

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

IN RE NII HOLDINGS INC.
SECURITIES LITIGATION

Civ. No. 1:14-cv-00227-LMB-JFA

**EXHIBITS 13-16 IN SUPPORT OF THE JOINT DECLARATION OF
GREGORY M. CASTALDO, JOEL H. BERNSTEIN, AND SUSAN R. PODOLSKY
IN SUPPORT OF PROPOSED CLASS ACTION SETTLEMENT, PLAN OF
ALLOCATION, AND AWARD OF ATTORNEYS' FEES AND EXPENSES**

Exhibit 13

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

IN RE: NII HOLDINGS, INC.
SECURITIES LITIGATION

Case No. 1:14-cv-227-LMB-JFA

**DECLARATION OF JAMES M. HUGHES ON BEHALF OF
MOTLEY RICE LLC IN SUPPORT OF
CLASS COUNSEL'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND PAYMENT OF EXPENSES**

James M. Hughes, Esq., declares as follows, pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of Motley Rice LLC ("Motley Rice"). I submit this declaration in support of Class Counsel's motion for an award of attorneys' fees and payment of litigation expenses on behalf of all plaintiff's counsel who contributed to the prosecution of the claims in the above-captioned action (the "Action") from June 11, 2014 through July 8, 2016 (the "Time Period").

2. My firm is counsel of record for Additional Plaintiff TOBAM, SAS ("TOBAM"). TOBAM is a French simplified limited company headquartered in Paris, France. With approximately \$8.239 billion in assets under management as of March 2016, TOBAM provides portfolio management, asset allocation, financial planning, and investment management services.

3. The schedule attached hereto as Exhibit A is a summary indicating the amount of time spent by each attorney and professional support staff-member of my firm who was involved in the prosecution of the Action, and the lodestar calculation based on my firm's current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such personnel in his or her final year of employment by my firm. The

schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm, which are available at the request of the Court. Time expended in preparing this application for fees and payment of expenses has not been included in this request.

4. The hourly rates for the attorneys and professional support staff in my firm included in Exhibit A are the same as my firm's regular rates charged for their services, which have been accepted in other securities or shareholder litigations.

5. The total number of hours expended on this litigation by my firm during the Time Period is 887.25 hours. The total lodestar for my firm for those hours is \$425,270.00.

6. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expenses items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

7. As detailed in Exhibit B, my firm has incurred a total of \$654.10 in expenses in connection with the prosecution of the Action. The expenses are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred.

8. With respect to the standing of my firm, attached hereto as Exhibit C is a brief biography of my firm as well as biographies of the firm's partners and of counsels.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 11, 2016.



JAMES M. HUGHES

Exhibit A

EXHIBIT A***IN RE NII HOLDINGS, INC. SEC. LITIG.***
Civ. No. 1:14-cv-00227-LMB-JFA (E.D. Va.)**LODESTAR REPORT****FIRM: MOTLEY RICE LLC****REPORTING PERIOD: JUNE 11, 2014 THROUGH JULY 8, 2016**

PROFESSIONAL	STATUS *	HOURLY RATE	TOTAL HOURS TO DATE	TOTAL LODESTAR TO DATE
Hughes, James M.	M	\$850.00	2.50	\$2,125.00
Narwold, William H	M	\$995.00	5.00	\$4,975.00
Ritter, Ann	SC	\$900.00	4.00	\$3,600.00
Abel, David	A	\$525.00	67.25	\$35,306.25
Humphries, Badge	A	\$650.00	1.50	\$975.00
Moriarty, Christopher	A	\$500.00	2.25	\$1,125.00
Miller, Meredith	PA	\$400.00	5.75	\$2,300.00
Rublee, Laura	PA	\$510.00	383.25	\$195,457.50
Toussaint, Lauren	PA	\$450.00	19.25	\$8,662.50
Van Shura, Mairin	PA	\$450.00	349.50	\$157,275.00
Greve, Daphne	P	\$275.00	1.50	\$412.50
McLaughlin, Lora	P	\$325.00	12.25	\$3,981.25
Ratliff, Arden	P	\$240.00	15.00	\$3,600.00
Weil, Katherine	P	\$300.00	18.25	\$5,475.00
TOTAL			887.25	\$425,270.00

Member	(M)	Project Attorney	(PA)
Senior Counsel	(SC)	Paralegal	(PL)
Associate	(A)		

Exhibit B

EXHIBIT B

IN RE NII HOLDINGS, INC. SEC. LITIG.
Civ. No. 1:14-cv-00227-LMB-JFA (E.D. Va.)

EXPENSE REPORT

FIRM: MOTLEY RICE LLC

REPORTING PERIOD: JUNE 11, 2014 THROUGH JULY 8, 2016

EXPENSE	TOTAL AMOUNT
Filing & Witness Fees	\$225.00
Online Legal and Financial Research	\$392.47
Transportation/Meals/Lodging	\$36.63
TOTAL	\$654.10

Exhibit C

SHAREHOLDER AND SECURITIES FRAUD RESUME



INTRODUCTION

Founded as a trial lawyers' firm with a complex litigation focus by Ron Motley, Joe Rice and nearly 50 other lawyers, Motley Rice LLC has become one of the nation's largest plaintiffs' law firms.

Motley Rice LLC ("Motley Rice") is led by lawyers who received their training and trial experience in complex litigation involving in-depth investigations, discovery battles and multi-week trials.

From asbestos and tobacco to counter-terrorism and human rights cases, Motley Rice attorneys have shaped developments in U.S. jurisprudence over several decades. Shareholder litigation has earned an increasing portion of our firm's focus in recent years as threats to global retirement security have increased. Motley Rice seeks to create a better, more secure future for pensioners, unions, government entities and institutional investors through improved corporate governance and accountability.

APPROACH TO SECURITIES LITIGATION

As concerns about our global financial system have intensified, so has our focus on securities litigation as a practice area. As one presenter at the 2009 International Foundation of Employee Benefit Plans annual conference noted, "2008 likely will go down in history as one of the worst years for retirement security in the United States."

Our securities litigation philosophy is straightforward – obtain the best possible results for our clients and any class of investors we represent. Unlike some other firms, we are extremely selective about the cases that we recommend our clients pursue, recognizing that many securities fraud class action cases filed each year are unworthy of an institutional investor's involvement for a variety of reasons.

Our attorneys have substantial experience analyzing securities cases and advising institutional investor clients, whether to seek lead-plaintiff appointment (alone or with a similarly-minded group), remain an absent class member, or consider an opt-out case based on the particular factual and legal circumstances of the case.

When analyzing new filings, our attorneys draw upon their securities, business, and litigation experience, which is supplemented by our in-house team of paralegals and business analysts. In addition, the firm has developed close working relationships with widely-respected forensic accountants and expert witnesses, whose involvement at the earliest stages of complex cases can be critical to determining the best course of action. If Motley Rice believes that a case deserves an institutional investor's involvement, we provide our clients with a detailed written analysis of potential claims and loss-recoupment strategies.

Motley Rice attorneys have secured important corporate governance reforms and returned money to shareholders in shareholder derivative cases, served as lead or co-lead counsel in several significant, multi-million dollar securities fraud class actions, and taken leadership roles in cases involving fiduciaries who failed to maximize shareholder value and fulfill disclosure obligations in a variety of merger and acquisition cases.



BACKGROUND

BACKGROUND IN COMPLEX LITIGATION

Asbestos Litigation

From the beginning, our lawyers were integral to the story of how “a few trial lawyers and their asbestos-afflicted clients came out . . . to challenge giant asbestos corporations and uncover the greatest and longest business cover-up of an epidemic disease, caused by a product, in American history.”¹ In addition to representing thousands of workers and family members impacted by asbestos, Motley Rice has represented numerous public entities, including Canadian provincial compensation boards in subrogation actions and many state subdivisions in property-damage cases. Our attorneys have litigated claims alleging various insurers of asbestos defendants engaged in unfair settlement practices in connection with the resolution of underlying asbestos personal injury claims. This litigation resulted in, among other things, an eleven-state settlement with Travelers Insurance Company.

Tobacco Master Settlement Agreement

In the 1990s, Motley Rice attorneys and more than half of the states’ attorneys general took on the tobacco industry. Armed with evidence acquired from whistleblowers, individual smokers’ cases and tobacco liability class actions, the attorneys led the campaign in the courtroom and at the negotiation table to recoup state healthcare funds and exact marketing restrictions from cigarette manufacturers. Through the litigation, “a powerful industry was forced by U.S. courts to reveal its internal documents, documents that explain what nine tobacco companies knew, when they knew it and what they concealed from the public about their dangerous product.”² The effort resulted in significant restrictions on cigarette marketing to children and culminated in the \$246 billion Master Settlement Agreement, the largest civil settlement in U.S. history.

Anti-Terrorism and Human Rights

In *In re Terrorist Attacks on September 11, 2001*, Motley Rice attorneys brought a landmark lawsuit against the alleged private and state sponsors of al Qaeda and Osama bin Laden in an action filed on behalf of more than 6,500 victims, family members, survivors, and those killed on 9/11—including the representation of more than 900 firefighters and their families. In prosecuting this action, Motley Rice has undertaken a global investigation into terrorism financing. In keeping with Motley Rice co-founder Ron Motley’s “no stone left unturned” discovery philosophy, more was spent in the first 18 months of our investigation of al Qaeda’s financing than the \$15 million budgeted by the U.S. Congress for the entire 9/11 Commission.³

At the request of victims’ families and survivors of the 9/11 terrorist attacks, our attorneys also initiated another legal action against the airline industry for security lapses in *In re September 11 Litigation*. Representing 56 families that opted out of the Victim Compensation Fund, Motley Rice attorneys eventually negotiated settlements far beyond the precedents existing at the time for wrongful death cases against the airline industry.

BP PLC Oil Spill Litigation

In April 2010, the Deepwater Horizon disaster spilled approximately 4.9 million gallons of oil into the water, killed 11 oil rig workers, devastated the Gulf’s natural resources and profoundly harmed the economic and emotional well-being of hundreds of thousands of people. The Deepwater Horizon Economic and Property Damages Settlement is the largest civil class action settlement in U.S. history. Motley Rice co-founder Joseph Rice is a Plaintiffs’ Steering Committee member and served as one of the primary negotiators of that Settlement and the Medical Benefits Settlement.

¹Ralph Nader, commenting on the story told by the book *Outrageous Misconduct*.

²World Health Org., *The Tobacco Industry Documents: What They Are, What They Tell Us, and How to Search Them*, (July 2004), available at http://www.who.int/tobacco/communications/TI_manual_content.pdf. As explained in this guide, documents obtained by Motley Rice lawyers during the state of Mississippi’s lawsuit against the industry comprise a distinct 54,000-document collection. *Id.* at 21.

³The National Commission on Terrorist Attacks Upon the United States, available at: <http://govinfo.library.unt.edu/911/about/faq.htm>.

Securities Fraud Class Actions

***Bennett v. Sprint Nextel Corporation*, No. 2:09-cv-02122-EFM-KMH (D. Kan.).** As co-lead counsel, Motley Rice represented the PACE Industry Union-Management Pension Fund (PIUMPF) and two other institutional investors who purchased Sprint Nextel common stock between October 26, 2006 and February 27, 2008. The class action complaint alleged that the defendants made materially false and misleading statements regarding Sprint's business and financial results. As a result, the complaint alleged that Sprint stock traded at artificially inflated prices during the class period and that, when the market learned the truth, the value of Sprint's shares plummeted. In August 2015, the court granted final approval to a \$131 million settlement.

***Alaska Electrical Pension Fund v. Pharmacia Corp.*, No. 03-1519 (D.N.J.).** Motley Rice served as co-class counsel in federal securities fraud litigation alleging that the defendants misrepresented clinical trial results of Celebrex® to make its safety profile appear better than rival drugs. In January 2013, the lawsuit settled in mediation for \$164 million.

***Minneapolis Firefighters' Relief Association v. Medtronic, Inc.*, No. 08-6324 (PAM/AJB) (D. Minn.).** Motley Rice is co-lead counsel for a class of investors who purchased Medtronic common stock in this case that survived the defendants' motion to dismiss. The suit alleges that Medtronic engaged in a pervasive campaign of illegal off-label marketing in which the company advised doctors to use Medtronic's Infuse Bone Graft in ways not FDA-approved, leading to severe complications in patients. Medtronic's stock price dropped significantly after investors learned that the FDA and Department of Justice were investigating Medtronic's off-label marketing. The \$85 million settlement was approved on Nov. 8, 2012.

***South Ferry LP #2 v. Killinger*, No. C04-1599C-(W.D. Wash.) (regarding Washington Mutual).** Motley Rice served as co-lead counsel on behalf of a class of investors who purchased WaMu common stock between April 15, 2003, and June 28, 2004. The suit alleged that WaMu misrepresented its ability to hedge risk and withstand changes in interest rates, as well as its integration of differing technologies resulting from various acquisitions. The Court granted class certification in January 2011 and approved the \$41.5 million settlement on June 5, 2012.

***City of Sterling Heights General Employees' Retirement System v. Hospira, Inc.*, No. 11 C 8332 (N.D. Ill.).** Motley Rice serves as co-lead counsel representing investors in this lawsuit against Hospira, the world's largest manufacturer of generic injectable pharmaceuticals, including generic acute-care and oncology injectables and integrated infusion therapy and medication management systems. The lawsuit alleges that Hospira and certain executive officers engaged in a fraudulent scheme to artificially inflate the company's stock price by concealing significant deteriorating conditions, manufacturing and quality control deficiencies at its largest manufacturing facility located in Rocky Mount, N.C., and the costly effects of these

deficiencies on production capacity. These deteriorating conditions culminated in a series of regulatory actions by the FDA which the defendants allegedly misrepresented to their investors. The case settled for \$60 million in 2014.

***In re Hewlett-Packard Co. Securities Litigation*, No. SACV 11-1404 AG (RNBx) (C.D. Cal.).** Motley Rice served as co-lead counsel representing investors who purchased Hewlett-Packard common stock between November 22, 2010 and August 18, 2011. The lawsuit alleged that Hewlett-Packard misled investors about its ability to release over a hundred million webOS-enabled devices by the end of 2011. After Hewlett-Packard abandoned webOS development in August 2011, the company's stock price declined significantly. The court granted final approval to a \$57 million settlement on September 15, 2014.

***In re Dell, Inc. Securities Litigation*, No. A-06-CA-726-SS (W.D. Tex.).** Motley Rice was appointed lead counsel for the lead plaintiff, Union Asset Management Holding AG, which sued on behalf of a class of purchasers of Dell common stock. The suit alleged that Dell and certain senior executives lied to investors and manipulated financial announcements to meet performance objectives that were tied to executive compensation. The defendants' alleged fraud ultimately caused the price of Dell's stock to decline by over 40 percent. After the case was dismissed by the district court, Motley Rice attorneys launched an appeal to the Fifth Circuit Court of Appeals. After fully briefing the case and oral arguments, the parties settled the case for \$40 million.

***In re MBNA Corporation Securities Litigation*, No. 05-CV-00272-GMS (D. Del.).** Motley Rice served as co-lead counsel on behalf of investors who purchased MBNA common stock. The suit alleged that MBNA manipulated its financial statements in violation of GAAP, and MBNA executives sold over one million shares of stock based on inside information for net proceeds of more than \$50 million, knowing these shares would drop in value once MBNA's true condition was revealed to the market. The case was settled with many motions pending. The \$25 million settlement was approved on October 6, 2009.

***In re NPS Pharmaceuticals, Inc. Securities Litigation*, No. 2:06-cv-00570-PGC-PMW (D. Utah).** Motley Rice represented the lead plaintiff as sole lead counsel in a class action brought on behalf of stockholders of NPS Pharmaceuticals, Inc., concerning the drug PREOS. NPS claimed that PREOS would be a "billion dollar drug" that could effectively treat "millions of women around the world who have osteoporosis." The complaint alleged fraudulent misrepresentations regarding PREOS's efficacy, market potential, prospects for FDA approval and dangers of hypercalcemic toxicity. The case settled after the lead plaintiff moved for class certification and the parties engaged in document production and protracted settlement negotiations. The \$15 million settlement was approved on June 18, 2009.

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***In re Citigroup Inc. Securities Litigation*, No. 07 Civ. 9901 (SHS) (DCF) (S.D.N.Y.).** Motley Rice served as co-counsel in this securities fraud action alleging that Citigroup responded to the widely-known financial crisis by concealing both the extent of its ownership of toxic assets—most prominently, collateralized debt obligations (CDO) backed by nonprime mortgages—and the risks associated with them. By alleged misrepresentations and omissions of what amounted to more than two years of income and an entire significant line of business, Citigroup allegedly artificially manipulated and inflated its stock prices throughout the class period. Citigroup’s alleged actions caused its stock price to trade in a range of \$42.56 to \$56.41 per share for most of the class period. These disclosures helped place Citigroup in serious danger of insolvency, a danger that was averted only through a \$300 billion dollar emergency government bailout. On August 1, 2013, the Court approved the settlement resolving all claims in the Citigroup action in exchange for payment of \$590 million for the benefit of the class.

***Cornwell v. Credit Suisse Group*, No. 08 Civ. 3758 (VM) (S.D.N.Y.).** Motley Rice served as co-counsel in an action against Credit Suisse Group alleging the defendants issued materially false and misleading statements regarding the company’s business and financial results and failed to write down impaired securities containing mortgage-related debt. Subsequently, Credit Suisse’s stock price relative to other market events declined 2.83 percent when impaired securities came to light. A \$70 million settlement was approved in July 2011.

***In re Forest Laboratories, Inc. Securities Litigation*, No. 05 Civ. 2827 (RMB) (S.D.N.Y.).** Motley Rice represented PIUMPF in a securities fraud class action alleging that the company and its officers misrepresented the safety, efficacy, and side effects of several drugs. Motley Rice, in cooperation with other class counsel, helped the parties reach a \$65 million settlement that was approved on May 15, 2009.

***Hill v. State Street Corporation*, No. 09-cv-12146-NG (D. Mass.).** Motley Rice represents institutional investors as co-lead counsel against State Street. The action alleges that State Street defrauded institutional investors – including the state of California’s two largest pension funds, California Public Employees’ Retirement System (CalPERS) and California State Teachers’ Retirement System (CalSTRS) – by misrepresenting its exposure to toxic assets and overcharging them for foreign exchange trades. A \$60 million settlement was approved January 8, 2015.

