insights to the numbers at the heart of financial markets' claims.

WE REPRESENT

- Pension funds
- Mutual funds
- Insurance companies
- Hedge funds
- Government agencies
- Banks
- Other institutional investors
- Individuals
- Publicly traded companies
- Respondents in FINRA actions

ROBINS  KAPLAN LLP

EXPERIENCE

ACTIONS

Market Manipulation

- Investment bank illegal conduct
- Commodity market manipulation

Breach of Fiduciary Duty

- Bank investment fund liability

Antitrust

- Anticompetitive default swaps
- Shareholder class action

Fraud / Misrepresentation

- Residential mortgage-backed securities debt
- '33 and '34 Act claims
- Consumer protection claims
- State Blue Sky laws
- Investment manager fraud

Restructuring and Business Bankruptcy

- Acquisitions / sales
- Committee representation
- Creditor representation
- Debtor representation
- Restructuring and workout

Estate and Trust Litigation

- Will / probate contests
- Contested guardianship matters
- Contested conservatorship matters
- Fiduciary litigation
- Trust-related commercial disputes

MARKETS

Derivatives

- Credit default swaps
- Interest-rate swaps
- Futures
- Option

Securities

- Common and preferred equity
- Fixed-income instruments

Structured Financial Instruments

- Residential mortgage-backed securities
- Collateralized debt obligations
- Asset-backed securities
- Structured investment vehicles
- Other arbitrated investment vehicles

Commodities

- Oil
- Cheese
- Fuels
- Cotton

FINANCIAL MARKETS LITIGATION

We defend and pursue the right of the investment community to be treated fairly when financial disruption occurs in the marketplace.

Our financial markets litigation attorneys provide strategic advice and, when necessary, a powerhouse litigation presence when investment losses occur. We understand market turbulence and instrument complexity so that valuation and losses can be unmasked and recovered.

We have extensive experience litigating structured finance products, derivatives, and commodities, in addition to more traditional securities. Attorneys in our practice represent numerous entities within the financial sector in multiple causes of action in state and federal courts in individual, class action, and opt-out litigation, and we feel clients deserve the insights and representational advantages created by our experience both bringing and defending these financial litigation claims. We impel our representations with innovative valuation and in-house resources like our financial and economic consultants. Together, our practice uses an approach and methodology for damages valuation that seeks to ensure full compensation for the other side's wrongdoing.

PRACTICE HIGHLIGHTS

- **The Numbers.** We combine a trial-tested understanding of litigation realities and meticulous general and forensic accounting, finance, and economics support to establish and prove the numbers at the heart of financial litigation.
- **360° Perspective.** We have been successful in defending as well as pursuing investment rights. Our clients include a large national bank and a Fortune 100 company that we represent as plaintiffs and defendants in their financial cases.
- **Oversight and Compliance Strength.** Our team includes experienced business litigators, the former U.S. Attorneys for North Dakota and South Dakota, former Department of Justice and Securities and Exchange Commission attorneys, and the former chief compliance officer for a Fortune 100 company.

EXPERIENCE

Multiple Markets

- In-depth experience with derivatives, securities, complex structured financial instruments, and commodities

Market Manipulation

- Investment bank illegal conduct claims
- Commodity market manipulation actions
- Defense and prosecution of theft of trade secrets in the financial industries

Breach of Fiduciary Duty

- Bank investment fund liability

Antitrust

- Anticompetitive swaps and other derivative products
- Commodities Exchange Act claims and actions

Fraud / Misrepresentation

- Claims arising out of securities obligations
- '33 and '34 Act claims
- Investment manager fraud actions
- Defense against claims of misrepresentation and fraud

FINRA Broker-Dealer Actions

- Investor claims of negligence, churning and suitability
- Employment broker-brokerage disputes, raiding, non-solicitation, non-competes, and trade secret misappropriation

WE REPRESENT

- Institutional investors
- Pension funds
- Mutual funds
- Insurance companies
- Hedge funds
- Government agencies
- Qualified individual investors
- Banks
- Fortune 500 companies
- Securities brokers and dealers
- ERISA plans and trustees

ROBINS  KAPLAN LLP

CASE RESULTS*

STRUCTURED FINANCE

***Federal Home Loan Bank of Pittsburgh v. J.P. Morgan Securities Inc., et al.*, No. 09-cv-01421**

Represented plaintiff Federal Home Loan Bank of Pittsburgh to recover a confidential amount for toxic, residential mortgage-backed securities.

Minnesota Workers' Compensation Reinsurance Association et al. v. Wells Fargo Bank, N.A.

Represented four nonprofits in case against Wells Fargo Bank, N.A. where the collateral in a securities lending program was to be invested in short-term money market instruments, where the prime considerations would be safety of principal and liquidity. Instead, the bank invested a substantial portion of the collateral in risky and/or illiquid securities, including complex structured investments. The jury found that Wells Fargo breached its fiduciary duty and violated the Minnesota Consumer Fraud Act. In post-trial orders, the trial court awarded Plaintiffs attorneys' fees, and costs and disbursements. The trial court also awarded Plaintiffs forfeiture of fees by Wells Fargo and awarded pre- and post-judgment interest. The final judgment, the first trial and recovery of this type in the country, totaled more than \$57 million.

SECURITIES

***In re Kirk Dahl, et al. v. Bain Capital Partners, LLC, et al.*, No. 07-cv-12388**

Represented public shareholders of companies that were taken private in leveraged buyout transactions in a class action against defendants that allegedly conspired to suppress the acquisition prices of the target companies. The defendants were among the world's largest private equity firms. Settlements in the case ultimately reached nearly \$600 million.

***In re Workers' Compensation Refund Litigation*, No. 93-cv-00515**

Represented casualty insurers against the State of Minnesota and obtained a summary judgment ruling that the excess workers' compensation reinsurance payments violated the contract impairment clause of the U.S. Constitution, resulting in refund of \$700 million.

Represented institutional investors in claims for fraud against underwriters of high-yield bonds issued by a Thai steel mill. Ultimately recovered by settlement 80% of their out-of-pocket damages. In the course of the litigation, we established, in two separate published opinions, that a sophisticated investor is not required to conduct an independent investigation as to the accuracy of statements made in an offering memorandum when there is nothing obviously suspicious about those statements.

Represented AMEX Mutual Funds for properties improperly appraised with default by bond issuers on the projects. We recovered assets from those involved in the projects, including companies, bond underwriters, trustee banks, and lawyers.

Currently representing a class of employee-shareholders in high-profile action to stop attempted seizure of voting rights and forced sale of Bremer Bank through unlawful stock transfers and conversion. This and accompanying suit by Bremer Bank recently spurred Minnesota Attorney General investigation into share transfers. Class claims include breach of fiduciary, shareholder oppression, and violation of Minnesota's Control Share Acquisition Act.

In re Bernard L. Madoff

Representing numerous victims of Madoff Ponzi scheme against SIPC trustee's clawbacksuits.

CASE RESULTS****In re Lehman Brothers Holdings Inc.***

Representing institutional investor seeking damages for material misrepresentations made in sale of mortgage-backed securities.

DERIVATIVES

Filed groundbreaking first class action complaint relating to anticompetitive behavior of large credit default swap dealers in suppressing open exchange trading of credit default swaps.

COMMODITIES***In re Optiver Commodities Litigation, No. 08-cv-06842***

Served as co-lead counsel on behalf of a proposed class of plaintiffs who traded light sweet crude oil, heating oil, and gasoline futures contracts at allegedly manipulated prices. Plaintiffs alleged that the defendant, Optiver, a global proprietary trading fund, and other related persons, successfully implemented an unlawful trading scheme to manipulate the settlement prices of these three types of futures contracts traded on the NYMEX. The case ultimately settled for \$16.75 million.

In re Crude Oil Commodity Futures Litigation, No. 11-cv-03600

Represented a proposed class of traders who transacted in West Texas Intermediate ("WTI") crude oil futures and options contracts on the New York Mercantile Exchange and InterContinental Exchange, alleging that defendants intentionally and unlawfully manipulated the prices of WTI crude oil futures and options contracts in violation of federal antitrust laws and the Commodity Exchange Act. Settlements totaled \$16.5 million.

FRAUD / ASSET RECOVERY***In re Payment Card Interchange Fee and Merchant Discount Litigation, No. 05-md-1720***

Serving as plaintiffs' co-lead counsel, recently reached a \$6.26 billion antitrust settlement on behalf of a class of over 10 million U.S. merchants who have accepted Visa and Mastercard credit cards and debit cards for the purchase of goods and services. The defendants include Visa and Mastercard, as well as major card-issuing banks such as JPMorgan, Chase, Bank of America, Citibank, Wells Fargo, and Capital One. The settlement is believed to be the largest settlement of a private antitrust case in the 120-year history of the Sherman Act (15 U.S.C. §1 et seq.) and also included important reforms of the payment card industry.

Fowler v. Wells Fargo, No. 17-cv-2092

Obtained a \$30 million settlement of a nationwide class action alleging Wells Fargo improperly charged FHA mortgage borrowers interest on loans already paid.

People of the State of California v. U.S. Bank NA et al., No. BC488436

Served as lead counsel for U.S. Bank in a multibillion-dollar case brought by the People of the State of California for alleged unfair competition related to foreclosed properties in which the plaintiff sought billions of dollars in alleged fines and a permanent injunction that would change the way trustees and servicers do business together. The case settled after the plaintiff agreed to drop its request for an injunction and agreed that U.S. Bank as trustee should pay \$0. (In a previous case against another major financial institution, the plaintiff was able to secure an injunction against that institution.)

Representing investment firms in an accounting and legal malpractice case related to a private equity investment in a communications company.

CASE RESULTS****Kelley v. BMO Harris Bank, N.A., No. 19-cv-01756-WMW***

Serving as lead counsel to the litigation trust in the Petters Company Inc. bankruptcy that is seeking more than \$3.5 billion dollars from BMO Harris Bank where more than \$80 billion dollars was run in and out of a small business checking account in furtherance of one of the largest Ponzi schemes in history. In this case currently headed to trial, we argued and won a motion in which the court granted an adverse inference at trial where the jury will be instructed that BMO intentionally destroyed potentially billions of pages of documents that were harmful to BMO.

In re: ICE LIBOR-Based Financial Instruments Antitrust Litigation, No. 19-cv-00439

Representing class members and serving on the Executive Committee in the lawsuit filed on behalf of a proposed class of traders who purchased long positions in cotton futures contracts traded on ICE. The complaint alleges that Defendants intentionally and unlawfully engaged in an upward manipulation of the prices of ICE cotton futures contracts in violation of federal antitrust law and the Commodity Exchange Act.

In re LIBOR-Based Financial Instruments Antitrust Litigation, MDL No. 2262

Representing direct action plaintiffs alleging manipulation of the LIBOR benchmark in the billion-dollar multi-district litigation in the Southern District of New York against numerous bank defendants surrounding the BBA LIBOR-rigging scandal.

In December 2021, more than two-and-a-half years after oral argument, we received a favorable ruling reinstating plaintiffs' antitrust claims against foreign defendant banks. The district court had previously dismissed those claims for a want of personal jurisdiction.