***In re Synovus Financial Corp.*, No. 1:09-cv-01811 (N.D. Ga.).** Motley Rice and our client, Sheet Metal Workers’ National Pension Fund, serve as court-appointed co-lead counsel and co-lead plaintiff for investors in Synovus Financial Corp. The lawsuit alleges that the bank artificially inflated its stock price by concealing its troubled lending relationship with the Sea Island Company, a resort real estate and hospitality company to whom Synovus allegedly made hundreds of millions of dollars

of “insider loans” with “little more than a handshake” facilitated by personal relationships among certain senior executives and board members. In 2014, the court approved a final settlement of \$11.75 million.

***In re Molson Coors Brewing Co. Securities Litigation*, No. 1:05-cv-00294 (D. Del.).** Motley Rice served as co-lead counsel for co-lead plaintiffs Drywall Acoustic Lathing and Insulation Local 675 Pension Fund and Metzler Investment GmbH in litigation against Molson Coors Brewing Co. and several of its officers and directors. The lawsuit alleged that, following the February 9, 2005, merger of Molson, Inc. and the Adolph Coors Company, the defendants fraudulently misrepresented the financial and operational performance of the combined company prior to reporting a net loss for the first quarter of 2005. Following protracted negotiations, the parties reached a \$6 million settlement in May 2009.

***Marsden v. Select Medical Corporation*, No. 04-cv-4020 (E.D. Pa.).** Motley Rice served as co-lead counsel on behalf of stockholders of Select Medical, a healthcare provider specializing in long-term care hospital facilities. The suit alleged that Select Medical exploited its business structure to improperly maximize Medicare reimbursements, misled investors and that the company’s executives engaged in massive insider trading for proceeds of over \$100 million. A \$5 million settlement was reached and approved on April 15, 2009.

***Welmon v. Chicago Bridge & Iron Co., N.V.*, No. 06-CV-01283 (JES) (S.D.N.Y.).** Motley Rice represented the co-lead plaintiff in this case that alleged that the defendants issued numerous materially false and misleading statements which caused CB&I’s securities to trade at artificially inflated prices. The litigation resulted in a \$10.5 million settlement that was approved on June 3, 2008.

***Ross v. Career Education Corp.*, No. 1:12-cv-00276 (N.D. Ill.).** On April 16, 2014, the U.S. District Court for the Northern District of Illinois issued an order granting final judgment and dismissing with prejudice *Ross v. Career Education Corp.* Motley Rice served as co-lead counsel in the lawsuit, which alleged that Career Education and certain of its executive officers violated the federal securities laws by misleading the company’s investors about its placement practices and reporting. The court approved a final settlement of \$27.5 million.

***City of Brockton Retirement System v. Avon Products, Inc.*, No. 11 Civ. 4665 (PGG) (S.D.N.Y.).** Motley Rice serves as sole lead counsel representing lead plaintiffs in a class action on behalf of all persons who acquired Avon common stock between July 31, 2006 and Oct. 26, 2011. The action alleges that the defendants falsely assured investors they had effective internal controls and accounting systems, as required under the Foreign Corrupt Practices Act (FCPA). In October 2008, Avon disclosed that it had begun an investigation into possible FCPA violations in China in June 2008. The action alleges that, unbeknownst

to investors, Avon had an illegal practice of paying bribes in violation of the FCPA extending as far back as 2004 and which continued even after its October 2008 disclosure. Despite its certifications of the effectiveness of its internal controls, Avon's internal controls were allegedly severely deficient, allowing the company to engage in millions of dollars of improper payments in more than a dozen countries. A settlement is pending court approval.

***In re UBS AG Securities Litigation*, No.07 Civ. 11225 (RJS) (S.D.N.Y.).** Motley Rice serves as co-lead counsel on behalf of purchasers of UBS common stock between February 13, 2006 and July 3, 2008. The complaint alleges that UBS knowingly invested in risky mortgage-backed securities during a steep decline in the mortgage industry and in direct contravention of its risk management policies and public representations. In addition, plaintiffs allege that UBS's senior executives continued to deceive its shareholders by making material misrepresentations after they learned that the company's \$100 billion mortgage-backed asset portfolio was significantly overvalued. The defendants' motion to dismiss was granted in 2012. An appeal to the U.S. Court of Appeals for the Second Circuit was filed on Feb. 8, 2013, and the case is ongoing.

***Robert Freedman v. St. Jude Medical, Inc.*, No. 0:2012cv03070 (D. Minn.).** Motley Rice serves as co-lead counsel representing investors who purchased St. Jude stock between February 5, 2010 and November 20, 2012. The complaint alleges that St. Jude issued false and misleading statements regarding the performance, design, and safety of the company's core product line, Cardiac Rhythm Management device lead wires. On March 10, 2014, the court denied much of the defendants' motion to dismiss the complaint. The case is in discovery.

Shareholder Derivative Litigation

***Walgreens / Controlled Substances Violations: In re Walgreen Co. Derivative Litigation*.** On October 4, 2013, Motley Rice filed a consolidated complaint for a group of institutional investors against the board of directors of Walgreen Co. The complaint alleges that Walgreen's board engaged in a scheme to maximize revenues by encouraging the company's pharmacists to fill improper or suspicious prescriptions for Schedule-II drugs, particularly oxycodone, in Florida. The complaint followed the June 2013 announcement of an \$80 million settlement between Walgreens and the Drug Enforcement Administration relating to the misconduct. A settlement was approved in December 2014, in which Walgreens agreed to, among other things, extended compliance-related commitments, including maintaining a Department of Pharmaceutical Integrity.

***Manville Personal Injury Settlement Trust v. Gemunder*, No. 10-CI-01212 (Ky. Cir. Ct.) (regarding Omnicare, Inc.).** On April 14, 2010, Motley Rice, sole lead counsel in this action, filed a shareholder derivative complaint on behalf of plaintiff Manville Personal Injury Settlement Trust. Plaintiff's claims stem from a November 3, 2009, announcement by the U.S. Department of Justice that Omnicare, Inc. had agreed to pay \$98 million to settle state and federal investigations into three kickback schemes through which the company paid or solicited payments in violation of state and federal anti-kickback laws. The court denied the defendants' motions to dismiss in their entirety on April 27, 2011. The defendants sought an interlocutory appeal, which was denied on October 6, 2011. Following significant discovery, which included plaintiff's counsel's review and analysis of approximately 1.4 million pages of documents, the parties reached agreement on a settlement, which received final approval from the court on October 28, 2013. Under the settlement, a \$16.7 million fund (less court awarded fees and costs) will be created to be used over a four year period by Omnicare to fund certain corporate governance measures and provide funding for the company's compliance committee in connection with the performance of its duties. Additionally, the settlement calls for Omnicare to adopt and/or maintain corporate governance measures relating to, among other things, employee training and ensuring the appropriate flow of information to the compliance committee.

***Service Employees International Union v. Hills*, No. A0711383 (Ohio Ct. Com. Pl.) (regarding Chiquita Brands International, Inc.).** In this shareholder derivative litigation, SEIU retained Motley Rice to bring an action on behalf of Chiquita Brands International. The plaintiff alleged that the defendants breached their fiduciary duties by paying bribes to terrorist organizations in violation of U.S. and Columbian law. In October 2010, the plaintiffs resolved their state court action as part of a separate federal derivative claim.

***Mercier v. Whittle*, No. 2008-CP-23-8395 (S.C. Ct. Com. Pl.) (regarding the South Financial Group).** This shareholder derivative action was brought on behalf of South Financial Group, Inc., following the company's decision to apply for federal bailout money from the Troubled Asset Relief Program (TARP) while allegedly accelerating the retirement of its former chairman and CEO to protect his multi-million dollar golden parachute, which would be prohibited under TARP. The litigation was settled prior to trial and achieved, among other benefits, payment back to the company from chairman Whittle, increased board independence and enhanced shareholder rights.

***Manville Personal Injury Settlement Trust v. Farmer*, No. A 0806822 (Ohio Ct. Com. Pl.) (regarding Cintas Corporation).** In this shareholder derivative action brought on behalf of Cintas Corporation, the plaintiff alleged that the defendants breached their fiduciary duties by, among other things, failing to cause the company to comply with applicable worker safety

CASES

laws and regulations. In November 2009, the court approved a settlement agreement that provided for the implementation of corporate governance measures designed to increase the flow of employee safety information to the company's board; ensure the company's compliance with a prior agreement between itself and OSHA relating to workplace safety violations; and secure the attendance of the company's chief health and safety officer at shareholder meetings.

Corporate Takeover Litigation

***In re The Shaw Group, Inc., Shareholders Litigation*, No. 614399 (19th Jud. Dist. La.).** Motley Rice attorneys served as co-lead counsel in the class action brought by our client, a European asset management company, on behalf of the public shareholders of The Shaw Group, Inc. The lawsuit challenged Shaw's proposed sale to Chicago Bridge & Iron Company N.V. in a transaction valued at approximately \$3.04 billion. The plaintiffs alleged that the defendants breached their fiduciary duties to Shaw's shareholders by agreeing to a transaction that was financially unfair and the result of an improper sales process, which the defendants pursued at a time when Shaw's stock was poised for significant growth. The plaintiffs also alleged that the transaction offered substantial benefits to Shaw insiders not shared with the company's public shareholders. In December 2012, the parties reached a settlement with two components. Shaw agreed to make certain additional disclosures to shareholders of financial analyses indicating a potential share price impact of certain alternative transactions of as much as \$19.00 per share versus the status quo. To provide a remedy for Shaw shareholders who believed the company was worth more than CB&I was paying for it, the settlement contained a second component – universal appraisal rights for all Shaw shareholders who properly dissented from the proposed merger, and the opportunity for Shaw dissenters to pursue that remedy on a class-wide basis. The court granted final approval of the settlement on June 28, 2013.

***In re Coventry Health Care, Inc. Securities Litigation*, No. 7905-CS (Del. Ch.).** Motley Rice represented three public pension funds as court-appointed sole lead counsel in a shareholder class action challenging the \$7.2 billion acquisition of Coventry Health Care, Inc., by Aetna, Inc. The plaintiffs alleged that the defendants breached their fiduciary duties to Coventry's shareholders through a flawed sales process involving a severely conflicted financial advisor and at a time when the company was poised for remarkable growth as a result of recent government healthcare reforms. The case settled for improvements to the deal's terms and enhanced disclosures.

***In re Allion Healthcare, Inc. Shareholders Litigation*, No. 5022-cc (Del. Ch.).** Motley Rice attorneys served as co-lead counsel representing a group of institutional shareholders in their challenge to the going-private buy-out of Allion Healthcare, Inc., by private equity firm H.I.G. Capital, LLC, and a group of insider

stockholders led by the company's CEO, who controlled about 41 percent the company's shares. The shareholders alleged that the CEO used his stock holdings and influence over board members to accomplish the buyout at the expense of Allion's public shareholders. After a lengthy mediation, the shareholders succeeded in negotiating a settlement resulting in a \$4 million increase in the merger consideration available to shareholders. In January 2011, the Delaware Court of Chancery approved the settlement.

***In re RehabCare Group, Inc. Shareholders Litigation*, No. 6197-VCL (Del. Ch.).** Motley Rice represented institutional shareholders in their challenge to the acquisition of healthcare provider RehabCare Group, Inc., by Kindred Healthcare, Inc. As co-lead counsel, Motley Rice uncovered important additional facts about the relationship between RehabCare, Kindred, and the exclusive financial advisor for the transaction, as well as how those relationships affected the process RehabCare's board of directors undertook to sell the company. After extensive discovery, the parties reached a settlement in which RehabCare agreed to make a \$2.5 million payment for the benefit of RehabCare shareholders. In addition, RehabCare and Kindred agreed to waive certain standstill agreements with potential higher bidders for the company; lower the merger agreement's termination fee from \$26 million to \$13 million to encourage any potential higher bidders; eliminate the requirement that Kindred have a three-business day period during which it has the right to match any superior proposal; and make certain additional public disclosures about the proposed merger. The Delaware Court of Chancery granted final approval of the settlement on Sept. 8, 2011.

***In re Atheros Communications Inc. Shareholder Litigation*, No. 6124-VCN (Del. Ch.).** In this action involving Qualcomm Incorporated's proposed acquisition of Atheros Communications, Inc., for approximately \$3.1 billion, Motley Rice served as co-lead counsel representing investors alleging that, among other things, Atheros' preliminary proxy statement was materially misleading to the company's shareholders, who were responsible for voting on the proposed acquisition. In March 2011, the Court issued a preliminary injunction delaying the shareholder vote, ruling that Atheros' proxy statement was materially misleading because, even though the proxy stated that the company's CEO "had not had any discussions with Qualcomm regarding the terms of his potential employment," it failed to disclose that he in fact "had overwhelming reason to believe he would be employed by Qualcomm after the transaction closed." The proxy also failed to inform shareholders of an almost entirely contingent \$24 million fee to the company's financial adviser, Qatalyst Partners, LLP.

***In re Winn-Dixie Stores, Inc. Shareholder Litigation*, No. 16-2011-CA-010616 (Fla. 4th Cir. Ct.).** Motley Rice served as co-lead counsel in litigation challenging the \$560 million buyout of Winn-Dixie Stores, Inc. by BI-LO, LLC, achieving a settlement

that allows for shareholders to participate in a \$9 million common fund or \$2.5 million opt-in appraisal proceeding.

Maric Capital Master Fund, Ltd. v. PLATO Learning, Inc., No. 5402-VCS (Del. Ch.). The firm's institutional investor client won a partial preliminary injunction against the proposed acquisition of PLATO Learning, Inc., by a private equity company. In its ruling, the Delaware Court of Chancery found that the target company's proxy statement was misleading to its shareholders and omitted material information. The court's opinion has since been published and has been cited by courts and the legal media.

In re Lear Corporation Shareholder Litigation, No. 2728-N (Del. Ch.). In this deal case, Motley Rice helped thwart a merger out of line with shareholder interests. Motley Rice represented an institutional investor in this case and, along with Delaware co-counsel, was appointed co-chair of the Plaintiffs' Executive Committee. Motley Rice and its co-counsel conducted expedited discovery and the briefing. The court ultimately granted in part and denied in part the plaintiffs' motion for a preliminary injunction. In granting the injunction, the court found a reasonable probability of success in the plaintiffs' disclosure claim concerning the Lear CEO's conflict of interest in securing his retirement through the proposed takeover. Lear shareholders overwhelmingly rejected the merger.

Helaba Invest Kapitalanlagegesellschaft mbH v. Fialkow, No. 2683-VCL (Del. Ch.) (regarding National Home Health Care Corp.). This action was brought on behalf of the shareholders of National Home Health Care Corporation in response to the company's November 2006 announcement that it had entered into a merger agreement with affiliates of Angelo Gordon. The matter settled prior to trial and was approved on April 18, 2008. The defendants agreed to additional consideration and proxy disclosures for the class.

Schultze Asset Management, LLC v. Washington Group International, Inc., No. 3261-VCN (Del. Ch.). This action followed Washington Group's announcement that it had agreed to be acquired by URS Corporation. The action alleged that Washington Group and its board of directors breached their fiduciary duties by failing to maximize shareholder value, choosing financial projections that unfairly undervalued the company and pursuing a flawed decision-making process. Motley Rice represented the parties, which ultimately settled the lawsuit with Washington Group. Washington Group agreed to make further disclosures to its shareholders regarding the proposed alternative transactions it had rejected prior to its accepting URS's proposal and agreed to make disclosures regarding how the company was valued in the proposed transaction with URS. These additional disclosures prompted shareholders to further question the fairness of the

URS proposal. Ultimately, URS increased its offer for Washington Group to the benefit of minority stockholders.

In re The DirecTV Group, Inc. Shareholder Litigation, No. 4581-VCP (Del. Ch.). As court-appointed co-lead counsel, Motley Rice attorneys represented a group of institutional investors on behalf of the minority shareholders of DirecTV Group. A settlement was reached and approved by the court on Nov. 30, 2009. It provided for material changes to the merger agreement and the governing documents of the post-merger DirecTV.

State Law Securities Cases

In re Tremont Group Holdings, Inc. Securities Litigation, No. 09 Civ. 03137 (S.D.N.Y.). Motley Rice represents an individual investor in consolidated litigation regarding investments made in Bernard L. Madoff Investment Securities, LLC, through a variable universal life insurance policy.

Brown v. Charles Schwab & Co., No. 2:07-cv-03852-DCN (D.S.C.). Motley Rice attorneys served as class counsel in this case, one of the first to interpret the civil liabilities provision of the Uniform Securities Act of 2002. The U.S. District Court for the District of South Carolina certified a class of investors with claims against broker-dealer Charles Schwab & Co., Inc., for its role in allegedly aiding the illegal sale of securities as part of a \$66 million Ponzi scheme. A subclass of 38 plaintiffs in this case reached a settlement agreement with Schwab under which they receive approximately \$5.7 million, an amount representing their total unrecovered investment losses plus attorneys' fees.

Opt-Out/Individual Actions

In re Vivendi Universal, S.A. Securities Litigation, No. 02 Civ. 5571 (S.D.N.Y.). In this action, Motley Rice represents more than 20 foreign institutional investors who were excluded from the class. The firm's clients include the Swedish public pension fund Första AP-fonden (AP1), one of five buffer funds in the Swedish pay-as-you-go pension system. In light of a recent Supreme Court ruling preventing foreign clients from gaining relief, Motley Rice has worked with institutional investor plaintiffs to file suit in France. The French action is pending.

ACCOLADES FOR THE FIRM

The Plaintiffs' Hot List

The National Law Journal

2006 • 2012 • 2013 • 2014 • 2015 • 2016

"Best Law Firm"

U.S. News – Best Lawyers®

mass tort litigation/class actions-plaintiffs

2010 • 2011 • 2012 • 2013 • 2014 • 2015 • 2016

The Legal 500 United States *Litigation editions*

mass tort and class action: plaintiff representation-toxic tort

2007 • 2009 • 2011 • 2012 • 2013 • 2014 • 2015

"Elite Trial Lawyers"

The National Law Journal

2014 • 2015

"Most Feared Plaintiffs Firm"

Law360

2013 • 2015

For full methodologies and selection criteria, visit www.motleyrice.com/award-methodology

Please remember that every case is different. Although they endorse certain lawyers, *The Legal 500 United States* and *Chambers USA* and other similar organizations listed above are not Motley Rice clients. Any result we achieve for one client in one matter does not necessarily indicate similar results can be obtained for other clients.

Ronald L. Motley (1944–2013)**EDUCATION:**

J.D., University of South Carolina School of Law, 1971

B.A., University of South Carolina, 1966

Ron Motley fought for greater justice, accountability and recourse, and has been widely recognized as one of the most accomplished and skilled trial lawyers in the U.S. During a career that spanned more than four decades, his persuasiveness before a jury and ability to break new legal and evidentiary ground brought to justice two once-invincible giant industries whose malfeasance took the lives of millions of Americans— asbestos and tobacco. Armed with a combination of legal and trial skills, personal charisma, nose-to-the-grindstone hard work and record of success, Ron built Motley Rice into one of the nation's largest plaintiffs' law firms.

Noted for his role in spearheading the historic litigation against the tobacco industry, Ron served as lead trial counsel for 26 State Attorneys General in the lawsuits. His efforts to uncover corporate and scientific wrongdoing resulted in the Master Settlement Agreement, the largest civil settlement in U.S. history and in which the tobacco industry agreed to reimburse states for smoking-related health care costs.

Through his pioneering discovery and collaboration, Ron revealed asbestos manufacturers and the harmful and disabling effects of occupational, environmental and household asbestos exposure. He represented thousands of asbestos victims and achieved numerous trial breakthroughs, including the class actions and mass consolidations of *Cimino, et al. v. Raymark, et al.* (U.S.D.C. TX); *Abate, et al. v. ACandS, et al.* (Baltimore); and *In re Asbestos Personal Injury Cases* (Mississippi).

In 2002, Ron once again advanced cutting-edge litigation as lead counsel for the 9/11 Families United to Bankrupt Terrorism with a lawsuit filed by more than 6,500 family members, survivors and those who lost their lives in the Sept. 11, 2001, terrorist attacks. The suit seeks justice and ultimately bankruptcy for al Qaeda's financiers, including many individuals, banks, corporations and charities that provided resources and monetary aid. He also served as lead counsel in numerous individual aviation security liability and damages cases under the *In re September 11 Litigation* filed against the aviation and aviation security industries by victims' families devastated by the security failures of 9/11.

Ron brought the landmark case of *Oran Almog v. Arab Bank* against the alleged financial sponsors of Hamas and other terrorist organizations in Israel and was a firm leader in the BP Deepwater Horizon litigation and claims efforts involving people and businesses in Gulf Coast communities suffering as a result of the oil spill. Two settlements were reached with BP, one of which is the largest civil class action settlement in U.S. history.

Recognized as an AV®-rated attorney by Martindale-Hubbell®, Ron served on the AAJ Board of Governors from 1977 to 2012 and was chair of its Asbestos Litigation Group from 1978 to 2012. In 2002, Ron founded the Mark Elliott Motley Foundation, Inc., in loving memory of his son to help meet the health, education and welfare needs of children and young adults in the Charleston, S.C. community.

PUBLICATIONS:

- Ron authored or co-authored more than two dozen publications, including:
- "Decades of Deception: Secrets of Lead, Asbestos and Tobacco" (*Trial Magazine*, October 1999)
- "Asbestos Disease Among Railroad Workers: 'Legacy of the Laggin' Wagon'" (*Trial Magazine*, December 1981)
- "Asbestos and Lung Cancer" (*New York State Journal of Medicine*, June 1980; Volume 80: No.7, New York State Medical Association, New York)
- "Occupational Disease and Products Liability Claims" (*South Carolina Trial Lawyers Bulletin*, September and October 1976)

FEATURED IN:

- Shackelford, Susan. "Major Leaguer" (*South Carolina Super Lawyers*, April 2008)
- Senior, Jennifer. "A Nation Unto Himself" (*The New York Times*, March 2004)
- Freedman, Michael. "Turning Lead into Gold," (*Forbes*, May 2001)
- Zegart, Dan. *Civil Warriors: The Legal Siege on the Tobacco Industry* (Delacorte Press, 2000)
- Ansen, David. "Smoke Gets in Your Eyes" (*Newsweek*, 1999)
- Mann, Michael & Roth, Eric. "The Insider" (*Blue Lion Entertainment*, November 5, 1999)
- Brenner, Marie. "The Man Who Knew Too Much" (*Vanity Fair*, May 1996)
- Reisig, Robin. "The Man Who Took on Manville" (*The American Lawyer*, January 1983)

AWARDS AND ACCOLADES:

Ron won widespread honors for his ability to win justice for his clients and for his seminal impact on the course of civil litigation. For his trial achievements, *BusinessWeek* characterized Ron's courtroom skills as "dazzling" and *The National Law Journal* ranked him, "One of the most influential lawyers in America."

South Carolina Association for Justice**2013** Founders' Award**American Association for Justice****2010** Lifetime Achievement Award**2007** David S. Shrager President's Award**1998** Harry M. Philo Trial Lawyer of the Year**The Trial Lawyer Magazine****2012** inducted into Trial Lawyer Hall of Fame**2011** *The Roundtable: America's 100 Most Influential Trial Lawyers***The Best Lawyers in America®**

1993–2013 mass tort litigation/class actions – plaintiffs,
personal injury litigation – plaintiffs product liability litigation
– plaintiffs

Best Lawyers®

2012 Charleston, SC "Lawyer of the Year" mass tort litigation/
class actions – plaintiffs

2010 Charleston, SC "Lawyer of the Year" personal injury

TEAM BIOS:

Benchmark Plaintiff

2012–2013 National “Litigation Star”: civil rights/human rights, mass tort/product liability, securities

2012–2013 South Carolina “Litigation Star”: human rights, product liability, securities, toxic tort

SC Lawyers Weekly

2011 Leadership in Law Award

The Legal 500 United States

2011–2013 Mass tort and class action: plaintiff representation – toxic tort

Chambers USA

2007, 2010–2012 Product liability and mass torts: plaintiffs.

“...An accomplished trial lawyer and a formidable opponent.”

2008–2013 *South Carolina Super Lawyers*® list

2008 *Top 10 South Carolina Super Lawyers* list

2008, 2009, 2011, 2012 *Top 25 South Carolina Super Lawyers* list

The Lawdragon™ 500

2005–2012 *Leading Lawyers in America* list – plaintiffs’

National Association of Attorneys General

1998 President’s Award—for his “courage, legal skills and dedication to our children and the public health of our nation.”

The Campaign for Tobacco-Free Kids

1999 Youth Advocates of the Year Award

ASSOCIATIONS:

American Association for Justice

South Carolina Association for Justice

American Bar Association

South Carolina Bar Association

Civil Justice Foundation

Inner Circle of Advocates

International Academy of Trial Lawyers

THE FIRM’S MEMBERS

Joseph F. Rice

LICENSED IN: DC, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. Court of Appeals for the Second, Third, Fourth and Fifth Circuits

U.S. District Court for the District of Nebraska and the District of South Carolina

EDUCATION:

J.D., University of South Carolina School of Law, 1979

B.S., University of South Carolina, 1976

Joe Rice, Motley Rice co-founder, is recognized as a skillful and innovative negotiator of complex litigation settlements, having served as the lead negotiator in some of the largest civil actions our courts have seen in the last 20 years. *Corporate Legal Times* reported that national defense counsel and legal scholars described Joe as one of the nation’s “five most feared and respected plaintiffs’ lawyers in corporate America.” He was cited time after time as one of the toughest, sharpest and hardest-working litigators they faced. As the article notes, “For all his talents as a shrewd negotiator ... Rice has earned most of his respect from playing fair and remaining humble.” *The American Lawyer* described Joe in 2006 as “one of the shrewdest businessmen practicing law.”

Joe negotiates for the firm’s clients at all levels, including securities and consumer fraud, anti-terrorism, human rights, environmental, medical drugs and devices, as well as catastrophic injury and wrongful death cases. He is a member of the Plaintiffs’ Steering Committee for the Lipitor® multidistrict litigation and a member of the Plaintiffs’ Executive Committee for *In re General Motors LLC Ignition Switch Litigation*, as well as *In re Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability Litigation*.

BP Oil Spill:

Joe served as a co-lead negotiator for the Plaintiffs’ Steering Committee in reaching the two settlements with BP, one of which is the largest civil class action settlement in U.S. history. The Economic and Property Damages Rule 23 Class Action Settlement is estimated to make payments totaling between \$7.8 billion and \$18 billion to class members. Joe was also one of the lead negotiators of the \$1.028 billion settlement reached between the Plaintiffs’ Steering Committee and Halliburton Energy Services, Inc., for Halliburton’s role in the disaster.

9/11:

Joe held a crucial role in executing strategic mediations and/or resolutions on behalf of 56 families of 9/11 victims who opted out of the government-created September 11 Victim Compensation Fund. In addition to providing answers, accountability and recourse to victims’ families, the resulting settlements with multiple defendants shattered a settlement matrix developed and utilized for decades. The litigation also helped provide public access to evidence uncovered for the trial.

Tobacco:

As lead private counsel for 26 jurisdictions, including numerous State Attorneys General, Joe was integral to the crafting and negotiating of the landmark Master Settlement Agreement, in which the tobacco industry agreed to reimburse states for

smoking-related health costs. This remains the largest civil settlement in U.S. history.

Asbestos:

Joe held leadership and negotiating roles involving the bankruptcies of several large organizations, including AWI, Federal Mogul, Johns Manville, Celotex, Garlock, W.R. Grace, Babcock & Wilcox, U.S. Gypsum, Owens Corning and Pittsburgh Corning. He has also worked on numerous Trust Advisory Committees. Today, he maintains a critical role in settlements involving asbestos manufacturers emerging from bankruptcy and has been recognized for his work in structuring significant resolutions in complex personal injury litigation for asbestos liabilities on behalf of victims injured by asbestos-related products. Joe has served as co-chair of Perrin Conferences' Asbestos Litigation Conference, the largest national asbestos-focused conference.

Joe is often sought by investment funds for guidance on litigation strategies to increase shareholder value, enhance corporate governance reforms and recover assets. He was an integral part of the shareholder derivative action against Omnicare, Inc., *Manville Personal Injury Settlement Trust v. Gemunder*, which resulted in a significant settlement for shareholders as well as new corporate governance policies for the corporation.

Joe serves on the Board of Advisors for Emory University's Institute for Complex Litigation and Mass Claims, which facilitates bipartisan discussion of ways to improve the civil justice system through the hosting of judicial seminars, bar conferences, academic programs, and research. In 1999 and 2000, he served on the faculty at Duke University School of Law as a Senior Lecturing Fellow, and taught classes on the art of negotiating at the University of South Carolina School of Law, Duke University School of Law and Charleston School of Law.

In 2013, he and the firm created the Ronald L. Motley Scholarship Fund at The University of South Carolina School of Law in memory and honor of co-founding member and friend, Ron Motley.

AWARDS AND ACCOLADES:

Law360

2015 "Product Liability VP"

The Best Lawyers in America®

2013 "Lawyer of the Year" Charleston, SC: mass tort litigation/class actions – plaintiffs

2007–2016 Mass tort litigation/class actions plaintiffs

Benchmark Litigation

2012–2013 National "Litigation Star": mass tort/product liability

2012–2016 South Carolina "Litigation Star": environmental, mass tort/product liability

South Carolina Super Lawyers® list

2008–2016 Class action/mass torts; Securities litigation; General litigation

SC Lawyers Weekly

2012 Leadership in Law Award

University of South Carolina School of Law Alumni Association

2011 Platinum Complet Lawyer Award

The Legal 500 United States, Litigation edition

2011–2012 Mass tort and class action: plaintiff representation – toxic tort

The National Trial Lawyers

2010 Top 100 Trial Lawyers™ – South Carolina

National Association of Attorneys General

1998 President's Award

MUSC Children's Hospital

2010 Johnnie Dodds Award: in honor of his longtime support of the annual Bulls Bay Golf Challenge Fundraiser and continued work on behalf of our community's children

University of South Carolina

2011 Garnet Award: in recognition of Joe and his family for their passion for and devotion to Gamecock athletics

SC Junior Golf Association Programs

2011 Tom Fazio Service to Golf Award: in recognition of promotional efforts

COMMUNITY INVOLVEMENT:

Dee Norton Lowcountry Children's Center, Co-chair for inaugural Campaign for the Next Child

First Tee of Greater Charleston, Board of Advisors

ASSOCIATIONS:

American Association for Justice

American Bar Association

American Inns of Court

American Constitution Society for Law and Policy

South Carolina Association for Justice

* *The Best Lawyers in America*® 2014 (Copyright 2013 by Woodward/White, Inc., of Aiken, S.C.) Although it endorses this lawyer, *The Legal 500 United States* is not a Motley Rice client.

John A. Baden IV

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Second Circuit, U.S. Bankruptcy

Court for the Southern District of New York and Western

District of North Carolina

EDUCATION:

J.D., University of South Carolina School of Law, 2002

B.A., College of Charleston, 1996

John Baden represents clients harmed by asbestos exposure in individual and mass tort forums, as well as in complex asbestos bankruptcies, handling complete case management and settlement negotiations for individuals and families suffering from mesothelioma and other asbestos-related diseases.

Working closely with Joe Rice, John also handles the negotiation and complex case resolution of asbestos bankruptcies, including development of structured settlements with viable asbestos manufacturers and those emerging from bankruptcy. His work with the bankruptcy courts and settlement trusts

TEAM BIOS:

aims to hold asbestos companies accountable and provide due compensation to asbestos victims. John has lectured on asbestos bankruptcy issues at a number of legal seminars.

John is involved in the settlement negotiations of medical drug and device MDLs, including the transvaginal mesh litigation *In re American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation*, MDL 2325. He continues to be involved in negotiations related to additional TVM manufacturers. John also played a role in settlement negotiations for *In re Avandia Marketing, Sales Practices and Products Liability Litigation*, MDL 1871.

John has additionally been actively involved with the firm's representation of people and businesses in Gulf Coast communities suffering as a result of the BP Deepwater Horizon oil spill. He held a central role in the negotiation process involving the two settlements reached with BP, one of which is the largest civil class action settlement in U.S. history.

John began his legal career as a litigation trial paralegal for Ron Motley in 1997, working with the State Attorneys General on the landmark tobacco litigation primarily in Florida, Mississippi and Texas. He also supported occupational litigation in several states, including the exigent trial dockets of Georgia and West Virginia. John served as a judicial intern for Judge Sol Blatt, Jr., of the U.S. District Court of South Carolina and Judge Jasper M. Cureton of the South Carolina Court of Appeals.

ASSOCIATIONS:

American Association for Justice
South Carolina Association for Justice

Kimberly Barone Baden

LICENSED IN: CA, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third Circuit
U.S. District Court for the Central, Northern and Southern Districts of California and District of South Carolina

EDUCATION:

J.D., California Western School of Law, 1999

B.A. *cum laude*, Clemson University, 1996

As a strong advocate for the most defenseless members of society, Kimberly Barone Baden seeks accountability and compensation for victims of corporate misconduct, medical negligence and harmful medical drugs. She manages mass tort pharmaceutical litigation through complex personal injury and economic damages cases.

Kimberly represents children with birth defects allegedly caused by antidepressants, including Zoloft®, Effexor® and Wellbutrin®; as well as Zofran® which is used to prevent pregnancy-related nausea and vomiting. She previously litigated against GlaxoSmithKline in the Paxil® birth defect litigation. In July 2012, Kimberly was appointed to the Plaintiffs' Steering Committee for *In re Zoloft (sertraline hydrochloride) Products Liability Litigation* MDL 2342; and in November 2015, she was appointed as co-lead counsel for *In re Zofran (Ondansetron) Products Liability Litigation*, MDL 2657. She also manages the firm's

pharmaceutical litigation regarding Crestor®, Lipitor®, Actos®, Risperdal®, Incretin Mimetics, Viagra® and dialysis products GranuFlo® Powder and NaturaLyte® Liquid acid concentrates.

Kimberly also represents elderly victims of abuse and neglect, litigating cases for nursing home and assisted living facility residents.

Kimberly has spoken at numerous seminars, legal gatherings, CLEs and conferences across the U.S., including the American Association for Justice, Mass Torts Made Perfect and the National Business Institute. She has addressed a broad range of topics related to pharmaceutical drugs and elder law litigation, focusing on MDL procedures, birth defects, nursing home litigation, discovery, trial strategy and mediation. Kimberly is currently the Newsletter Editor of the American Association for Justice's Section on Toxic, Environmental and Pharmaceutical Torts.

Prior to joining Motley Rice, Kimberly worked on the Fen-Phen diet drug litigation and served as an attorney with the California District Attorney's Office in San Diego. Kimberly is recognized as an AV® rated attorney by Martindale-Hubbell®.

AWARDS AND ACCOLADES:

South Carolina Super Lawyers® Rising Stars list
2013-2014 Personal injury plaintiff: products; elder law

ASSOCIATIONS:

American Association for Justice, Section on Toxic, Environmental and Pharmaceutical torts

American Bar Association

South Carolina Association for Justice

Frederick C. Baker

LICENSED IN: NY, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First, Second, Third, Fourth, Fifth, Tenth and Eleventh Circuits

U.S. District Court for the Southern District of New York and the District of South Carolina

EDUCATION:

J.D. / LL.M., Duke University School of Law, 1993

B.A., University of North Carolina at Chapel Hill, 1985

A veteran litigator with strong roots in complex litigation, Fred Baker has worked on a broad range of environmental, medical costs recovery, consumer and products liability cases and holds numerous leadership roles within the firm. He represents individuals, institutional investors, and governmental entities in a wide variety of cases.

After representing a state government in a case against poultry integrators alleging that poultry waste polluted natural resources, Fred was involved with the firm's representation of people and businesses in Gulf Coast communities suffering as a result of the BP Deepwater Horizon oil spill. He held a central role in the negotiation process involving the two settlements reached with BP, one of which is the largest civil class action settlement in U.S. history.

A member of the legal team that litigated the groundbreaking tobacco litigation on behalf of several State Attorneys General, Fred has also participated in the litigation of individual tobacco cases, entity tobacco cases and a tobacco class action. Fred currently heads the firm's tobacco litigation team.

Fred has served as counsel in a number of class actions, including the two class action settlements arising out of the 2005 Graniteville train derailment chlorine spill. He has also been closely involved in the on-going litigation surrounding the statutory direct action settlement reached in the Manville bankruptcy court and a related West Virginia unfair trade practices insurance class action.

Fred began practicing with Motley Rice attorneys in 1994 and chairs the firm's attorney hiring committee.