In re Wells Fargo Collateral Protection Insurance Litigation, MDL No. 2797

Served as co-lead counsel in litigation against Wells Fargo and National General Insurance Company over allegations that it force-placed duplicative and unnecessary insurance on auto loan customers in violation of federal racketeering and state competition laws. The firm obtained \$432 million in settlements plus substantial relief for consumers who sustained harm to their credit reports.

BROKER-DEALER

Defended a senior official of a financial services company against claims brought by a former employee which resulted in a lengthy NASD arbitration after which the panel rejected all claims against our client.

Successfully resolved arbitration against investment broker on corporate ERISA plan concerning the level of exposure to subprime loans made in connection with the broker's recommended purchase of the securities. Case settled after arbitration panel announced that our client was to submit a petition for an award of attorney fees.

Represented corporate ERISA plan against investment broker claiming false statements and omissions concerning the level of exposure to subprime loans and the valuation of other assets of an issuer were made in connection with the broker's recommended purchase of the securities. The arbitration included 20 days of testimony, 13 witnesses, and five expert witnesses. A settlement was achieved after the arbitration panel announced that it had reached a decision and our client was directed to submit a petition to award attorneys' fees.

Represented individual and related trusts and corporations in an action for recovery of the reduction in value of their investment units due to a restatement of a financial statement.

** Past results are reported to provide the reader with an indication of the type of litigation we practice.*

They do not and should not be construed to create an expectation of result in any other case, as all cases are dependent upon their own unique fact situation and applicable law.

ARTICLES AND THOUGHT LEADERSHIP | FINANCIAL MARKETS LITIGATION

A Cautionary Tale of the Costs, Risks, and Uncertainty of Minority Shareholder Litigation*The Robins Kaplan Spotlight, Summer 2021*

If a minority shareholder believes the majority shareholders are acting in a way that is unfair or “oppressive” to her or that she is being “frozen out,” she can bring a suit seeking various relief— up to, and including, dissolving the corporation.

What’s a Fiduciary to Do? Considerations for Periods of Uncertainty*The Robins Kaplan Spotlight, Summer 2020*

For those who have undertaken fiduciary obligations to others, these challenges can be compounded when striving to meet duties to individuals experiencing anxiety and altered needs, while at the same time balancing your own similar stresses.

Hold Me Closer Tiny Shareholder: Protections for Minority Shareholders in Closely Held Corporations*The Robins Kaplan Spotlight, Summer 2019*

Whether you already own or are considering buying shares in a closely held corporation, it’s worthwhile to understand the unique risks minority shareholders face.

The Wild West of ICOs: What Investors Need to Know*Bloomberg BNA, Securities Regulation & Law Report, January 8, 2018*

Over the last two years, initial coin offerings (“ICOs”) have skyrocketed.

Leveraged Products For Retail Investors Pose Hidden Risks*Seeking Alpha, December 10, 2017*

Commodity-related investments have enjoyed a distinct focus from issuers and purchasers of ETPs due to their ease of use and tax-friendly features.

Securities Litigation Forecast: Will Trends in RMBS Litigation Influence the CMBS Litigation Trajectory?*Bloomberg BNA’s Banking Report, August 30, 2017*

In recent years, U.S. residential mortgage-backed securities (“RMBS”) litigation has captured the attention of securities lawyers.

How Hedge Fund Managers Can Address Common Issues and Risks When Enforcing Judgments Against Debtors*The Hedge Fund Law Report, October 20, 2016*

If collectible assets become moving targets, they must be tracked and monitored well in advance of acquiring a judgment and acting upon it.

BNA Insights: Retail Investors Face an Uphill Battle as Debts Surge*Bloomberg BNA Securities Regulation & Law Report, May 23, 2016*

With the junk bond market having posted its first annual loss since 2008, investors want their money back and they are slowly finding out that it won’t be as simple as they had hoped.

Securitized Subprime Auto Loans – The Next Wave of Financial Litigation? Similarities to and Lessons From Residential Mortgage Backed Securities*Bloomberg BNA Securities Regulation & Law Report, December 21, 2015*

Securities backed by subprime auto loans have garnered significant media coverage and governmental scrutiny. A number of news reports have cited trends in the subprime auto loan market similar to those which characterized, and helped fuel the issuance of, residential mortgage-backed securities prior to the financial crisis.

How Gelboim V. BofA Affects Pending MDL Matters*Law360, April 13, 2015*
In Gelboim V. Bank of America Corp., the U.S. Supreme Court clarified the rules surrounding appealability in multidistrict litigation. How will the ruling affect litigants with pending cases?**Recent Developments in Securities Law***Chapter insert in Inside the Minds by Thomson Reuters/Aspatore, November 3, 2014*

2014 civil securities litigation and enforcement developments including Supreme Court review of class action “fraud on the market” theories.

ARTICLES AND THOUGHT LEADERSHIP | FINANCIAL MARKETS LITIGATION

High Court Will End Circuit Split With Libor MDL Case*Law360, July 23, 2014*

In *Gelboim v. Bank of America*, U.S. Supreme Court to resolve circuit split on single claim appellate jurisdiction in consolidated MDL cases.

What A Broker Needs To Know About Suitability Under FINRA Rule 2111*May 23, 2014*

Financial litigation attorneys discuss FINRA's suitability requirements for brokers.

Fifteen Things to Expect from the SEC's Enforcement Division in 2014*Bloomberg BNA Securities Regulation & Law Report, December 9, 2013*

Likely SEC enforcement trends on settlement, financial accounting, whistle-blowers, gatekeepers, microcaps, technology, and self-reporting.

Learning to Stand Again: Revisiting RMBS Class Claims in Light of NECA-IBEW*The Banking Law Journal, November 25, 2013*

Possible new life for residential mortgage-backed securities market class action claims after the *NECA-IBEW* decision from the Second Circuit.

Anticipating a FINRA Arbitration – What's Next?*Financial Litigation Insights, November 7, 2013*

When a dispute occurs between a customer and a securities broker, financial advisor, or other professional, it is highly likely that the parties will go to arbitration or mediation through the largest regulator of securities firms, FINRA—the Financial Industry Regulatory Authority.

Meet Our In-House Economic Consultants*Financial Litigation Insights, July 10, 2013*

Fabricio and Guo recently sat down and discussed their work for our legal teams and how that work benefits firm clients.

Structural Complexity as a Cover for Fraud? Analyzing Losses from Exotic Structured Investment Products*Financial Litigation Insights, July 10, 2013*

Traditional vehicles like stocks, bonds, annuities, options, futures, and asset-backed securities have been joined by a broadening array of esoteric and novel structured investment products.

Found Fraud in Your Foreign Securities? What to Do Now. Examining the Current Implications of Morrison v. National Australia*April 4, 2013*

You are an institutional investor, and as part of your most basic investment strategy you regularly invest in foreign securities to help achieve a diversified investment portfolio.

The Next Wave of Asset Backed Securities Litigation Student Loans*Financial Litigation Insights, April 4, 2013*

A recent report authored by the Consumer Financial Protective Bureau and U.S. Department of Education highlighted concerns about the private student loan industry, which has generated more than \$150 billion in outstanding student loan debt.

It All Falls Down*Financial Litigation Insights, April 3, 2013*

Three of the world's leading banks—Barclays, UBS, and the Royal Bank of Scotland—have admitted to manipulating the London Interbank Offered Rate ("Libor"), the world's leading short-term interest rate benchmark, for numerous currencies over the course of several years.

ARTICLES AND THOUGHT LEADERSHIP | FINANCIAL MARKETS LITIGATION

Interest-Rate Ruse:**Understanding the LIBOR Scandal**

Law360, August 15, 2012 As the litigation continues, one can expect institutional investors with large claims to opt out of class actions and pursue individual federal and state law claims.

Beyond Supply & Demand:**Manipulation in the Commodities Market**

Bloomberg Law Reports, March 24, 2011 Market prices for commodities and futures should reflect legitimate forces of supply and demand, but market manipulation does occur.

Still Trapped with Toxic**Assets: Dismissal of Private-Label RMBS in Class Actions**

October 12, 2010 The securitization of mortgage-related assets into private-label residential-mortgage-backed securities (RMBS) during late 2005 through 2007 has been a root cause of the financial crisis in the United States.

Madoff One Year Later:**A Litigation Tsunami?**

Financial Fraud Law Report, March 5, 2010 Bernie Madoff's long-running \$65 billion dollar Ponzi game was exposed for all the world to see when he was arrested on December 11, 2008. The end of the Madoff scheme signaled the start of a litigation storm that will employ armies of lawyers for many years to come.

Caught in the Credit Crunch:**An Investigation into Commercial Mortgage Backed Securities**

Robins, Kaplan, Miller & Ciresi L.L.P., October 5, 2009 Commercial Mortgage Backed Securities (CMBS) investors could see significant losses in the near future.

Auction Rate Securities and a**Year and a Half of "Solutions":****What If You Had More Than \$10 Million Invested?**

Robins, Kaplan, Miller & Ciresi L.L.P., September 11, 2009 A significant amount of action has been taken to help investors who found themselves unable to sell their Auction Rate Securities holdings.

Insurance Companies On**Offense**

Financial Services Law360, Securities Law360, & Insurance Law360 by Portfolio Media, April 21, 2009 In the wake of the current financial crisis, large multiline insurance companies find themselves defending the Directors and Officers and Errors and Omissions policies issued to financial companies and the individual directors and officers.

Credit Default Swaps 101: A**Primer On Legal Remedies**

Robins, Kaplan, Miller & Ciresi L.L.P., February 16, 2009 The extent to which CDS have contributed to the unfolding financial maelstrom will be

examined in the months and years to come. But for any party to a CDS, the immediate concern is knowing what rights and liabilities exist under their agreement.

Trapped with Toxic Assets:**Addressing Mortgage-Backed Securities and Other Mortgage-Related Securities Losses**

Robins, Kaplan, Miller & Ciresi L.L.P., January 26, 2009 The accelerated securitization of mortgage-backed securities ("MBS") and other mortgage-related assets has created some of the most significant problems of the ongoing economic crisis.

Legislative Solutions for the**Financial Crisis**

Understanding the Government Bailout Plan: An Immediate Look at the Legal, Governmental, and Economic Ramifications of the Emergency Economic Stabilization Act of 2008, Aspatore Special Report, January 2, 2009 The recent federal bailout bill, (the Emergency Economic Stabilization Act of 2008) sought to create stability in the financial markets and improve the financial condition of large financial institutions, particularly the money center banks.

SFAS 157: What Is Its Purpose?

Robins, Kaplan, Miller & Ciresi L.L.P., January 2009 The SEC recently completed a study of fair value accounting including

ARTICLES AND THOUGHT LEADERSHIP | FINANCIAL MARKETS LITIGATION

SFAS 157 as mandated by the Emergency Economic Stabilization Act of 2008. The SEC decided not to suspend use of SFAS 157, but rather suggested improvements to the application of SFAS 157. This article summarizes the purpose and application of SFAS 157 as well as the current positions of the FASB and the SEC.

Auction Rate Securities:**Survey of Potential Remedies**

Robins, Kaplan, Miller & Ciresi L.L.P., December 29, 2008

On February 13, 2008, the estimated \$350 billion auction rate securities market collapsed. The collapse left investors unable to liquidate an investment that most had originally chosen based upon its characterization as highly liquid, short-term, safe, and as a cashequivalent.