AWARDS AND ACCOLADES:

South Carolina Lawyers Weekly

2016 Leadership in Law Award

Michael M. Buchman

LICENSED IN: CT, NY

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the Districts of Connecticut and

Southern and Eastern Districts of New York

U.S. Court of International Trade

EDUCATION:

LL.M., International Antitrust and Trade Law, Fordham

University School of Law, 1993

J.D., The John Marshall Law School, 1992

B.A. *cum laude*, Alfred University, 1988

Michael Buchman has more than 20 years of experience, primarily litigating antitrust, consumer protection and privacy class actions in trial and appellate courts. Michael has a diverse antitrust background, having represented as lead or co-lead counsel a variety of plaintiff clients, from Fortune 500 companies to individual consumers, in complex cases covering matters such as restraint of trade, price-fixing, generic drug antitrust issues and anticompetitive "reverse payment" agreements between brand name pharmaceutical companies and generic companies. Michael leads Motley Rice's antitrust team.

Michael served as an Assistant Attorney General in the New York State Attorney General's Office, Antitrust Bureau, after receiving his LL.M. degree in International Antitrust and Trade Law. Also prior to joining Motley Rice, he was a managing partner of the antitrust department at a New York-based class action law firm. He played an active role in resolving two of the largest U.S. multi-billion dollar antitrust settlements since the Sherman Act was enacted, *In re NASDAQ Market-Makers Antitrust Litigation* and *In re Visa Check/Mastermoney Antitrust Litigation*, as well as litigated numerous multi-million dollar antitrust cases. Today, he represents the largest retailer class representative in the \$7.2 billion case *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, MDL 1720.*

Michael has more than thirteen years of experience representing consumers, union health and welfare plans, and health insurers in "generic drug" litigation such as *In re Augmentin Antitrust Litigation*, *In re Buspirone Antitrust Litigation*, *In re Ciprofloxacin Antitrust Litigation*, *In re Flonase Antitrust Litigation*, *In re K-Dur Antitrust Litigation*, *In re Relafen Antitrust Litigation*, *In re Tamoxifen Antitrust Litigation*, *In re Toprol XL Antitrust Litigation* and *In re Wellbutrin SR Antitrust Litigation*. He also has experience litigating a large aviation antitrust matter, as well as aviation crash, emergency evacuation and other aviation cases in federal and state court.

Michael completed the intensive two-week National Institute for Trial Advocacy National Trial Training program in Boulder, Colo., in 2002. An avid writer, he has authored and co-authored articles on procedure and competition law, including a *Task Force on Dealer Terminations* for The Association of the Bar of the City of New York, Committee on Antitrust and Trade Regulation, entitled *Dealer Termination in New York dated June 1, 1998 and What's in a Name - the Diversity Death-Knell for Underwriters of Lloyd's of London and their Names; Humm v. Lombard World Trade, Inc.*, Vol. 4, Issue 10 *International Insurance Law Review* 314 (1996).

Michael is active in his community, serving as a member of the Flood and Erosion Committee for the Town of Westport, Ct., and as *pro bono* counsel in actions involving the misappropriation of perpetual care monies. He has also coached youth ice hockey teams at Chelsea Piers in New York City.

AWARDS AND ACCOLADES:

New York Metro Super Lawyers® list

2014-2015 Antitrust litigation

Samuel B. Cothran Jr.

General Counsel

LICENSED IN: NC, SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Western District of North Carolina and District of South Carolina

EDUCATION:

J.D., *cum laude*, University of South Carolina School of Law, 1998

M.B.A., Duke University, 1994

B.S., *summa cum laude*, University of South Carolina, 1981

Sam Cothran creatively addresses the many challenges and opportunities inherent in the cutting-edge practice of a dynamic, multi-jurisdictional law firm. As leader of Motley Rice's legal department, Sam directs and advises the firm's management on diverse in-house legal matters regarding governmental compliance, contracts and legal defense, as well as labor and employment, marketing, financial and operational issues.

After working for an international accounting firm as a certified public accountant and for several Fortune 1,000 companies as a financial manager, Sam attended law school to complement his background in business management and finance and joined Motley Rice attorneys shortly after graduation.

TEAM BIOS:

Recognized as a BV® rated attorney by Martindale-Hubbell®, Sam is the author of *Dischargeability of Consumer Credit Card Debt in Bankruptcy After Anastas v. American Savings Bank*, 48 S.C.L. Rev. 915 (1997). As a law student, Sam served as Managing Editor of the *South Carolina Law Review*. He was named a Carolina Legal Scholar and awarded both the Order of the Coif and Order of the Wig and Robe.

Sam is active in his community, serving on the board of Directors for the Dee Norton Lowcountry Children's Center.

ASSOCIATIONS:

American Bar Association

Association of Professional Responsibility Lawyers

American Institute of Certified Public Accountants

South Carolina Association of Certified Public Accountants

Kevin R. Dean

LICENSED IN: GA, MS, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third, Fourth, Fifth and Eleventh Circuits, U.S. District Court for the Middle, Northern and Southern Districts of Georgia, Central District of Illinois, Northern and Southern Districts of Mississippi and District of South Carolina

EDUCATION:

J.D., Cumberland School of Law, 1991

B.A., Valdosta State University, 1989

Focusing his litigation efforts on catastrophic injury, products liability, and wrongful death cases, Kevin Dean represents victims and families affected by hazardous consumer products, occupational and industrial accidents, fires, premise injuries and other incidents of negligence.

Kevin currently represents people allegedly harmed by GM's misconduct regarding its defective vehicles in *In re General Motors LLC Ignition Switch Litigation*. He has litigated numerous vehicle defect cases, including against "the Big Three" automotive manufacturers in cases involving defective brakes, door locks, door latches, seat belts and roll overs. He served as trial co-counsel in *Guzman v. Ford* (2001), the first case brought to trial regarding a defective outside door latch handle, as well as in the vehicle rollover case *Hayward v. Ford* (2005). He was also a member of the plaintiffs' litigation team in the defective seat belt case, *Malone v. General Motors Corporation* (1998) prior to joining Motley Rice.

He served as lead plaintiffs' counsel in *In re Charleston Firefighter Litigation*, a wrongful death and negligence case against Sofa Super Store, contractors and multiple furniture manufacturers on behalf of the families of the nine firefighters lost in the June 2007 warehouse fire in Charleston, S.C.

Since the 2010 explosion of the Deepwater Horizon, Kevin has been helping people and businesses pursuing litigation, as well as those needing help filing and negotiating their claims. He served as a member of the oil spill MDL's GCCF Jurisdiction & Court Oversight Workgroup and is now helping victims file claims through the new claims programs established by the two settlements reached with BP.

Kevin is actively involved with malpractice, defective medical devices and drug litigation. His experience also includes the health insurance fraud and post-claims underwriting case *Clark v. Security Life Insurance Company*, the largest civil RICO case in Georgia history, and *Wiggins v. Parsons Nursery*, one of the largest environmental and health contamination cases in South Carolina. Kevin also served as a County Commissioner on the Early County Georgia Board of Commissioners and still holds the honor of having been the youngest elected commissioner in county history.

Kevin frequently appears in local and national broadcast and print media discussing legal matters of workplace safety, fire prevention and other products liability, as well as specific casework and efforts for changes and improvements in various industries. Recognized as an AV® rated attorney Martindale-Hubbell®, Kevin co-authored "Dangerous Doors and Loose Latches," published in *Trial Magazine* (2004) for the American Association for Justice, and authored "The Right to Jury Trial in ERISA Civil Enforcement Actions" published in *The American Journal of Trial Advocacy* (1989).

AWARDS AND ACCOLADES:

South Carolina Super Lawyers® list

2015-2016 Personal injury – general: plaintiff; Personal injury

– products: plaintiff; Personal injury – medical malpractice: plaintiff

Benchmark Plaintiff

2012-2013 National "Litigation Star": mass torts/product liability

2012-2013 South Carolina "Litigation Star": product liability

ASSOCIATIONS:

American Association for Justice

Georgia Trial Lawyers Association

South Carolina Association for Justice

Southern Trial Lawyers Association

Attorneys Information Exchange Group, Board of Directors

Michael E. Elsner

LICENSED IN: NY, SC, VA

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Eastern and Southern Districts of New York

EDUCATION:

J.D., University of Memphis Cecil C. Humphreys School of Law, 1997

B.A., John Carroll University, 1993

Michael Elsner uses the U.S. civil justice system to seek social change and improved protection of Americans at home and abroad. He litigates complex civil matters on behalf of people and businesses victimized by commercial malfeasance, violations of human rights, inadequate security measures and state-sponsored terrorism, managing cross-border litigation and intricate investigations of infringement and abuse of human rights, multi-layered financial transactions and due diligence.

Michael's understanding of the complex legal challenges of international matters is critical to litigating cases involving human rights and financial dealings. He uses legal mechanisms to track illicit finances, and his investigations through the maze of international banking and financial regulations continue to uncover violations that have allowed money laundering and terrorist financing. Michael is building upon legal theories and case precedents to represent plaintiffs harmed by financial crimes and actions and hold the global institutions and organizations accountable.

Michael was a lead plaintiffs' counsel in *Linde et al. v. Arab Bank*, a suit brought on behalf of victims of terrorist attacks in Israel. In September 2014, a jury found Jordan-based Arab Bank plc liable for financing terrorist activity, including funneling financial support to top Hamas leaders and to the families of suicide bombers. Michael also leads the worldwide investigation for liability evidence in the 9/11 Families United to Bankrupt Terrorism civil action against al Qaeda's alleged financiers and supporters. In this capacity, Michael meets with U.S. and foreign intelligence officers, witnesses, and informants, who have already helped him gather more than two million pages of documents in numerous languages identifying the activities of al Qaeda and its financiers. He is a member of the Plaintiffs' Steering Committee for this multidistrict litigation filed on behalf of more than 6,500 families and survivors of the 9/11 attacks. He also served as a member of the Plaintiffs' Committee in *In re September 11th Litigation*, a suit brought against the airline industry alleging that it failed to detect and prevent the attacks.

Michael's work with financial transaction litigation includes commercial, securities fraud and shareholder derivative cases such as his extensive work on behalf of domestic and foreign investors in *In re Vivendi Universal, S.A. Securities Litigation*.

Michael is also leading the firm in its role as consultants to South African human rights lawyer Richard Spoor in his effort to take on leading global gold producers and seek justice for tens of thousands of exploited gold mine workers who are suffering from silicosis. Few class actions have been brought in South Africa, and none have been filed for sick workers. If approved as a class, the suit would generate an unprecedented means of recovery for the country and ensure meaningful access to justice for the indigent and rural workers who are dying from this entirely preventable yet incurable disease.

Michael began his career with the Manville Personal Injury Trust and then practiced complex civil litigation in New York in the areas of toxic torts, security, personal injury, bankruptcy, and whistleblower protections prior to joining Motley Rice attorneys in 2002.

Sharing his experience and insight as a lecturer and consultant, Michael has discussed anti-terrorism and human rights litigation on several national and international news outlets, including CNN, MSNBC, NPR and the BBC, as well as international anti-money laundering and anti-terrorism industry conferences.

AWARDS AND ACCOLADES:

Benchmark Litigation

2016 South Carolina "Litigation Star": personal injury, product liability, general commercial, professional liability

South Carolina Lawyers Weekly

2014 Leadership in Law Award

The Lawdragon

2014-2015 Lawdragon 500 Leading Lawyers in America

2010 Lawdragon™ 3,000

ASSOCIATIONS:

American Association for Justice

American Bar Association

New York Bar Association

South Carolina Bar Association, International Law Committee

Virginia Bar Association

National Crime Victims Bar Association

Public Justice Foundation

Nathan D. Finch

LICENSED IN: DC, VA

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third, Fourth, Fifth, Sixth and Tenth Circuits, U.S. District Court for the District of Columbia and the Eastern District of Virginia

EDUCATION:

J.D., University of Virginia School of Law, 1992

B.A., University of Virginia, 1989

With a diverse background in complex civil litigation, Nate Finch brings almost twenty years of trial experience and strong negotiation skills to Motley Rice. He represents clients in various asbestos, toxic tort, commercial, securities fraud and other complex cases.

Nate has served as the lead trial attorney for his clients in many federal and state courts and is sought after by co-counsel for advice on challenging cases and complex legal matters. His thorough knowledge of asbestos and medical issues is an asset to the firm's occupational disease and toxic tort clients. He has obtained plaintiffs' verdicts in cases against asbestos product manufacturer defendants and cigarette makers. He has extensive experience trying cases involving a wide variety of asbestos-containing products, including gaskets, automotive brakes, floor tiles, joint compounds, and various forms of insulation. He also has years of experience representing individuals, companies and creditors' committees in personal injury litigation, mass torts products liability litigation, securities and financial fraud litigation and an array of other complex litigation cases ranging from single plaintiffs' products liability cases to high-stakes business disputes.

Prior to joining Motley Rice, Nate was a partner for more than ten years in a Washington, D.C.-based law firm and frequently collaborated with Motley Rice attorneys in trials and negotiations to resolve large asbestos product manufacturers' bankruptcies. He tried numerous cases in federal district courts focusing on the medical and scientific factors associated with asbestos-related diseases and asbestos exposure. During this time, he also tried and helped to resolve in favor of his clients five asbestos bankruptcy cases, each having more than \$1 billion at stake. In addition, Nate

TEAM BIOS:

worked closely with Motley Rice attorneys on behalf of investors in *In re MBNA Securities Litigation* and *In re Vivendi Universal, S.A. Securities Litigation*.

Nate's understanding of the factual and legal challenges inherent in complex cases, combined with his trial experience, has positioned him as a considerable resource within many practice areas. A frequently invited speaker regarding a variety of legal matters, he has spoken at many asbestos litigation and bankruptcy conferences and has been a guest lecturer at the Georgetown University, George Washington University, George Mason University and the University of Baltimore law schools on topics relating to civil procedure, mass tort litigation and the differences between litigating in Article III and Article I courts. He has been an invited speaker at several judicial conferences on the topic of asbestos litigation.

Recognized as a Martindale Hubbell® AV® rated attorney, Nate has served his community for many years through volunteer activities coordinated by Greater D.C. Cares, an organization committed to connecting volunteers with community service groups. Nate was a member of the *Virginia Law Review* and the Order of the Coif, and is a former scholarship track and cross country athlete at UVA.

AWARDS AND ACCOLADES:

American Association for Justice

2013 Wiedemann & Wysocki Award

Benchmark Litigation

2013–2016 Washington, D.C. "Litigation Star": bankruptcy, general commercial, product liability, securities, white collar crime

Washington, D.C., Super Lawyers® list

2012–2015 Personal injury – products: plaintiff; Personal injury – general: plaintiff; Securities litigation

Chambers USA

2009–2010 "Top Lawyer": bankruptcy and restructuring

ASSOCIATIONS:

American Association for Justice

The Barristers

Fidelma L. Fitzpatrick

LICENSED IN: DC, MA, NY, RI

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First, Seventh and Eleventh Circuits, U.S. District Court for the District of Columbia, District of Massachusetts, District of Rhode Island and Eastern District of Wisconsin

EDUCATION:

J.D., *cum laude*, American University, 1994

B.A., Canisius College, 1991

Fidelma Fitzpatrick represents people and communities in toxic tort and environmental matters, including property damage and personal injury claims. Her experience with complex civil litigation has led her to represent other victims of corporate malfeasance, including hundreds of women allegedly injured by medical devices such as Essure® and pelvic mesh/sling products.

Fidelma was co-lead trial counsel in the billion dollar lead paint pigment case, *The People of California v. Atlantic Richfield Company et al.*, in which Motley Rice represented cities and counties, including San Francisco, Santa Clara, Los Angeles and San Diego, in litigation against national lead paint pigment manufacturers. In January 2014, the court ruled that three lead paint pigment companies had created a public nuisance by concealing the dangers of lead when they campaigned against its regulation and actively promoted lead for use in homes despite knowing that it was highly toxic. The \$1.15 billion* verdict will be paid to the state's abatement fund for the removal of lead paint pigment from homes throughout California, particularly those occupied by lower-income families in inner-city and community housing. This will help protect the health and safety of thousands of children.

Fidelma held a central role in the state of Rhode Island's trial against former corporate manufacturers of lead paint pigment. She continues to manage cases seeking to hold the lead paint pigment industry accountable for the childhood lead poisoning crisis and provide restitution and compensation to affected children and families. As a result of her work for lead poisoning victims, the Wisconsin State Supreme Court became the first to recognize the legal rights of poisoned children to sue lead paint pigment manufacturers.

She also played a lead role in representing the community of Tallevast, Florida, in a lawsuit against Lockheed Martin Corporation involving the pollution of the community's groundwater with PCE and TCE. Fidelma is litigating nuclear contamination cases on behalf of Pennsylvania residents who allege that local nuclear facilities exposed them to hazardous levels of toxic or radioactive material in the surrounding air, soil and water. Those cases, involving both personal injuries and property damage, are pending in federal court.

Fidelma also represents hundreds of women allegedly harmed by pelvic mesh/sling products in filed cases against defendants that include American Medical Systems, Boston Scientific, C.R. Bard, Inc., and Ethicon. In 2012, Fidelma was appointed co-lead counsel of the pelvic mesh MDL *In re American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation* pending in the Southern District of West Virginia. She also holds leadership roles in pelvic mesh state court litigations, including serving as liaison counsel in the American Medical Systems cases consolidated in Delaware and the Boston Scientific cases consolidated in Massachusetts.

Fidelma began working with Motley Rice attorneys in 1997 on the Massachusetts, New York and Rhode Island lawsuits against the tobacco industry. She serves on the Board of Regents at Canisius College and frequently speaks on environmental and mass tort topics at conferences for federal and state court judges, attorneys, academic professionals and law students.