Unilateral Mistake and Waiver of Claims in the Credit Default Swap Setting

Robins, Kaplan, Miller & Ciresi L.L.P., December 3, 2008

From the United States District Court for the Southern District of New York comes a timely warning to credit default swap (CDS) protection buyers and sellers about the financial loss that can be sustained by a party that does not understand its precise obligations under these complex arrangements.

Financial Derivative Litigation:**A Key Case on Credit Default Swaps**

Financial Services Law360 and Securities Law360, November 14, 2008

Today financial derivatives, especially Credit Default Swaps ("CDSs") are the focus of the global economic crisis and have brought down major investment houses and a giant insurance company.

Litigating The Terms Of Credit Default Swaps

Financial Services Law360 and Securities Law360, November 7, 2008

Credit Default Swaps ("CDS's") are getting new attention as governments, institutions and personal investors endeavor to navigate the first great financial storm of this century.

Fannie Mae and Freddie Mac Litigation Survey

Robins, Kaplan, Miller & Ciresi L.L.P., October 29, 2008

Fannie Mae and Freddie Mac shareholders have seen the value of their holdings plummet to a few pennies on the dollar and are looking for ways to recover some of their losses including through litigation.

Proposed Changes to SFAS 5: Take Two

Robins, Kaplan, Miller & Ciresi L.L.P., October 27, 2008

The Financial Accounting Standards

Board (FASB) issued SFAS 5, Accounting for Contingencies, in March 1975 to address accounting for loss contingencies including potential losses from pending or threatened litigation. Recently, certain constituents expressed concerns that disclosures under SFAS 5 do not provide sufficient guidance and transparency as to the likelihood, timing and amounts of cash flows associated with loss contingencies.

Credit Default Swaps: From Protection To Speculation

Pratt's Journal of Bankruptcy Law, September 1, 2008

Published in the September 2008 issue of Pratt's Journal of Bankruptcy Law. Copyright ALEXeSOLUTIONS, INC. Credit default swaps (CDS) are a segment of the credit derivative market.

Home Mortgage Disclosure Act Data Spawn Lawsuits By Minorities and Cities

First Focus: A Subprime Crisis, a Thomson-West Report, April 7, 2008

Lawsuits claiming that minorities have been the recipients of a disproportionate share of subprime mortgages have been fueled by recent data that mortgage bankers made public. This trend is likely to continue, as the lending practices of other banks and

ARTICLES AND THOUGHT LEADERSHIP | FINANCIAL MARKETS LITIGATION

lending institutions are scrutinized, and other municipalities attempt to recoup the loss of tax revenue and other costs associated with the growing number of foreclosures.

SEC Adopts New Antifraud Provision Under the Investment Advisers Act of 1940

Robins, Kaplan, Miller & Ciresi L.L.P., August 29, 2007 The new rule prohibits advisers to pooled investment vehicles from making false or misleading statements to or otherwise defrauding investors or prospective investors in pooled investment vehicles.

Institutional Investors Do Need to Pursue Certain Securities Litigation

Robins, Kaplan, Miller & Ciresi L.L.P., February 2, 2006 All securities litigation cases are not created equal. When securities litigation is segregated into different categories, it is clear that there are specific instances in which institutional investors should pursue litigation to recover assets.

ROBINS  KAPLAN ^{LLP}

ANNE M. LOCKNER

PARTNER

Member of Executive Board

Pronouns: she/her

MINNEAPOLIS

CONTACT

ALockner@RobinsKaplan.com

612.349.8470

PRACTICES

Antitrust and Trade Regulation | Business Litigation | Class Action Litigation | Financial Markets Litigation | Government and Internal Investigations | Privacy and Cybersecurity Litigation | Health Care Litigation

EXPERIENCE

Legal Experience—Solving Complex Business Problems

Ms. Lockner is a partner in the firm's business litigation department who works with business leaders facing legal disputes that cause financial exposure and other risks to their business. Using her extensive litigation and trial experience, Ms. Lockner offers strategic legal guidance on how to use litigation—either defensively or affirmatively—to meet their business objectives. As a trial attorney, she has the skills and expertise to wield the threat of trial as a sword, but understands and appreciates her clients' need to use it only as weapon of last resort. Ultimately, Ms. Lockner's goal is to further her clients' objectives which are often to mitigate the risk to the business, maximize its financial recovery, and where feasible, position the company for a win-win business resolution.

Ms. Lockner has experience in numerous areas of complex litigation including healthcare-fraud litigation, class-action defense, privacy and data breach matters, internal and government investigations, minority-shareholder disputes and other fiduciary claims, non-competition and non-solicitation disputes, trade secrets, bankruptcy, securities, tax, Telephone Consumer Protection Act, white-collar criminal defense, consumer fraud, real estate, securities, financial fraud, breach of contract, trade secret, Copyright, Minnesota Termination of Sales Representatives Act, antitrust, RICO, corporate structure, intellectual property, and insurance matters.

She has experience in numerous industries including healthcare, investment advising, retail, manufacturing, franchisor, financial, construction, food and beverage, technology, and logistics.

Ms. Lockner currently represents healthcare plans in multi-million-dollar litigation with providers involving claims for improper billing, breach of contract, and fraud. She recently led a team in a complex federal lawsuit against a provider that resulted in a \$32 million settlement that included millions of additional value in business terms for her client.

Trial Experience

Ms. Lockner has extensive experience in first and second chairing trials in both state and federal courts throughout the country. She successfully first chaired a jury trial in defense of a Fortune 50 publicly-traded company in a breach-of-contract case relating to registered securities. The jury found in favor of Ms. Lockner's client. She second-chaired a federal criminal conspiracy and tax-fraud case in the Federal District of Minnesota on behalf of a prominent local businessperson, cross examining the special agent, the revenue agent, and the alleged victim, among others. The jury acquitted the client on 5 of 9 counts, including those with the most alleged financial losses. She has also handled arbitrations and adversary proceedings in bankruptcy court.