PUBLISHED WORKS:

"Painting Over Long-Standing Precedent: How the Rhode Island Supreme Court Misapplied Public Nuisance Law in *State v. Lead Industries Association*" *Roger Williams University Law Review* (Summer 2010)

"Access to Justice: The Use of Contingent Fee Arrangements by Public Officials to Vindicate Public Rights" *Cardozo J.L. & Gender* (Spring 2008)

"Negligence in the Paint: The Case for Applying the Risk Contribution Doctrine to Lead Litigation" in *Pace Environmental Law Review* (Fall 2008)

AWARDS AND ACCOLADES:

National Law Journal

2015 Outstanding Women Lawyers

The Lawdragon

2014–2015 Lawdragon 500 Leading Lawyers in America

The Legal 500 United States

2013 Mass tort and class action: plaintiff representation – toxic tort

The National Trial Lawyers

2010–2013 Top 100 Trial Lawyers™ – Rhode Island

Rhode Island Super Lawyers® list

2008, 2010–2015 Environmental litigation; Personal injury – products: plaintiff; Class action/mass torts

The Best Lawyers in America®

2008–2016 Mass tort litigation/class actions – plaintiffs

Rhode Island Lawyers Weekly

2006 Rhode Island Lawyer of the Year

Public Justice Foundation

2014 Trial Lawyers of the Year

2006 Finalist: Trial Lawyers of the Year award

ASSOCIATIONS:

American Association for Justice

American Bar Association

American Civil Liberties Union, Volunteer attorney

Public Justice Foundation, Rhode Island State Coordinator

Rhode Island Association for Justice

Rhode Island Women's Bar Association

* Although it endorses this lawyer, *The Legal 500 United States* is not a Motley Rice client. The Best Lawyers in America® 2014 (Copyright 2013 by Woodward/White, Inc., of Aiken, S.C.)

Jodi Westbrook Flowers

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Second, Fourth, and District of Columbia Circuits

U.S. District Court for the District of South Carolina

EDUCATION:

J.D., University of South Carolina School of Law, Carolina Legal Scholar, 1993

B.A. *magna cum laude*, College of Charleston, 1989

A veteran of the courtroom, Jodi Westbrook Flowers seeks to protect the health, safety and rights of consumers, families, investors, workers, and victims of crime and terrorism. Jodi has litigated a wide range of cases involving tobacco, asbestos, lead pigment, aviation disasters and vehicle defects, as well as terrorist financing and human rights violations.

In the vehicle defect multidistrict litigation, *In re General Motors LLC Ignition Switch Litigation*, Jodi is working on cases related to economic loss due to faulty ignition switches installed in more than 14 million recalled GM vehicles. Previously, she worked to demonstrate the necessary minimum contacts within the U.S. for the exercise of personal jurisdiction over Bridgestone Corporation in the class action for damages allegedly caused by vehicle and tire defects, *In re Bridgestone/Firestone, Inc., ATX, ATX II and Wilderness Tire Products Liability Litigation*, Case No. 00-MDL-1373-SEB (S.D.Ind.).

Jodi also handles a variety of cases regarding the state-sponsorship of international terrorism, as well as human rights litigation involving violations of international law and human rights abuses. Jodi now leads the legal team founded by Ron Motley that brought the groundbreaking litigation against the financiers and material supporters of al Qaeda. Representing thousands of family members and survivors of Sept. 11, 2001, in a pioneering civil action to hold al Qaeda's sponsors accountable and cut off the terror support pipeline, she serves on the Plaintiffs' Executive Committee for the *In re Terrorist Attacks on September 11, 2001* litigation consolidated by the Multidistrict Litigation Panel. Jodi is currently involved in processing claims for the new Victims' Compensation Fund for first responders, area residents, and anyone whose health may have been affected by exposure to environmental toxins released in the terrorist attacks. She was also an integral member of the Motley Rice aviation security litigation team seeking accountability and change in aviation security following the 9/11 attacks.

Jodi also played a key role in *Linde et al. v. Arab Bank PLC*, in which a jury found Jordan-based Arab Bank liable for financing terrorist activity, including funneling financial support to top Hamas leaders and to the families of suicide bombers. This case marked the first time that a financial institution has been brought to trial under the Anti-Terrorism Act.

She served as the lead negotiator in the last hold-out of the individual cases against Libya for the Lockerbie bombing of Pan Am Flight 103, and continues to seek justice for victims of Libyan sponsored terrorism during Qadhafi's reign. Jodi also authored an amicus brief, supporting section 1502 of the Dodd-Frank Act, regarding the trade regulation of conflict minerals in the Democratic Republic of the Congo.

Jodi has worked on environmental contamination cases in the Virgin Islands involving leaking gas tanks, and she is currently representing clients in advancing their Deepwater Horizon oil spill claims through the programs established by the two settlements reached with BP. Jodi has served on numerous MDL Executive Committees and Subcommittees, and holds several leadership positions within the firm.

Jodi began her career applying restitution and fraud theories to the litigation against the tobacco industry which resulted in the historic Master Settlement Agreement between the state attorneys general and the tobacco industry. She developed expert and whistleblower testimony and synthesized millions of pages of documents for trial. She prepared the false-marketing and child targeting case against the tobacco industry which resulted in restrictions on cartoon ads and the retirement of Joe Camel.

TEAM BIOS:

Jodi has been interviewed by various media outlets, including U.S. and foreign television, radio and print media. She provides pro bono work on a variety of global, national and community issues and helped establish the firm's Charitable Contributions Committee.

PUBLISHED WORKS:

"Remarks on the GJIL Symposium on Corporate Responsibility and the Alien Tort Statute," *Georgetown Journal of International Law*, Volume 43–Issue 4, Summer 2012. (43 Geo. J. Int'l. L. 1601)

AWARDS AND ACCOLADES:

The Best Lawyers in America®

2015–2016 Mass tort litigation/class actions – plaintiff

Benchmark Plaintiff

2014 Top 150 Plaintiff Women in Litigation: South Carolina

2012–2013 National "Litigation Star": civil rights/human rights and mass tort/product liability

2012–2014 South Carolina "Litigation Star": environmental, human rights, mass tort and securities

The Lawdragon™

2010–2015 500 Leading Lawyers in America: Plaintiffs' litigation

ASSOCIATIONS:

American Association for Justice

South Carolina Association for Justice

American Bar Association, Center for Human Rights Advisory Council

South Carolina Bar Association, International Law Committee

Charleston Bar Association

Daughters of the American Revolution

Vincent L. Greene IV

LICENSED IN: RI

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Rhode Island

EDUCATION:

J.D., George Washington University, 1998

B.A., College of the Holy Cross, 1995

Vin Greene works on behalf of victims of lead poisoning and asbestos-related diseases. He represents children and families poisoned by exposure to lead paint and pigments in trials, negotiations and settlements. Vin's legal efforts led to his critical role in defeating tort reform legislation in Rhode Island, utilizing testimony, analysis and grassroots outreach to push passage of a bill that helped prevent childhood lead poisoning without infringing on victims' rights. For his numerous efforts and accomplishments, the Childhood Lead Action Project honored him with its Beyond the Call of Duty Award in 2001.

Currently, Vin represents workers and families suffering from mesothelioma and other asbestos-related diseases as a result of occupational, environmental or household exposure to asbestos. He has managed asbestos cases and negotiations on behalf of hundreds of individuals, including arguing before the Supreme Courts of Ohio and Rhode Island.

Vin began working with Motley Rice attorneys in 1997 on the landmark litigation against the tobacco industry and medical malpractice cases. Named a Motley Rice member in 2008, Vin is recognized as an AV® rated attorney by Martindale-Hubbell®.

AWARDS AND ACCOLADES:

Rhode Island Super Lawyers® lists

2014–2015 Personal injury – products: plaintiff; Class action/mass torts; Environmental litigation

Benchmark Plaintiff

2012–2014 Rhode Island "Litigation Star": environmental, medical malpractice, toxic tort

ASSOCIATIONS:

American Association for Justice

American Civil Liberties Union

Rhode Island Association for Justice, Past President

John E. Herrick

LICENSED IN: MD, SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Central District of Illinois, District of Maryland, District of South Carolina, Eastern and Western Districts of Wisconsin

EDUCATION:

J.D., University of South Carolina School of Law, 1988

B.A., University of South Carolina, 1983

John Herrick has spent more than 20 years representing victims of asbestos exposure suffering from mesothelioma and other asbestos-related diseases. As a leader of the firm's occupational disease practice, John continues to fight for the rights of those harmed by asbestos and other occupational diseases and assists in managing the firm's asbestos litigation teams. A senior trial lawyer with years of courtroom experience, John represents individuals and families against defendants which manufactured and sold defective and unreasonably dangerous asbestos-containing products and equipment, as well as premise owners and contractors who specified and installed those products.

John has litigated asbestos cases resulting from occupational, environmental and household exposure, receiving verdicts in hundreds of matters. Most recently, John was lead trial counsel in a welding fume verdict for the plaintiff on behalf of a welder who developed manganism from exposure to welding fumes. He won the first affirmed jury verdict in the United States for a domestic, asbestos- exposed mesothelioma victim in the Marie Granski case and achieved the first verdict in the United States against SCAPA US, the former manufacturer of asbestos-containing dryer felts. John also worked as lead trial counsel in the Harlow trial group, cited as a top 100 case of the year by *The National Law Journal*, and litigated a personal injury case against a tobacco company for a plaintiff harmed by the use of asbestos in cigarette filters.

John is recognized as an AV® rated attorney by Martindale-Hubbell® and frequently serves as a guest speaker at asbestos litigation-related seminars.

AWARDS AND ACCOLADES:**The Best Lawyers in America®**

2015–2016 Product liability litigation – plaintiffs

The Legal 500 United States

2009, 2011, 2012 Mass tort and class action: plaintiff representation – toxic tort

ASSOCIATIONS:

American Association for Justice

American Bar Association

American Board of Trial Advocates

South Carolina Association for Justice

James M. Hughes, Ph.D.

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the First, Fourth, and Eighth Circuits, U.S. District Court for the District of South Carolina

EDUCATION:

J.D., University of South Carolina School of Law, 1993

Ph.D., University of Illinois, Chicago, 1983

M.A., University of Illinois, Chicago, 1976

B.A., University of Minnesota, 1975

Jim Hughes develops strategic legal arguments, drafts and argues motions, and litigates cases involving securities fraud.

Jim has also represented industrial workers exposed to silica and asbestos in the workplace, arguing before appellate courts in Illinois and Minnesota on behalf of occupational disease victims. He has shared his experience with silica litigation and product identification at several national conferences, addressing the plaintiff's perspective and other pertinent issues.

A published author on several legal and academic themes, Jim's law review article, "Informing South Carolina Capital Juries About Parole" (44 S.C. Law Review 383, 1993) was cited in 2000 by U.S. Supreme Court Justice John Paul Stevens in his dissenting opinion in *Ramdass v. Angelone*. His reported opinions include *Ison v. E.I. DuPont de Nemours & Co.* (Del. 1999), *In re Minnesota Asbestos Litigation* (Minn., 1996), *W.R. Grace & Co. v. CSR Ltd.*, (Ill. App. Ct. 1996) and *In re Tutu Wells Contamination Litigation* (D.V.I. 1995).

A former professor of philosophy, Jim began his legal career with the plaintiffs' bar after clerkships with the South Carolina Office of Appellate Defense and a business, employment and intellectual property defense firm. He is recognized as an AV® rated attorney by Martindale-Hubbell®.

ASSOCIATIONS:

American Association for Justice

South Carolina Association for Justice

Anne McGinness Kearse

LICENSED IN: DC, SC, WV

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Eastern District of New York, Eastern and Western Districts of Pennsylvania and District of South Carolina

EDUCATION:

J.D. *cum laude*, University of South Carolina School of Law, 1998

B.S., Syracuse University, 1983

With a passion for justice, Anne McGinness Kearse has spent more than a decade seeking to hold accountable numerous corporations that put profits before safety. Through litigation, Anne seeks the implementation of better safety practices and corporate governance measures for those corporations, as well as just compensation for victims of toxic exposure, extreme and life-altering injuries, workplace injuries, severe burns, brain damage, loss of limb and paralysis, as well as wrongful death resulting from negligence and defective products.

Anne works closely with victims and their families, often meeting with them in their homes for consultations. She strives to provide each client with personalized attention and individual justice, whether the case is part of a class action or stands alone. Anne believes in building relationships with co-counsel and often collaborates with other attorneys, including estate and probate counsel, in order to approach each case from a team perspective.

Anne represents workers diagnosed with the devastating disease mesothelioma caused by asbestos exposure in the chemical, electric power generation, steel or construction industries. She also represents victims of household exposure—children and spouses who developed mesothelioma or other asbestos-related diseases after being exposed to asbestos fibers that a family member unwittingly brought home from work on clothes or belongings. Anne has tried several noteworthy asbestos cases, including *Cox vs. A&I Company*, West Virginia's first household asbestos exposure case, and the 2002 West Virginia Consolidated Asbestos Trial against Union Carbide in which unsafe working conditions were found at its plants throughout the state. In addition to maintaining an active trial schedule, Anne represents Canadian Workers' Compensation Boards in U.S. courts to recoup benefits they paid Canadian asbestos victims.

While in law school, Anne supported the team representing the State Attorneys General in the historic lawsuit against Big Tobacco, which resulted in the largest civil settlement in U.S. history. After graduation, she was a member of the trial team that litigated *Falise v. American Tobacco Company*.

Well-versed in navigating complex litigation, Anne holds several leadership positions within the firm, managing legal teams associated with occupational disease, toxic exposure and severe personal injury. Anne has written several articles of interest to the plaintiffs' bar and frequently speaks on asbestos litigation, general product liability, legal ethics and tort reform at seminars across the country. She has been published on major legal issues, including *forum non conveniens* and

TEAM BIOS:

defective products abroad, corporate misconduct, medicolegal aspects of asbestos litigation and mass tort litigation. Anne co-authored the 12th chapter of the book, "Pathology of Asbestos-Associated Diseases" (*Medicolegal Aspects of Asbestos-Related Diseases: A Plaintiff's Attorney's Perspective*, 3rd ed., 2014). Edited by Victor L. Roggli, MD; Tim D. Oury, MD, PhD; and Thomas A. Sporn, MD, this publication is a comprehensive asbestos reference book used by both physicians and attorneys.

Anne currently serves as the President Elect of the Public Justice Foundation, a charitable organization focused on protecting people and the environment and increasing access to justice. In 2011, Anne served on the Executive Board for a local chapter of Safe Kids USA, advocating for childhood injury prevention. Anne was a University of South Carolina School of Law bronze Compleat Award recipient in 1998 and is recognized as a BV® rated attorney by Martindale-Hubbell®.

AWARDS AND ACCOLADES:

Benchmark Plaintiff

2013 National "Litigation Star": mass tort/product liability – plaintiffs

2012–2014 South Carolina "Litigation Star": mass tort/product liability – plaintiffs

2014 *Top 150 Women in Litigation* list: South Carolina: mass tort/product liability – plaintiffs

The Best Lawyers in America®

2016 Charleston, S.C. "Lawyer of the Year": Mass tort litigation/class actions – plaintiffs

2011–2016 Mass tort litigation/class actions – plaintiffs

The National Trial Lawyers

2010 *Top 100 Trial Lawyers*™: South Carolina

The Legal 500 United States

2009, 2011–2012 Mass tort and class action: plaintiff representation – toxic tort

South Carolina Super Lawyers® list

2013–2016 Class action/mass torts; Personal injury – products: plaintiff; Personal injury – general: plaintiff

ASSOCIATIONS:

Public Justice Foundation, President Elect

American Association for Justice, Chair – Committee on Asbestos Education

American Bar Association

South Carolina Association for Justice, Board of Governors; Chair – Women's Caucus

Litigation Counsel of America Trial Lawyer Honorary Society Order of the Coif

Order of the Wig and Robe

John Belton O'Neal Inn of Court

American Inns of Court, James L. Petigru Chapter

Marlon E. Kimpson

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of South Carolina, Eastern District of Michigan

EDUCATION:

J.D., University of South Carolina School of Law, 1999

B.A., Morehouse College, 1991

Marlon Kimpson represents victims of corporate malfeasance, from investors in securities fraud cases to people injured or killed in catastrophic incidents. Building upon the firm's relationships with unions and governmental entities, Marlon represents individuals, state and municipality pension funds, multi-employer plans, unions and other institutional investors in securities fraud class actions and mergers and acquisition cases to help recover assets and improve corporate governance.

Marlon has worked on shareholder derivative litigation and on mergers and acquisitions cases that include: *In re Atheros Communications, Inc., Shareholder Litigation*; *In re Celera Corporation Shareholder Litigation*; *In re RehabCare Group, Inc. Shareholders Litigation* and *In re Coventry Healthcare, Inc., Shareholder Litigation*.

In addition to securities fraud litigation, Marlon has also represented victims of catastrophic personal injury, asbestos exposure, and aviation disasters. He has litigated commercial and charter aviation cases with clients, defendants and accidents involving multiple countries. He has also represented people and businesses that need help filing their claims under the new claims programs established by the two Deepwater Horizon BP oil spill settlements.

Marlon currently serves as South Carolina State Senator of District 42, representing citizens of Charleston and Dorchester Counties. A frequent speaker, Marlon has presented at seminars and conferences across the country, including the Public Funds Summit, the National Association of State Treasurers, the South Carolina Black Lawyers' Association, the National Conference on Public Employee Retirement Systems (NCPERS) and the National Association of Securities Professionals (NASP).

After five years in commercial banking, Marlon entered the field of law and served as a law clerk to Judge Matthew J. Perry of the U.S. District Court of South Carolina. His legal work and volunteer service also earned him the University of South Carolina School of Law bronze Compleat Award. Martindale-Hubbell® recognizes Marlon as a BV® rated attorney.

Marlon is active in his community and formerly served on the Board of Directors for the Peggy Browning Fund. He has also held leadership roles with the University of South Carolina Board of Visitors, the Charleston Black Lawyers Association and the South Carolina Election Commission. He is a lifetime member of the NAACP and a member of Sigma Pi Phi Boulé and Omega Psi Phi fraternity.

AWARDS AND ACCOLADES:

The Best Lawyers in America®

2015–2016 Mass tort litigation/class actions – plaintiffs

Benchmark Plaintiff

2012 National "Litigation Star": mass tort/product liability
2012–2014 South Carolina "Litigation Star": environmental, mass tort, securities

ASSOCIATIONS:

American Association for Justice

South Carolina Association for Justice

National Association of Public Pension Attorneys

American Bar Association

National Bar Association

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Gregg S. Levin

LICENSED IN: DC, MA, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First, Second, Third, Fifth, Ninth and Eleventh Circuits

U.S. District Court for the District of Colorado

EDUCATION:

J.D., Vanderbilt University School of Law, 1987

B.A., University of Rochester, 1984

With more than two decades of legal experience, Gregg Levin represents domestic and foreign institutional investors and union pension funds in corporate governance, directorial misconduct and securities fraud matters. His investigative, research and writing skills have supported Motley Rice as lead or co-lead counsel in numerous securities and shareholder derivative cases against Dell, Inc., UBS AG and Cintas Corporation. Gregg manages complaint and brief writing for class action deal cases, shareholder derivative suits and securities fraud class actions.