Early Resolutions

While she is skilled at trying cases, Ms. Lockner has also had great success in obtaining early and creative resolutions where it serves her clients' best

interests. Recently, she settled a case involving non-compete and breach-of-fiduciary duty claims on behalf of her clients on a favorable basis. She also negotiated an early nationwide class-action settlement before any discovery or advanced motion practice had occurred. The settlement ended up being 60 percent less than what other defendants in similar cases brought by the same plaintiff's counsel settled for after much more extensive discovery and motion practice, providing finality with minimal exposure to the client. In another class-action defense case, she negotiated a settlement where no money was paid to the class and the fee award was less than half of plaintiff's counsel's lodestar.

Cybersecurity, Privacy, and Data Breach

As the Chair of the firm's Privacy and Cybersecurity Litigation Practice Group and a Certified Information Privacy Professional (CIPP/US), Ms. Lockner has also worked with companies in defending matters relating to privacy and data breaches. She recently counseled a large technology company that was being investigated by several Attorneys General and the Federal Trade Commission and was successful in persuading those investigatory bodies to close their investigation. In addition to handling litigation that may arise from these breaches, Ms. Lockner counsels clients on how to mitigate and prevent such breaches in the first place. This involves working with clients to develop and test data response plans in the event of a breach. She also works with clients to prepare cybersecurity incident response plans and conducts both table-top and more robust simulations to test those plans. If a cyber incident does occur, Ms. Lockner has experience in working with clients to respond to the incident, including working with forensic teams and law enforcement, and determining what notification requirements apply.

Government and Internal Investigations

Ms. Lockner has extensive experience handling internal and governmental investigations and has litigated against and negotiated with numerous Attorneys General throughout the country. She successfully obtained an outright voluntary dismissal of a case that the Ohio Attorney General brought after she obtained sanctions against the State for discovery abuses. She has led high-profile internal investigations and many that have remained confidential. In addition, Ms. Lockner has handled and participated in several internal and grand jury investigations and recognizes that there are not only legal, but also public relations and employee-morale dynamics that must be managed in these instances.

Business Counseling

Ms. Lockner provides legal counsel to clients both inside and outside legal departments on various topics, including cybersecurity, privacy, data breach preparation, marketing, antitrust, e-discovery, and compliance counseling. For instance, Ms. Lockner was brought in by a large company to lead a cross-functional team in implementing a complex, high-profile project relating to the company's massive IT infrastructure that took into account how those changes could impact pending and future litigation. She has also worked with clients on ambitious projects that seek to allow the business to operationalize business-generating ideas while proactively mitigating the potential for litigation risk.

Pro Bono and Community Service—Serving Those in Need

Ms. Lockner served as head of the firm's nationally-recognized Pro Bono Program from 2009 through 2014. Under her leadership, the firm regularly ranked in the top 10 of Am Law firms and was featured as one of five firms nationally whose ranks had increased the most over the previous five years. In 2011, the "Vault" survey named the firm as No. 1 in the nation for its pro bono program.

She has been fortunate to represent numerous inspiring clients who have faced debilitating challenges and have thrived despite them, including asylum seekers, foster children, battered women, and veterans. In one case, she began representing an Ethiopian woman seeking asylum two weeks after Ms. Lockner was sworn into the bar. After three trials, two trips to the Board of Immigration Appeals, and finally a trip to the Eighth Circuit where Ms. Lockner argued to overturn the immigration judge's decision, her client was finally awarded asylum status. See *Hailemichael v. Gonzales*, 454 F.3d 878 (8th Cir. 2006). She recently represented and obtained asylum for two sisters and their young children who fled Honduras due to violence that had resulted in the assassinations of their brother and their cousin, an elected official.

Ms. Lockner also serves on the board of several organizations including The Children's Theater Company, The Advocates for Human Rights, and The Fund for Legal Aid where she serves on the Executive Committee as treasurer. From 2010 to 2016, she served as one of two trustees to The Basilica of St. Mary where she also sat on the parish council and the finance committee. She also previously served six years on the board of Mid-Minnesota Legal Aid and for nine years on The Basilica Landmark.

Litigation Philosophy and Objective

Ms. Lockner's litigation philosophy is to pick her battles well, guided primarily by her clients' needs and objectives. She has been described as having "a velvet glove in one hand and brass knuckles in the other," and she knows when one should be used over the other. She also took pride in the business client who told her: "I don't like needing you, but I sure do have fun working with you." In sum, Ms. Lockner's most basic objective is to make her client's life easier—whether it be the in-house legal counsel who has to meet a budget and apprise her board of litigation risks, a business client who wants to capitalize on an opportunity, or the pro bono client who needs our justice system to protect him.

SELECTED RESULTS

Successful Dismissals By Motion

Nunez v. Best Buy Co., 315 F.R.D. 245, (D. Minn. 2016): Obtained dismissal of case alleging pricing misrepresentations on a Rule 12(b)(6) motion.

Insulate SB, Inc. v. Advanced Finishing Sys., 2014 U.S. Dist. LEXIS 31188, 2014-1 Trade Cas. (CCH) P78,705 (D. Minn. Mar. 11, 2014): Counsel for fluid-handling equipment manufacturer Graco Inc. in putative nationwide antitrust class action alleging monopolization conspiracy. Successfully moved to dismiss all claims with prejudice. Further represented Graco in the appeal, where the judgment was affirmed. 797 F.3d 538 (8th Cir. Minn. 2015).

Obtained dismissal of a RICO case against a Fortune 50 company. In addition, obtained a sanctions award against the plaintiff's counsel, a national law firm, for various discovery abuses and misrepresentations.