Prior to joining Motley Rice, Gregg was an associate with Grant & Eisenhofer in Delaware, where he represented institutional investors in securities fraud actions and shareholder derivative actions in federal and state courts across the country, including the WorldCom, Telxon and Global Crossing cases. He also served as corporate counsel to a Delaware Valley-based retail corporation from 1996-2003, where he handled corporate compliance matters and internal investigations.

Appearing in the media to discuss a variety of securities matters, Gregg has also presented in educational forums, including at the Ethics and Transparency in Corporate America Webinar held by the National Association of State Treasurers.

PUBLISHED WORKS:

Gregg is a published author on corporate governance and accountability issues, having written significant portions of the treatise *Shareholder Activism Handbook* (Aspen Publishers, November 2005), as well as several other articles of interest to institutional investors, including:

- "In re Cox Communications: A Suggested Step in the Wrong Direction" (*Bank and Corporate Governance Law Reporter*, September 2005)

- "Does Corporate Governance Matter to Investment Returns?" (*Corporate Accountability Report*, September 23, 2005)
- "In re Walt Disney Co. Deriv. Litig. and the Duty of Good Faith under Delaware Corporate Law" (*Bank and Corporate Governance Law Reporter*, September 2006)
- "Proxy Access Takes Center Stage: The Second Circuit's Decision in American Federation of State County and Municipal Employees, Employees Pension Plan v. American International Group, Inc." (*Bloomberg Law Reports*, February 5, 2007)
- "Investor Litigation in the U.S. -- The System is Working" (*Securities Reform Act Litigation Reporter*, February 2007)

Robert J. McConnell

LICENSED IN: MA, RI

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Massachusetts, District of Rhode Island

EDUCATION:

J.D., Suffolk University School of Law, 1987

A.B., Brown University, 1979

Bob McConnell's practice concentrates on lead pigment litigation, childhood lead poisoning cases, groundwater and soil contamination cases and other toxic environmental litigation. He represents victims seeking corporate accountability as a result of personal injury, property damage and economic loss as a result of negligent environmental practices.

Bob was a member of the trial team in the landmark trial on behalf of the state of Rhode Island against corporate defendants from the lead paint industry. He secured the largest lead paint poisoning settlement in Rhode Island on behalf of a child and continues to represent children injured by lead poisoning against property owners, governmental agencies and lead pigment companies. He also played a leading role in a statewide lobbying effort to defeat legislation that would have denied lead-poisoned children and their families the right to seek justice. Through testimony, analysis and grassroots outreach, he helped the Rhode Island legislature pass a bill helping to prevent childhood lead poisoning without infringing on victims' rights.

In 2005, he successfully argued the precedent-setting case *Thomas v. Mallett* 285 Wis 2d 236 as part of the Motley Rice trial team applying risk contribution theory to the lead paint industry before the Wisconsin Supreme Court. More recently, Bob represented more than 100 residents of Tiverton, R.I., in an environmental contamination lawsuit against a major New England utility company.

With more than two decades of experience in asbestos litigation, Bob also represents victims of asbestos exposure suffering from mesothelioma and other asbestos-related diseases. He has managed large consolidation trials in several states including Maryland, Mississippi and West Virginia.

After beginning his career as a teacher, Bob earned a law degree and clerked for the Honorable Donald F. Shea of the Rhode Island Supreme Court. He joined Motley Rice attorneys on the tobacco litigation team representing multiple state attorneys

TEAM BIOS:

general, which resulted in the historic Master Settlement Agreement between the states and the tobacco industry.

Highly active in the Rhode Island community, Bob serves as board vice chairman of The Institute for the Study and Practice of Nonviolence, an organization that seeks to promote nonviolence among young people in Rhode Island's inner cities. He is also a board member for the George Wiley Center, which advocates for the rights of low income Rhode Island citizens, and the Fund for Community Progress, an organization that supports 26 grassroots organizations working for long-term community change.

Bob frequently speaks about lead paint litigation to local and regional groups such as the Rhode Island Bar Association and the Northeast Conference of Attorneys General. He is recognized as an AV® rated attorney by Martindale-Hubbell®.

AWARDS AND ACCOLADES:

The Best Lawyers in America®

2009–2016 Mass tort litigation/class actions – plaintiffs

Rhode Island Super Lawyers® lists

2008–2015 Plaintiff: Class action/mass torts; Environmental litigation; Personal injury: general

Benchmark Plaintiff

2012–2014 Rhode Island "Litigation Star": environmental and toxic tort

ASSOCIATIONS:

American Association for Justice

American Bar Association

Donald A. Migliori

LICENSED IN: MA, MN, NY, RI

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the First and Fourth Circuits, U.S. District Court for the District of Rhode Island, District of Massachusetts and Northern, Southern and Eastern Districts of New York

EDUCATION:

M.A./J.D., Syracuse University, 1993

A.B., Brown University, 1988

Building upon his experience in complex asbestos cases, the historic tobacco lawsuits and 9/11 litigation, Don Migliori is a multifaceted litigator. He represents victims of terrorism, aviation disasters, defective medical devices and drugs, occupational diseases, antitrust, securities and consumer fraud in cutting-edge litigation that spans the country.

Don played a central role in the extensive discovery, mediations and settlements of more than 50 cases of 9/11 aviation liability and damages against numerous defendants. In this role, Don represented families of the victims of the September 11, 2001, attacks who opted-out of the Victim Compensation Fund to seek greater answers, accountability and recourse, and served as liaison counsel for all wrongful death and personal injury cases in the 9/11 aviation security litigation. Additionally, he manages anti-terrorism litigation associated with the 9/11

terrorist attacks as a lead attorney of the 9/11 Families United to Bankrupt Terrorism groundbreaking litigation designed to bankrupt the financiers of al Qaeda.

Don serves as co-lead plaintiffs' counsel and liaison counsel for the Composix® Kugel® Mesh multidistrict litigation, *In re Kugel Mesh Hernia Patch Products Liability Litigation*, the first MDL in federal Rhode Island Court, on behalf of thousands of individuals alleging injury by the hernia repair patch. In *Christopher Thorpe and Laure Thorpe v. Davol, Inc. and C.R. Bard, Inc.*, the second case to go to trial out of thousands of cases filed in the MDL, the U.S. District Court for the District of Rhode Island found hernia patch manufacturer Davol and parent company C.R. Bard liable for negligent design of the patch and failure to warn of the dangers associated with the patch. The jury awarded \$1.5 million to the plaintiffs for personal injury damages and loss of consortium. He serves as liaison counsel for the Composix® Kugel® Mesh lawsuits consolidated in Rhode Island state court.

Don also serves as co-liaison counsel in the N.J. Bard pelvic mesh litigation in Atlantic County and plays a central role in the thousands of cases involving women allegedly harmed by pelvic mesh/sling products. Hundreds of cases have been filed in federal and states courts against multiple defendants. He is a member of the Plaintiffs' Steering Committee for *In re Bard IVC Filters Products Liability Litigation*, the Levaquin® litigation, as well as the Depuy® Orthopaedics, Inc. ASR™ and Pinnacle® Hip Implant MDLs.

Don contributed his experience in connection with the commencement of and strategy for shareholder derivative litigation brought on behalf Chiquita Brands International, Inc., alleging the defendants breached their fiduciary duties by paying bribes to terrorist organizations in violation of U.S. and Columbian law. He also served as trial counsel for PACE Industry Union-Management Pension Fund in a securities case against Forest Laboratories, Inc., and was involved in the initial liability discovery and trial strategy in an ongoing securities fraud class action involving Household International, Inc.

Don began working with Motley Rice attorneys in 1997 on behalf of the State Attorneys General in the historic lawsuit against Big Tobacco, resulting in the largest civil settlement in U.S. history. He tried several noteworthy asbestos cases on behalf of mesothelioma victims, including the state of Indiana's first contractor liability verdict and first premises liability verdict for wrongful exposure to asbestos. He continues to manage asbestos cases and actively litigates mesothelioma lawsuits and individual tobacco cases in the courtroom.

Don is a frequent speaker at legal seminars across the country and has appeared on numerous television and radio programs, as well as in print media to address legal issues related to terrorist financing, aviation security, class action litigation, premises liability and defective medical devices. A "Distinguished Practitioner in Residence" at Roger Williams University School of Law for the 2010-2011 academic year, he currently teaches mass torts as an adjunct professor. Don is an AV® rated attorney by Martindale-Hubbell®.

AWARDS AND ACCOLADES:***The Best Lawyers in America*®****2011–2016** Mass tort litigation/class actions – plaintiffs***Rhode Island Super Lawyers*® lists****2012–2013** Top 10 “Best of the Best”**2009–2015** Class action/mass torts; Personal Injury – products: plaintiff; Aviation and aerospace***The National Trial Lawyers*****2010–present** Top 100 Trial Lawyers™: Rhode Island***Rhode Island Lawyers Weekly*****2011** Lawyers of the Year***Massachusetts Lawyers Weekly*****2011** Lawyers of the Year***Benchmark Plaintiff*****2012–2014** Rhode Island “Litigation Star”: human rights and product liability**2010** *Lawdragon*™ 3,000***Providence Business News*****2005** Forty Under 40**ASSOCIATIONS:****American Association for Justice**, Board of Governors; Executive Committee**American Bar Association****Rhode Island Association for Justice**, former President**The Fellows of the American Bar Foundation*****William H. Narwold***

LICENSED IN: CT, DC, NY, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, D.C., and Federal Circuits, U.S. District Court for the District of Colorado, District of Connecticut, Eastern and Southern Districts of New York, District of South Carolina

EDUCATION:J.D. *cum laude*, University of Connecticut School of Law, 1979
B.A., Colby College, 1974

Bill Narwold has advocated for corporate accountability and fiduciary responsibility for nearly 35 years, representing consumers, governmental entities, unions and institutional investors. He litigates complex securities fraud, shareholder rights and consumer fraud lawsuits, as well as matters involving unfair trade practices, antitrust violations, whistleblower/qui tam claims and intellectual property matters.

Bill leads Motley Rice’s securities and consumer fraud litigation teams and manages the firm’s appellate group. His experience includes being involved in more than 200 appeals before the U.S. Supreme Court, U.S. Courts of Appeal and multiple state courts.

Prior to joining Motley Rice in 2004, Bill directed corporate, financial, real estate, trust and estate litigation on behalf of private and commercial clients for 25 years at Cummings & Lockwood in Hartford, Connecticut, including 10 years as managing partner. Prior to his work in private practice, he

served as a law clerk for the Honorable Warren W. Eginton of the U.S. District Court, District of Connecticut from 1979-1981.

Bill often acts as an arbitrator and mediator both privately and through the American Arbitration Association. He is a frequent speaker on legal matters, including class actions. Named one of 11 lawyers “who made a difference” by The Connecticut Law Tribune, Bill is recognized as an AV® rated attorney by Martindale-Hubbell®.

Bill has served the Hartford community with past involvements including the Greater Hartford Legal Assistance Foundation and Lawyers for Children America. For more than twenty years, Bill served as a Director and Chairman of Protein Sciences Corporation, a biopharmaceutical company in Meriden, Connecticut.

AWARDS AND ACCOLADES:***The Best Lawyers in America*®****2013** “Lawyer of the Year” Hartford, CT: litigation – banking & finance**2005–2016** Banking and finance, mergers and acquisitions, securities***Connecticut Super Lawyers*® and *New England Super Lawyers*® lists****2009–2015** Securities litigation; Class action/mass torts**2008** *The Best of the U.S.* list***Connecticut Bar Foundation*****2008** Legal Services Leadership Award**ASSOCIATIONS:****American Bar Association****National Association of Consumer Advocates****Connecticut Bar Foundation**, Past President**University of Connecticut Law School Foundation**, past Board of Trustees member* For full Super Lawyers selection methodology visit: www.superlawyers.com/about/selection_process.html
For current data visit: www.superlawyers.com/connecticut/selection_details.html For Best Lawyers selection criteria: www.motleyrice.com/sites/default/files/award-BL-CT12-15.pdf***Lance Oliver***

LICENSED IN: AL, DC, FL, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the District of Columbia, Second, Fifth and the Eleventh Circuits, U.S. District Court for the District of Columbia

EDUCATION:

J.D., Duke University School of Law, 2004

B.A., Samford University, 2001

Lance Oliver focuses his practice on class actions, mass torts and other complex litigation. He represents institutional investors in securities fraud class actions and merger and acquisition litigation, and has experience in trial and appellate courts, as well as arbitration and mediation. His recent experience includes:

TEAM BIOS:

- Serving as trial counsel representing individual smokers and families of deceased smokers against tobacco manufacturers in the Engle-progeny litigation pending in Florida
- Litigating and resolving shareholders' breach of fiduciary duty claims in *In re Coventry Health Care, Inc. Shareholder Litigation*
- Serving as co-class counsel in *Alaska Electrical Pension Fund, et al. v. Pharmacia Corp., et al.*, a securities fraud class action that settled for \$164 million dollars*
- Litigating and resolving shareholders' breach of fiduciary duty claims in *In re Rehabcare Group, Inc. Shareholder Litigation*, which resulted in creating a \$2.5 million settlement fund for Rehabcare shareholders*

Lance has devoted a substantial amount of time to litigating securities fraud class actions and played a key role in documenting and administering the following class action settlements: *In re Select Medical Corp. Sec. Litig.* (settled for \$5 million*); *In re NPS Pharm., Inc. Sec. Litig.* (settled for \$15 million*); *In re MBNA Sec. Litig.* (settled for \$25 million*); *In re Dell Sec. Litig.* (settled for \$40 million*).

Prior to joining Motley Rice in 2007, Lance served as an associate in the Washington, D.C., office of a national law firm, where he worked on complex products liability litigation at both the trial and appellate levels. Lance also has experience in SEC whistleblower actions.

Lance is an active member of the National Conference on Public Employee Retirement Systems (NCPERS) and the International Foundation of Employee Benefit Plans (IFEBP). After graduating from Duke Law School, he served as a law clerk to the Honorable James Hughes Hancock of the U.S. District Court, Northern District of Alabama. He is recognized as an AV® rated attorney by Martindale-Hubbell®.

AWARDS AND ACCOLADES:

South Carolina Super Lawyers® Rising Stars list
2013–2016 Securities litigation; Class action/mass torts

ASSOCIATIONS:

American Bar Association

Mary F. Schiavo

LICENSED IN: DC, FL, MD, MO, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

EDUCATION:

J.D., New York University School of Law, 1980 (Root-Tilden Scholar)

M.A., The Ohio State University, 1977 (University Fellow)

B.A. *cum laude*, Harvard University, 1976

A CNN Analyst and former U.S. Department of Transportation Inspector General, Mary Schiavo seeks accountability and industry change from corporations, institutions and the government so that they may meet their obligation to protect the safety and security of the traveling public. With years of experience in transportation litigation, Mary represents victims and their families suffering from negligence of airline, automotive, commercial trucking, motorcoach and rail companies.

A leader of the firm's aviation team, Mary has represented passengers and crew of most major U.S. air crashes, as well as pilots and passengers on private or charter planes. She represents passengers, pilots, flight attendants and select owners and operators. Her experience with major, complex aviation litigation includes more than 50 cases on behalf of the family members of the passengers and crew of all the planes hijacked on Sept. 11, 2001.

Mary has held numerous government appointments under three U.S. Presidents, including that of Inspector General of the U.S. Department of Transportation from 1990 to 1996. Under Mary's direction, the agency investigated air safety, crimes and disasters; secured more than 1,000 criminal convictions; and exposed billions of dollars of fraud, waste and abuse of taxpayer money. She testified before Congress multiple times on transportation safety, security, budgeting and infrastructure. In recognition of her work combating the use of bogus aircraft parts worldwide, Mary was honored by *Aviation Week* with its Aviation Laurel Award in 1992 and 1995 and was inducted into the Aviation Laurel Hall of Fame in 1997.

As an Assistant U.S. Attorney early in her career, Mary litigated civil cases and prosecuted federal white-collar crimes, bank and securities fraud, mail and wire fraud, drug trafficking and counterfeiting. During her appointment, she also served on the U.S. Department of Justice's Organized Crime and Racketeering Strike Force, prosecuting high-profile criminal cases of bank and securities fraud and related mail and wire fraud, including a large investigation of a bank and securities fraud scheme that resulted in the federal takeover of banks, savings and loans throughout the Midwest.

In 1987, Mary was selected as a White House Fellow and assigned to the U.S. Attorney General, where she worked as the Special Assistant for Criminal Affairs. In this role, she reviewed high security prosecutions, prepared Foreign Intelligence Surveillance Act Requests, attended foreign legal summits with the Attorney General and worked on international prisoner and evidence exchanges. During this time, she also taught trial technique at the U.S. Attorney General's Advocacy Institute and the Federal Bureau of Investigation Academy. Her work earned her an appointment as the Assistant U.S. Secretary of Labor in 1989, where she led the Office of Labor Management Standards, supervising union elections and investigations on election and financial irregularities.

A frequent on-air contributor or consultant for several networks, Mary has appeared on CNN, ABC, CBS, Fox News, NBC, BBC, the History Channel and Discovery Channel. Named by *Glamour* magazine as a 1997 Woman of the Year, 1987 Working Woman of the Year and a Top Ten College Student in 1975, she has spoken about aviation safety on *20/20*, *60 Minutes*, *Good Morning America*, *Larry King Live*, *Nancy Grace*, *Nightline*, *Oprah*, *The O'Reilly Factor*, *Today*, and *Your World with Neil Cavuto*, among others. Mary is the author of *Flying Blind*, *Flying Safe*, a *New York Times* bestseller, featured in *Time* magazine for exposing the poor safety and security practices of the airlines and the failures of the federal government to properly regulate the aviation industry. She contributed to *Aviation Security*

Management (Volume One, 2008) and *Supply Chain Security* (Volumes One and Two, 2010).

Mary received her pilot's license soon after her driver's license, and later completed private and commercial flight training at The Ohio State University. She returned to The Ohio State University as the McConnell Aviation Chair and professor from 1998-2002 and as the Enarson Professor of Public Policy from 1997-1998. She has also served as a practitioner in residence at the New York University School of Law.

AWARDS AND ACCOLADES:

***The Best Lawyers in America*®**

2010-2016 Mass tort litigation/class actions – plaintiffs

National Law Journal

2015 Outstanding Women Lawyers

Aviation Week

1997 Inducted to the Aviation Laureates Hall of Fame

1992, 1995 Aviation Laurel Award in recognition of her work combating the use of bogus aircraft parts

Benchmark Plaintiff

2014 *Top 150 Women in Litigation* list: South Carolina – mass tort, securities, aviation

2012-2014 South Carolina “Litigation Star”: mass tort, securities, aviation

2012-2013 National “Litigation Star”: mass tort/product liability

ASSOCIATIONS:

American Association for Justice

American Bar Association, First Female Assembly Delegate, House of Delegates 1986-1989

International Society of Air Safety Investigators, affiliate member

International Air and Transportation Safety Bar

Carmen S. Scott

LICENSED IN: SC

EDUCATION:

J.D., University of South Carolina School of Law, 1999

B.A., College of Charleston, 1996

With a focus on women's products, Carmen Scott represents victims of harmful medical drugs and devices, medical negligence, and corporate misconduct.

Carmen helps lead Motley Rice's mass tort pharmaceutical litigation by managing complex personal injury and economic recovery damages cases. She has been on the forefront of national contraceptive litigation involving products such as Essure®, Mirena® IUD, Nuvaring®, Yaz® and Yasmin®. She served on the Plaintiffs' Steering Committee in *In re NuvaRing Products Liability Litigation*, serves as co-lead counsel in *In re Mirena Product Liability* state court consolidation in New Jersey, and is Co-Chair of the AAJ Mirena® IUD Litigation Group. She was also appointed to the Plaintiffs' Steering Committee for the multidistrict litigation *In re Power Morcellator Products Liability Litigation*. Carmen currently represents clients in a variety of drug product matters in state and federal courts.

Prior to joining Motley Rice in 2005 and concentrating her efforts on the medical practice area, Carmen represented numerous clients in jury trials, working on products liability, personal injury and business cases for both plaintiffs and defendants.

Carmen is a frequent speaker on medical litigation and topics involving women's products, regularly lecturing at both legal seminars and public advocacy events on such issues as plaintiffs' rights in medical negligence and dangerous drug cases. She has been quoted in numerous national media outlets and publications, including The Associated Press, NBC News New York, *Marie Claire*, *MotherJones* and *The Safety Report*.

A South Carolina native and active in the community, Carmen proudly serves on the Board of the South Carolina chapter of Make-A-Wish, fundraising and promoting the organization's mission, as well as serving as a “wish-granter” for selected families. She has also served as a board member for the nonprofit organization Charleston County Friends of the Library, and is currently a College of Charleston alumni board member.

AWARDS AND ACCOLADES:

***South Carolina Super Lawyers*® list**

2015-2016 Personal injury plaintiff: products; Class action/mass torts

***South Carolina Super Lawyers*® Rising Stars list**

2013-2014 Personal injury plaintiff: products; Class action/mass torts

Charleston Regional Business Journal

2013 Forty Under 40

ASSOCIATIONS:

American Association for Justice, Exchange Advisory Committee

American Bar Association

South Carolina Association for Justice

South Carolina Women Lawyers Association

Fred Thompson III

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the Fourth Circuit, U.S. District Court for the District of South Carolina

EDUCATION:

J.D. *with distinction*, Duke University School of Law, 1979

B.A. *cum laude*, Yale University, 1973

With more than two decades of diverse experience in personal injury, commercial and toxic tort law, Fred Thompson represents people harmed by negligence, product defects or misconduct. As a leader of the medical litigation team, Fred manages cases related to defective medical devices, harmful pharmaceutical drugs, medical malpractice, and nursing home abuse.

His work has led to his appointment to numerous leadership positions, including:

- Co-lead coordinating counsel for the pelvic mesh lawsuits consolidated in the U.S. District Court for the Southern District of West Virginia

TEAM BIOS:

- Plaintiffs' co-lead counsel for the Mirena® IUD multidistrict litigation in the U.S. District Court for the Southern District of New York
- Plaintiffs' co-lead counsel for the federal Digitek® consolidation.
- Plaintiffs' Steering Committee member for the Medtronic Sprint Fidelis® defibrillator lead
- Plaintiffs' Steering Committee member for the Avandia® federal multidistrict litigation
- Plaintiffs' Steering Committee member for the Trasylol® federal multidistrict litigation
- Chairman of the American Association for Justice's Digitek® Litigation Group
- Co-chairman of the AAJ's Kugel® Mesh Litigation Group.

Fred is also active with the firm's consumer fraud, commercial and economic damage litigation. He has represented clients in litigation involving bond issues and securities fraud in federal, state and bankruptcy forums as well as through alternative dispute resolution. Additionally, Fred has practiced commercial transaction work, including contracting, corporate, partnership and limited liability company formation, and capital acquisitions.

Recognized as an AV® rated attorney by Martindale-Hubbell®, Fred frequently speaks on medical litigation topics at legal seminars throughout the country. He co-authored "Composix® Kugel® Mesh: A Primer" for the Spring 2008 AAJ Section on Toxic, Environmental & Pharmaceutical Torts newsletter. Fred serves his local community as a Board Member for the East Cooper Community Outreach organization.

ASSOCIATIONS:

American Association for Justice

ADDITIONAL SECURITIES LITIGATORS

Andrew P. Arnold

LICENSED IN: NY

EDUCATION:

J.D., with honors, University of North Carolina School of Law, 2013

B.A., with highest honors, University of North Carolina at Chapel Hill, 2002

Andrew Arnold represents institutional investors and individuals in complex securities, corporate governance and shareholder litigation.

He concentrates his practice on investigating and developing securities fraud class actions, shareholder derivative lawsuits, and merger and acquisition litigation.

Prior to joining Motley Rice, Andrew practiced commercial litigation and investor-state dispute settlement in the Washington, D.C. office of a large international law firm. He was recognized on the 2014 Capital *Pro Bono* High Honor Roll for serving 100 *pro bono* hours in the D.C. area. While attending the University of North Carolina School of Law, Andrew was a member of the *North Carolina Law Review* and served as

a judicial intern for the North Carolina Court of Appeals and as a research assistant for Professor Thomas Lee Hazen, a prominent securities regulation scholar.

Andrew also has an extensive background in software development, primarily in the healthcare industry, where he designed and developed software to ensure compliance with government regulations.

Sara O. Couch

LICENSED IN: FL, SC

EDUCATION:

J.D., University of North Carolina School of Law, 2013

A.B., Duke University, 2009

Sara Couch represents institutional investors, government entities and consumers in securities and consumer fraud litigation. Sara also assists in the litigation of individual tobacco cases.

Prior to joining Motley Rice, Sara served as a law clerk with the North Carolina Department of Justice, where she researched and drafted briefs and memoranda regarding the False Claims Act and Stark Law for the North Carolina Medicaid Civil Enforcement Division. She also investigated allegations of healthcare fraud and presented findings to the division.

During law school Sara was a certified student practitioner with the University of North Carolina Civil Litigation Clinic. As a student practitioner, Sara represented clients in administrative hearings, obtaining successful outcomes and needed relief. She also represented several inmates in an action against the North Carolina prison system, conducting depositions and assisting in obtaining a preliminary injunction against the prison.

While attending the University of North Carolina School of Law, Sara competed in the Kilpatrick Townsend 1L Mock Trial Competition and was awarded best oral advocate during the preliminary round. She was a staff member of the *First Amendment Law Review* and was a member of the Carolina Law Ambassadors.

Sara also volunteered with Legal Aid of North Carolina, assisting advocates for Children's Services with a school-to-prison pipeline project by researching education policy issues, North Carolina case law and education data to be used in education litigation. Sara completed a total of 50 hours of pro bono service while a student at UNC School of Law.

An avid rower, Sara was a varsity member of the NCCA Division-I Duke University's rowing team and is a classically-trained pianist.

Max N. Gruetzmacher

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of South Carolina

EDUCATION:

J.D., Marquette University Law School, 2008

B.A., University of Wisconsin-Madison, 2004

Max Gruetzmacher focuses his practice on securities and consumer fraud, representing large public pension funds, unions and other institutional investors in securities and consumer fraud class actions and shareholder derivative suits.

Max has represented clients in a variety of complex litigation cases, including the following: *City Of Sterling Heights Retirement System v. Hospira, Inc.*; *In re Coventry Health Care, Inc. Shareholders Litigation*; *In re Force Protection, Inc. Litigation*; *Minneapolis Firefighter's Relief Association v. Medtronic, Inc.*; *In re NYSE EURONEXT Shareholder Litigation*; *In re Par Pharmaceutical Companies, Inc. Shareholders Litigation*; *In re Synovus Financial Corp.*; *In re The Shaw Group Shareholders Litigation*; and *In re Winn-Dixie Stores, Inc. Shareholders Litigation*.

Prior to joining Motley Rice, Max gained experience working on a variety of complex discovery matters as a project attorney. He served as a legal intern during law school for the Wisconsin State Public Defender, Appellate Division, where he aided assistant public defenders in appellate criminal defense and handled legal research and appellate brief writing projects. Max was also a member of the *Pro Bono* Society and conducted research for the Legal Aid Society of Milwaukee.

ASSOCIATIONS:

South Carolina Bar Association

Charleston County Bar Association

Mathew P. Jasinski

LICENSED IN: CT, NY

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court, U.S. Court of Appeals for the First and Second Circuits, U.S. District Court for the District of Connecticut and Southern District of New York

EDUCATION:

J.D. with high honors, University of Connecticut School of Law, 2006

B.A. *summa cum laude*, University of Connecticut, 2003

Mathew Jasinski represents consumers, businesses, and governmental entities in class action and complex cases involving consumer protection, unfair trade practices, commercial, environmental and securities litigation.

Mathew currently represents the plaintiffs in several putative and certified class actions involving such claims as breach of contract and unfair trade practices. He has experience in complex commercial cases regarding claims of fraud and breach of fiduciary duty and has represented an institutional investor in its efforts to satisfy a judgment obtained against the operator of a Ponzi scheme. Mathew recently obtained a seven-figure arbitration award in a case involving secondary

liability for an investment advisor's conduct under the Uniform Securities Act. *Please remember that every case is different. Any result we achieve for one client in one matter does not necessarily indicate similar results can be obtained for other clients.*

Mathew additionally serves the firm's appellate group. He has worked on numerous appeals before several state and federal appellate courts throughout the country.

Prior to joining Motley Rice in 2009, Mathew practiced complex commercial and business litigation at a large defense firm. He began his legal career as a law clerk for Justice David M. Borden (ret.) of the Connecticut Supreme Court. During law school, Mathew served as executive editor of the Connecticut Law Review and judging director of the Connecticut Moot Court Board. He placed first in various moot court and mock court competitions, including the Boston region mock trial competition of the American Association for Justice. As an undergraduate, Mathew served on the board of associate directors for the University of Connecticut's honors program and was recognized with the Donald L. McCullough Award for his student leadership.

Mathew continues to demonstrate civic leadership in the local Hartford community. He is a member of the board of directors for the Hartford Symphony Orchestra and is a commissioner of the Hartford Parking Authority. Previously, Mathew served on the city's Charter Revision Commission and its Young Professionals Task Force, an organization focused on engaging young professionals and positioning them for future business and community leadership.

PUBLISHED WORKS:

"On the Causes and Consequences of and Remedies for Interstate Malapportionment of the U.S. House of Representatives" (Jasinski and Ladewig, *Perspectives on Politics*, Vol. 6, Issue 1, March 2008)

"Hybrid Class Actions: Bridging the Gap Between the Process Due and the Process that Functions" (Jasinski and Narwold, *The Brief*, Fall 2009)

AWARDS AND ACCOLADES:**Connecticut Super Lawyers® Rising Stars** list

2013-2015 Business litigation; Class action/mass torts; Appellate

Hartford Business Journal

2009 "Forty Under 40"

ASSOCIATIONS:

American Association for Justice

American Bar Association

Connecticut Bar Association

Oliver Ellsworth Inn of Court

Phi Beta Kappa

* For full Super Lawyers selection methodology visit: www.superlawyers.com/about/selection_process.html
For 2013 CT data visit: www.superlawyers.com/connecticut/selection_details.html

TEAM BIOS:

Joshua Littlejohn

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third Circuit; U.S. District Court for the District of Colorado, District of South Carolina

EDUCATION:

J.D., Charleston School of Law, 2007

B.A., University of North Carolina at Asheville, 1999

With a broad base of experience in complex litigation—including securities fraud, breach of fiduciary duty, mass tort and catastrophic injury matters—Josh Littlejohn plays a leading role in many of Motley Rice's most complex securities cases, particularly those involving healthcare.

Josh represents public pension funds, unions and institutional investors in both federal and state courts. He also represents individuals with catastrophic injuries and victims of medical malpractice. Josh works directly with clients and has been involved in all aspects of the litigation process, including initial case evaluation, discovery, resolution and trial.

Among other complex matters, Josh has litigated securities fraud actions against St. Jude Medical, Inc., Pharmacia Corporation and NPS Pharmaceuticals. He also serves as local counsel in a patent case against the drug manufacturer AstraZeneca Pharmaceuticals, L.P., pending in the U.S. District Court for the District of South Carolina.

Josh has helped Motley Rice expand its shareholder derivative practice, litigating cases against boards of directors of publicly traded companies including Omnicare, Inc., Chemed Corporation, IPC Hospitalists, Inc., Walgreen Co., Cintas Corporation, among numerous others. Josh has experience handling several types of shareholder cases, including corporate takeover cases litigated through and beyond the preliminary injunction phase and books & records cases litigated through trial.

AWARDS AND ACCOLADES:

South Carolina Super Lawyers® Rising Stars list

2013–2016 Securities litigation; Class action/mass torts; General litigation

ASSOCIATIONS:

American Bar Association

South Carolina Association for Justice

Meredith B. Miller

LICENSED IN: SC, TX

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Northern, Southern, Eastern and Western Districts of Texas

EDUCATION:

J.D., University of Texas School of Law, 2011

B.A., *with distinction*, University of North Carolina, Chapel Hill, 2008

Meredith Miller represents public pension funds, unions and other institutional investors in both federal and state courts. She also represents victims of medical malpractice. Meredith works directly with clients and is typically involved in the initial case evaluation, discovery, and various motion practice.

Meredith is a member of the team representing investors in securities fraud class actions filed against Advanced Micro Devices, Barrick Gold and SAC Capital. She is also part of the team bringing claims for breach of fiduciary duty against current and former directors of Lululemon for failing to investigate potential insider trades allegedly made by the company's founder and former chairman.

Prior to joining Motley Rice, Meredith gained trial and settlement experience as an associate at a Dallas, Texas, law firm working in business and construction litigation. While attending the University of Texas School of Law, she clerked for an Austin firm, represented victims in court as a student attorney in the UT Law Domestic Violence Clinic and was a Staff Editor of the *Review of Litigation* journal. During her undergraduate and law school career, Meredith studied abroad in Paris, France, Geneva, Switzerland and Puebla, Mexico.

ASSOCIATIONS:

Charleston County Bar Association

Christopher F. Moriarty

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Colorado, Northern District of Illinois, District of South Carolina

EDUCATION:

J.D., Duke University School of Law, 2011

M.A., Trinity College, University of Cambridge, 2007

B.A., Trinity College, University of Cambridge, 2003

Christopher was a member of the litigation teams representing investors as lead counsel in securities fraud litigation involving *Hill v. State Street Corporation* (\$60 million recovery*); *In re Hewlett-Packard Co. Securities Litigation* (\$57 million recovery*); and *Ross v. Career Education Corp.* (\$27.5 million recovery*). In addition, Christopher represented institutional investors in shareholder derivative litigation in *In re Walgreen Co. Derivative Litigation*, which secured corporate governance reforms to ensure compliance with the Controlled Substances Act*.

Christopher is currently a member of the teams representing investors in the following cases: *Första AP-Fonden and Danske Invest Management A/S v. St. Jude Medical, Inc.*; *In re Medtronic, Inc. Securities Litigation*; *City of Brockton Retirement System v. Avon Products, Inc.*; *In re Barrick Gold Securities Litigation*; and *In re Conn's, Inc. Securities Litigation*.

While in law school, Christopher was a member of the Moot Court Board, served as an Executive Editor of the *Duke Journal of Constitutional Law and Public Policy*, and taught a course on constitutional law to LL.M. students. Christopher has also drafted *amicus curiae* briefs in numerous constitutional law cases before the U.S. Supreme Court, which has cited his work.

Christopher was called to the Bar in England and Wales by the Honourable Society of the Middle Temple.

AWARDS AND ACCOLADES:

South Carolina Super Lawyers® Rising Stars list
2016 Securities litigation

ASSOCIATIONS:

American Bar Association
South Carolina Bar Association
Charleston County Bar Association
South Carolina Association for Justice

William S. Norton

LICENSED IN: MA, NY, SC

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court; U.S. Court of Appeals for the First and Second Circuits; U.S. District Court for the District of Colorado, Northern District of Illinois, Eastern and Southern Districts of New York, and District of South Carolina
EDUCATION:

J.D., Boston University School of Law, 2004

B.A./B.S. *magna cum laude*, University of South Carolina, 2001

Bill Norton litigates securities fraud, corporate governance, and other complex class-action and commercial litigation. Bill has represented public retirement systems, union pension funds, investment companies, banks, and other institutional and individual investors before federal, state, and appellate courts throughout the country. He also has experience representing whistleblowers who report violations of the law to the U.S. Securities and Exchange Commission under the Dodd-Frank Whistleblower Program.