Successfully argued a motion to dismiss in Minnesota state court regarding claims of breach of contract and fraud. The Minnesota Court of Appeals affirmed.

Obtained dismissal on the pleadings of nationwide class action alleging breach of contract, violations of the Ohio & Kentucky Deceptive Business Trade Practices Act, and violations of the Ohio & Kentucky Consumer Protection Act. Successfully argued before the Sixth Circuit Court of Appeals which later affirmed.

Represented national retailer in nationwide consumer class action alleging breach of contract and unlawful merchandising practices. Defeated class certification, was granted summary judgment, and subsequently obtained affirmance from the Missouri Court of Appeals.

Obtained dismissal on the pleadings of a nationwide class action alleging claims of fraud, rescission, and restitution in the District of Colorado.

Defeating Class Certification

Defeated class certification in the Northern District of Illinois where plaintiff alleged claims under the Illinois Consumer Fraud and Deceptive Business Practices Act, and for breach of the covenant of good faith and fair dealing, common law false advertising, unjust enrichment, and declaratory and injunctive relief. As a result, the plaintiff voluntarily dismissed the case.

Defeated class certification in the Central District of California where plaintiffs alleged claims under the California Consumers Legal Remedies Act (CLRA), Cal. Civ. Code § 1750; the Unfair Competition Law (UCL), Cal. Bus. & Prof. Code § 17200; the False Advertising Law (FAL), Cal. Bus. & Prof. Code § 17500; and for breach of the covenant of good faith and fair dealing; common law false advertising; unjust enrichment; and declaratory and injunctive relief.

Defeated class certification in a nationwide consumer class action in the Southern District of New York on behalf of a large national corporation. Plaintiff voluntarily dismissed and declined to appeal.

Defeated class certification in consumer class action brought in the Southern District of Florida alleging claims under the Florida Deceptive Uniform Trade Practices Act. Plaintiff voluntarily dismissed case with prejudice.

Represented national retailer in nationwide consumer class action alleging breach of contract and unlawful merchandising practices. Defeated class certification and subsequently obtained affirmance from the Missouri Court of Appeals.

Obtained class decertification from the Texas Supreme Court on behalf of large corporation in a statewide consumer class action alleging breach of contract and unjust enrichment.

Voluntary Dismissals, Settlements, Appeals, and Business Counseling (other than those mentioned above)

Negotiated a \$32 million settlement with a large health insurance company against a provider alleging fraud and violations of ERISA and deceptive trade practices acts as well as other legal theories.

Negotiated a class-action settlement on behalf of a large retailer in a Telephone Communication Protection Act action in the Western District of Washington.

Resolved a matter on behalf of a supplier in a case alleging violations of the Minnesota Termination of Sales Representatives Act.

Negotiated a non-monetary settlement after a class had been certified in the Southern District of New York. Despite a certified class, plaintiff's counsel accepted just 30% of their lodestar to resolve the case before trial due to our strategic positioning of the case for trial.

Creatively obtained a temporary restraining order on behalf of an individual that enjoined her former employer from enforcing a non-compete provision. In its notice of appeal hoping to vacate the injunction, the defendants noted that they had "been unable to find a single appellate court decision in Minnesota in which an employee has sought, much less been granted, a TRO based on his or her declaratory judgment action." The parties settled on a confidential basis.

Obtained voluntary dismissal from the State of Ohio after obtaining sanctions against the State for discovery abuses.

Obtained voluntary dismissal from the State of Wisconsin against a large, nationwide corporation.

Obtained reversal from the Eighth Circuit of the lower courts' denials of asylum in a pro bono appeal entitled *Hailemichael v. Gonzales*, 454 F.3d 878 (8th Cir. 2008).

Member of post-remand trial team of *Eolas Technologies, Inc. and The Regents of the University of California v. Microsoft Corporation*. This case settled on confidential terms on the eve of trial.

RECOGNITION



- » Recipient of the "Women, Influence and Power in Law Award," *Corporate Counsel* (2021)
- » Named one of the "Top 250 Women in Litigation," *Benchmark Litigation* (2013-2014)
- » Named a "Minnesota Super Lawyer," *Super Lawyers* (2013-2021)
- » Recipient of the "Women in Business Award," *Minneapolis/St. Paul Business Journal* (2013)
- » Named a "North Star Lawyer," *Minnesota State Bar Association* for providing at least 50 hours of pro bono legal services (2013-2016)
- » Featured in "11th Annual Women Worth Watching," *Profiles in Diversity Journal* (2013)
- » Named a "Litigation Star," *Benchmark Litigation* (2013-2022 editions)
- » Listed in *The Best Lawyers in America* (2013-2022 editions)
- » Named a "Future Star," *Benchmark Litigation* (2011 and 2012 editions)
- » Awarded "2009 Volunteer Award," *The Advocates for Human Rights*
- » Named an "Up and Coming Attorney," *Minnesota Lawyer* (2004)

COMMUNITY SERVICE

- » Children's Theatre Company, Board of Directors
- » The Advocates for Human Rights, Board of Directors
- » The Fund for Legal Aid, Board of Directors
- » Georgetown Law Alumni Board
- » Legal Aid Society of Minneapolis, Board of Directors (2009-2015, term completed)
- » Basilica of St. Mary, Trustee (2010-2016, term completed)
- » The Basilica Landmark, Board of Directors (2010-2019, term completed)

CREDENTIALS

Bar Admissions

- » Minnesota
- » U.S. Court of Appeals, Eighth Circuit
- » U.S. Court of Appeals, Ninth Circuit
- » U.S. Court of Appeals, Sixth Circuit
- » U.S. District Court, Colorado
- » U.S. District Court, Minnesota
- » U.S. District Court, North Dakota
- » U.S. District Court, Eastern District of Missouri
- » U.S. District Court, Northern District of Illinois

- » U.S. District Court, Northern District of Indiana
- » U.S. District Court, Western District of Michigan
- » U.S. District Court, Western District of Wisconsin
- » U.S. Supreme Court

Education

- » Georgetown University Law Center, J.D., *cum laude* (1999)
- » University of Minnesota, B.A., Political Science, *summa cum laude* (1996)

Professional Associations

- » Federal Bar Association
- » American Bar Association
- » Minnesota State Bar Association
- » Hennepin County Bar Association
- » Minnesota Women Lawyers
- » Women Business Leaders of the U.S. Healthcare Industry

Certifications

- » Certified Information Privacy Professional/United States, The International Association of Privacy Professionals (2019)
- » Cybersecurity and Privacy Law Certificate, Mitchell Hamline School of Law (2017)

MEDIA MENTIONS

- » "Stepping into the Shoes of the Department of Justice: The Unusual, Necessary, and Hopeful Path the Illinois Attorney General Took to Require Police Reform in Chicago," *Northwestern Law Journal of Law and Social Policy* (Winter 2020)

SPEECHES

- » #MeToo: Moving Beyond the Hashtag and Enlisting Men to Become Ambassadors for Change
The Women, Diversity & Change Summit, Webinar (June 16, 2021)
- » One Year...And Counting: A Review Of Covid-19 Court Decisions Impacting Retail Leases
NRTA Webinar (March 25, 2021)
- » Valuation: The 'Eye of the Beholder' Causes Disputes
Co-Presenter, Federal Bar Association and myLawCLE, Webinar (December 17, 2020)
- » What's Next?! Asserting Lease Rights When You Close Stores for COVID-19
Webinar, National Retail Tenants Association (March 25, 2020)
- » Cyber Incident Response Training through Interactive Experience
Moderator, IAPP, ISACA, and Robins Kaplan LLP (October 2, 2019)
- » Legal Ethics in the Age of Artificial Intelligence
Eighth Annual ACC Minnesota In-House Counsel Conference, Minneapolis, Minnesota (June 13, 2019)
- » Cyber Incident Response Planning, A Webinar Series on Creating a Cyber Incident Response Plan, Part 3: Testing and Refining Your Incident Response Plan
Webinar, Robins Kaplan LLP and the National Information Solutions Cooperative (May 9, 2018)
- » Cyber Incident Response Planning, A Webinar Series on Creating a Cyber Incident Response Plan, Part 2: External Focus
Webinar, Robins Kaplan LLP and the National Information Solutions Cooperative (April 11, 2018)
- » Cyber Incident Response Planning, A Webinar Series on Creating a Cyber Incident Response Plan, Part 1: Internal Focus
Webinar, Robins Kaplan LLP and the National Information Solutions (March 21, 2018)
- » Mitigating Risks That Come With Using Advanced Technologies

PRSM Association (September 14, 2017)

- » Mitigating Risk for Startups
Sprosty Network: RetailXelerator, Webinar (March 6, 2017)
- » The Inevitable Data Breach How to Plan Ahead to Mitigate Risk
Minnesota CLE, Minneapolis, Minnesota (October 24, 2016)
- » Mitigating Risk for Startups
Sprosty Network: RetailXelerator, Webinar (July 6, 2016)
- » Mitigating Risk for Startups
Sprosty Network: RetailXelerator, Webinar (May 9, 2016)
- » Tools Tips and Trends Data Privacy and Cybersecurity
National Association of Women Lawyers (September 30, 2015)
- » Effective and Efficient Litigation Case Management
Minnesota CLE, Webcast (August 17, 2011)
- » Ediscovery and Experts
2005 Ediscovery Best Practices for Litigation & Document Management, Mendota Heights, Minnesota (April 12, 2005)

EVENTS

October 30, 2021	WEBINAR | Children's Theatre Company 2021 Curtain Call Ball Anne Lockner - Children's Theater Company Minneapolis, MN
June 16, 2021	WEBINAR | The Women, Diversity and Change Summit Anne Lockner - Centerforce Remote
March 25, 2021	WEBINAR | One Year ... and Counting: A Review of Covid-19 Court Decisions Impacting Retail Leases Michael A. Geibelson, Anne M. Lockner, and Daniel Allender - National Retail Tenants Association Remote
December 17, 2020	WEBINAR | Valuation: The "Eye of the Beholder" Causes Disputes Anne Lockner, Rich Zabel - Federal Bar Association and myLawCLE Remote
March 25, 2020	WEBINAR | What's Next?! Asserting Lease Rights When You Close Stores for COVID-19 Michael A. Geibelson, Anne M. Lockner, and David Martinez - National Retail Tenants Association Remote

NEWS

- » Robins Kaplan LLP Announces 2022 Executive Board (March 7, 2022)
- » Robins Kaplan Receives High Rankings by *Benchmark Litigation* 2022 (October 6, 2021)
- » Anne Lockner Receives Corporate Counsel's 2021 Women, Influence and Power in Law Award (August 23, 2021)

PUBLICATIONS

- » *Anne Lockner - The Robins Kaplan Spotlight, "Can You Keep a Secret? And Should You?" (Winter 2021)*

- >> *Anne Lockner - The Robins Kaplan Spotlight*, "Family Feud: A Cautionary Tale of the Costs, Risks, and Uncertainty of Minority-Shareholder Litigation" (Summer 2021)
- >> *Anne Lockner - The Robins Kaplan Spotlight*, "When the Business Is All in the Family" (Spring 2021)



ROBINS KAPLAN_{LLP}

BISMARCK
BOSTON
LOS ANGELES
MINNEAPOLIS
NEW YORK
SILICON VALLEY
SIOUX FALLS

800 553 9910
ROBINSKAPLAN.COM