Federal Securities Fraud Litigation

Bill is a member of the litigation teams representing institutional investors as lead counsel in litigation involving Advanced Micro Devices, Inc., Avon Products, Inc., International Business Machines Corporation, and Impax Laboratories, Inc. He also played a key role in the following cases:

- *Bennett v. Sprint Nextel Corp.* (\$131 million recovery*)
- *Hill v. State Street Corporation* (\$60 million recovery*)
- *City of Sterling Heights General Employees' Retirement System v. Hospira, Inc.* (\$60 million recovery*)
- *In re Hewlett-Packard Company Securities Litigation* (\$57 million recovery*)
- *Ross v. Career Education Corporation* (\$27.5 million recovery*)

Shareholder Derivative Litigation

Bill is a member of the teams representing institutional investors in shareholder derivative litigation on behalf of Chemed Corporation. He was also a member of the teams that litigated the following cases:

- *Manville Personal Injury Settlement Trust v. Gemunder* (\$16.7 million payment to the company and significant corporate governance reforms*)
- *In re Walgreen Co. Derivative Litigation* (corporate governance reforms ensuring compliance with Controlled Substances Act*)

Merger and Acquisition Litigation

Bill has represented institutional shareholders in litigation concerning corporate mergers and acquisitions, including the following cases:

- *In re Allion Healthcare, Inc. Shareholders Litigation* (\$4 million payment to shareholders*)
- *In re RehabCare Group, Inc., Shareholders Litigation* (\$2.5 million payment, modification of merger agreement, and additional disclosures to shareholders*)
- *In re Atheros Communications Shareholder Litigation* (preliminary injunction delaying shareholder vote and requiring additional disclosures to shareholders in \$3.1 billion merger*)
- *Maric Capital Master Fund, Ltd. v. PLATO Learning, Inc.* (preliminary injunction requiring additional disclosures to shareholders in \$143 million private-equity buyout*)
- *In re The Shaw Group Shareholders Litigation* (class-wide, opt-in appraisal right and additional disclosures to shareholders in \$3 billion merger*)

Other Securities, Consumer Fraud, and Commercial Litigation

Bill has also represented clients in a wide variety of securities, consumer fraud, and commercial litigation, including the following cases:

- Class action on behalf of municipal-bond investors in an alleged 38-state Ponzi scheme
- Class action against DirecTV regarding early cancellation fees
- Class action on behalf of satellite retailers against EchoStar Corporation, resulting in settlement valued at approximately \$83 million*
- Litigation on behalf of a German bank concerning investments in mortgage-backed collateralized debt obligations
- Federal and state lawsuits regarding variable life insurance investments funneled to the Madoff Ponzi scheme
- Litigation on behalf of real-estate investors regarding luxury real-estate development

Prior to joining Motley Rice, Bill practiced securities and commercial litigation in the New York office of an international law firm. While attending law school, Bill served as an Editor of the *Boston University Law Review* and was a G. Joseph Tauro Distinguished Scholar. He served as a law clerk in the United States Attorney's Office for the District of Massachusetts, represented asylum seekers at Greater Boston Legal Services, and studied law at the University of Oxford. Prior to law school, Bill worked for the United States Attorney's Office for the District of South Carolina and with the Neighborhood Legal Assistance Program of Charleston through a grant program. Bill

TEAM BIOS:

graduated Phi Beta Kappa from the University of South Carolina Honors College. Bill is recognized as an AV®-rated attorney by Martindale-Hubbell®.

AWARDS AND ACCOLADES:

South Carolina Super Lawyers® Rising Stars list

2013–2016 Securities litigation; class action/mass torts; general litigation

ASSOCIATIONS:

Federal Bar Association

American Bar Association

American Association for Justice

New York State Bar Association

South Carolina Bar Association

Charleston County Bar Association

Meghan S. B. Oliver

LICENSED IN: DC, SC, VA

EDUCATION:

J.D., University of Virginia School of Law, 2004

B.A. with distinction, University of Virginia, 2000

Meghan Oliver's practice includes work on securities fraud cases, antitrust litigation, general commercial litigation, and consumer fraud litigation. She is actively involved in *In the Matter of Bayer Corp.*, Case No. 07-CI-00148, pending in Franklin Circuit Court in Kentucky. Meghan's securities fraud work includes cases involving Medtronic, Inc., Hospira, Inc., and several others. Her antitrust experience at Motley Rice has focused on generic drug cases.

Prior to joining Motley Rice, Meghan worked as a business litigation and antitrust associate in Washington, D.C. There, she assisted in the trial of a multidistrict litigation antitrust case and assisted in multiple corporate internal investigations. She is a member of Phi Beta Kappa.

ASSOCIATIONS:

American Bar Association

Michael J. Pendell

LICENSED IN: CT, NY

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the District of Connecticut, Southern and Eastern Districts of New York

EDUCATION:

J.D., *summa cum laude*, Albany Law School, 2007

B.A., *cum laude*, Emerson College, 2000

Michael Pendell focuses his practice on representing workers and their families, as well as pension fund trustees and other institutional investors in securities, consumer fraud and complex class action.

Michael, along with other Motley Rice attorneys, represented a union pension fund as co-lead counsel in a securities fraud class action to recoup losses against a telecom provider that allegedly provided false information regarding its financial results, causing artificially inflated stock prices that subsequently plummeted when the truth was made known. The settlement is pending court approval.

Michael also has experience representing institutional and individual investors in claims involving common law fraud pursuant to state securities laws. Michael recently played a central role on the litigation team that obtained a seven-figure arbitration award in a case involving secondary liability for an investment advisor's conduct under the Uniform Securities Act. Michael also has experience in complex commercial cases regarding claims of fraud, breach of contract, and tortious interference. He represents plaintiffs in a wide array of personal injury actions, and serves as trial counsel representing individual smokers and families of deceased smokers against tobacco manufacturers in the Engle-progeny litigation pending in Florida.

Michael joined Motley Rice after serving as an associate with a Connecticut-based law firm, where he first gained experience in both federal and state courts in such areas as commercial and construction litigation, media and administrative law, personal injury defense and labor and employment matters. Michael previously taught business law to BA and MBA candidates as an adjunct professor at Albertus Magnus College.

Michael served as a legal intern for the Honorable Randolph F. Treece of the U.S. District Court for the Northern District of New York and as a law clerk for the Major Felony Unit of the Albany County District Attorney's Office. He served as the executive editor for the New York State Bar Association Government Law & Policy Journal and senior editor for the *Albany Law Review*, which published his 2008 article entitled, "How Far is Too Far? The Spending Clause, the Tenth Amendment, and the Education State's Battle Against Unfunded Mandates."

AWARDS AND ACCOLADES:

Connecticut Super Lawyers® Rising Stars list

2013–2015 Securities litigation; Business litigation; Personal injury – products: plaintiff

ASSOCIATIONS:

American Association for Justice

Connecticut Bar Association

New York State Bar Association

* Prior results do not guarantee a similar outcome. For full *Super Lawyers* selection methodology visit: www.superlawyers.com/about/selection_process.html
For 2013–14 CT data visit: www.superlawyers.com/connecticut/selection_details.html

Laura W. Ray

LICENSED IN: CT

EDUCATION:

J.D. with High Honors, University of Connecticut School of Law, 1989

B.S.B.A. *magna cum laude*, Boston University, 1983

Laura Ray handles complex securities litigation for victims of corporate wrongdoing, including institutional investors and union pension funds.

Laura is a member of the team leading a proposed class action alleging that Investment Technology Group (ITG) defrauded shareholders by concealing the actions that led

to a regulatory sanction fine levied against it by the SEC. The fine announcement, made in August 2015, allegedly resulted in stockholders suffering a loss of more than 23 percent in share value. The \$20.3 million sanction is considered the largest fine levied by the SEC against a private securities trading forum, otherwise known as a dark pool.

Prior to joining Motley Rice, Laura worked in commercial litigation, handling trial and appellate litigation, arbitration and mediation. Laura served as law clerk to Justice Robert J. Callahan of the Connecticut Supreme Court. Laura began her career as a certified public accountant.

Ann K. Ritter **Senior Counsel and Securities Case** **Coordination Manager**

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Third and Eleventh Circuits

EDUCATION:

J.D., University of Tennessee, 1982

B.S., Florida State University, 1980

As Senior Counsel for Motley Rice, Ann Ritter plays a key role on Motley Rice's securities team, which represents domestic and foreign institutional investors in complex cases involving shareholder rights, corporate governance, securities and consumer fraud. She possesses more than 25 years of experience in complex litigation involving matters as varied as securities, products liability and consumer protection.

Ann serves as a frequent speaker on legal topics such as worker safety, shareholder rights and corporate governance. In 2007, she addressed leading German institutional investors as a keynote speaker on the impact of U.S. class actions at the Deutsche Schutzvereinigung für Wertpapierbesitz e. V. Practical Workshop for institutional investors in Frankfurt, Germany.

After earning a Bachelor of Science degree from Florida State University, Ann pursued a law degree from the University of Tennessee. She is the co-author of *Asbestos in Schools*, published by the National School Boards Association. Ann previously served on the Advisory Committee for the Tobacco Deposition and Trial Testimony Archives (DATTA) Project and currently serves on the Executive Committee of the Board of the South Carolina Special Olympics, the Advisory Board of the Medical University of South Carolina Hollings Cancer Center and the Advisory Board of The University of Mississippi School of Law. She is recognized as a BV® rated attorney by Martindale-Hubbell®.

ASSOCIATIONS:

South Carolina Association for Justice

Lisa M. Saltzburg

LICENSED IN: SC, CO

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Fourth, Fifth and Eleventh Circuits

U.S. District Court for the District of South Carolina

EDUCATION:

J.D., Stanford Law School, 2006

B.A. with high distinction, University of California, Berkeley, 2003

Lisa Saltzburg represents individuals and institutional clients in complex securities and consumer fraud actions, merger and acquisition cases, shareholder derivative suits and a variety of other consumer and commercial matters. Lisa also works closely with the BP Oil Spill litigation team, helping people and businesses in Gulf Coast communities file claims through the new claims programs established by the two settlements reached with BP.

Prior to joining Motley Rice, Lisa was an associate attorney for a nonprofit advocacy organization, where she worked through law and policy to protect the environmental interests of the Southeast. She drafted briefs and other filings in South Carolina's federal and state courts and worked with administrative agencies to prepare for hearings and mediation sessions. Lisa also served for two years as a judicial clerk for the Honorable Karen J. Williams of the U.S. Court of Appeals for the Fourth Circuit, where she developed valuable legal research and writing skills and gained experience involving a wide range of issues arising in civil and criminal cases.

Lisa held multiple positions in environmental organizations during law school, handling a broad array of constitutional, jurisdictional and environmental issues. She also served as an editor of the *Stanford Law Review* and as an executive editor of the *Stanford Environmental Law Journal*. A member of numerous organizations and societies, including the Stanford Environmental Law Society, Lisa attended the National Institute for Trial Advocacy's week-long Trial Advocacy College at the University of Virginia.

AWARDS AND ACCOLADES:

South Carolina Super Lawyers® Rising Stars list

2016 Securities litigation, Class action/mass torts, Personal injury-products: plaintiff

William P. Tinkler

LICENSED IN: SC

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Fourth Circuit; U.S. District Court for the District of South Carolina

EDUCATION:

J.D. cum laude, University of South Carolina School of Law, 2010

B.A., Emory University, 2005

William Tinkler works with public pension funds, unions and other institutional investors to help secure governance reforms and achieve recoveries through strategic and targeted litigation. He handles a wide range of complex cases, including securities and consumer fraud litigation and shareholder derivative suits.

TEAM BIOS:

Before joining Motley Rice, William clerked with the Honorable R. Bryan Harwell of the U.S. District Court for the District of South Carolina and served as a staff attorney for the South Carolina Court of Appeals. His work with trial and appellate judges on a diverse array of legal issues gave him valuable experience in numerous areas of the law, as well as in legal research and writing. Additionally, he worked with several South Carolina law firms and the Charleston County Public Defender's office before his admission to the Bar.

While in law school, William served as the Peer Review Editor for the *South Carolina Law Review*. During this time, he developed the Peer Reviewed Scholarship Marketplace, a consortium of legal journals committed to incorporating peer review in their article selection process. William was honored with the CALI award for Federal Practice. In 2010, he was selected as a "Next Generation Leader" by the American Constitution Society and served as President of his law school's chapter. He was also a member of the Order of the Wig and Robe.

Active in his community, William, an Eagle Scout, has served as a Unit Commissioner with the Boy Scouts of America and participated in the Big Brothers, Big Sisters mentoring program.

SECURITIES LITIGATION PROFESSIONAL STAFF

Ellie Kimmel

EDUCATION:

B.A., University of South Florida, 1993

Business Analyst Ellie Kimmel began working with Motley Rice attorneys in 2000. Prior to her work with the securities litigation team, she was a founding member of the firm's Central Research Unit and also supervised the firm's file management. She currently completes securities research and client portfolio analysis for the firm's securities cases.

Ellie has a diverse background that includes experience in education as well as the banking industry. She began her career in banking operations, where she served as an operations manager and business analyst in corporate banking support for 14 years. She then spent seven years teaching high school economics, Latin and history before joining Motley Rice.

Evelyn Richards

EDUCATION:

A.S., Computer Technology, Trident Technical College, 1995

J.D., University of South Carolina School of Law, 1989

B.A., English Literature and Religion, University of Virginia, 1986

Evelyn Richards joined Motley Rice in 2007. As a law clerk for the Securities and Consumer Fraud practice group, she plays a key role in supporting the securities litigation team through editing, cite-checking and Shepardizing complaints, briefs, and other legal documents. She also trains support staff on how to use The Bluebook.

Evelyn has over fifteen years of experience in the legal field. As an Assistant Solicitor for the Ninth Circuit Solicitor's Office, she prosecuted child abuse and neglect and criminal cases. She also worked as a programmer/analyst for a few years. Prior to joining Motley Rice, Evelyn worked as an administrator for a large telecom, corporate and litigation firm, supervising all office operations, including human resources and accounting procedures. She also served as office manager for a small worker's compensation law office, where she managed trust and operating accounts and provided information technology support.

Evelyn's diverse background in information technology, management, programming and analysis adds great depth to the resources provided to Motley Rice clients.



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SC | RI | CT | NY | WV | DC | LA | MO

William H. Narwold (CT, DC, NY SC) is the attorney responsible for this communication. Prior results do not guarantee a similar outcome. *PD: 05.12.2016*



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Exhibit 14

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

IN RE: NII HOLDINGS, INC.
SECURITIES LITIGATION

Case No. 1:14-cv-227-LMB-JFA

**DECLARATION OF STEVEN J. TOLL
ON BEHALF OF COHEN MILSTEIN SELLERS & TOLL PLLC
IN SUPPORT OF CLASS COUNSEL'S MOTION FOR AN AWARD OF
ATTORNEYS' FEES AND PAYMENT OF EXPENSES**

I, Steven J. Toll, Esq., declare as follows, pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm of Cohen Milstein Sellers & Toll PLLC ("Cohen Milstein"). I submit this declaration in support of Class Counsel's motion for an award of attorneys' fees and payment of litigation expenses on behalf of all Plaintiffs' counsel who contributed to the prosecution of the claims in the above-captioned action (the "Action") from inception through July 8, 2016 (the "Time Period").
2. On March 4, 2014, my firm filed a complaint, as local counsel, for the Iron Workers District Counsel of New England and State-Boston Retirement System against NII Holdings Inc., et. el., and worked on and filed various papers relating to the lead plaintiff motion. Thereafter, we continued to serve as local counsel for the Court-appointed Lead Plaintiffs in the Action until Susan Podolsky was retained by Class Counsel.
3. The schedule attached hereto as Exhibit A is a summary indicating the amount of time spent by each attorney and professional support staff-member of my firm who was involved in the prosecution of the Action, and the lodestar calculation based on my firm's current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based

upon the billing rates for such personnel in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm, which are available at the request of the Court. Time expended in preparing this application for fees and payment of expenses has not been included in this request.

4. The hourly rates for the attorneys and professional support staff in my firm included in Exhibit A are the same as my firm's regular rates charged for their services, which have been accepted in other securities or shareholder litigations.

5. The total number of hours expended on this litigation by my firm during the Time Period is 84.75 hours. The total lodestar for my firm for those hours is \$ 67,526.25.

6. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expenses items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

7. As detailed in Exhibit B, my firm has incurred a total of \$ 1,862.26 in expenses in connection with the prosecution of the Action. The expenses are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred.

8. With respect to the standing of my firm, attached hereto as Exhibit C is a brief biography of my firm as well as biographies of the firm's partners and of counsels.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 11, 2016.


Steven J. Toll

Exhibit A

EXHIBIT A***IN RE NII HOLDINGS, INC. SEC. LITIG.***
Civ. No. 1:14-cv-00227-LMB-JFA (E.D. Va.)**LODESTAR REPORT****FIRM: COHEN MILSTEIN SELLERS & TOLL PLLC**
REPORTING PERIOD: INCEPTION THROUGH JULY 8, 2016

PROFESSIONAL	STATUS*	HOURLY RATE	TOTAL HOURS TO DATE	TOTAL LODESTAR TO DATE
Steven J. Toll	P	\$945	48.25	\$45,596.25
Daniel S. Sommers	P	\$845	6.50	\$5,492.50
Carol V. Gilden	P	\$845	10.50	\$8,872.50
S. Douglas Bunch	P	\$560	1.00	\$560.00
Elizabeth Aniskevich	A	\$450	11.50	\$5,175.00
Asha Williams	PL	\$250	1.00	\$250.00
Jordan V. Hill	PL	\$260	4.00	\$1,040.00
Daniel Sutter	RA	\$270	2.00	\$540.00
TOTAL			84.75	67,526.25

Partner (P)
Of Counsel (OC)
Associate (A)
Staff Attorney (SA)

Paralegal (PL)
Investigator (I)
Research Analyst (RA)

Exhibit B

EXHIBIT B

IN RE NII HOLDINGS, INC. SEC. LITIG.
Civ. No. 1:14-cv-00227-LMB-JFA (E.D. Va.)

EXPENSE REPORT

FIRM: COHEN MILSTEIN SELLERS & TOLL PLLC
REPORTING PERIOD: INCEPTION THROUGH JULY 8, 2016

EXPENSE	TOTAL AMOUNT
Long-distance Telephone / Fax / Conference Calls	.93
Filing / Service / Witness Fees	1,830.00
Online Legal and Financial Research	10.50
Overnight Delivery Services	20.83
TOTAL	1,862.26

Exhibit C

COHENMILSTEIN

Firm Resume

Cohen Milstein Sellers & Toll PLLC

For decades, Cohen Milstein Sellers & Toll PLLC has represented individuals, small businesses, institutional investors, and employees in many of the major class action cases litigated in the United States for violations of the antitrust, securities, consumer protection, civil rights/discrimination, ERISA, employment, and human rights laws. Cohen Milstein is also at the forefront of numerous innovative legal actions that are expanding the quality and availability of legal recourse for aggrieved individuals and businesses both domestic and international. Over its history, Cohen Milstein has obtained many landmark judgments and settlements for individuals and businesses in the United States and abroad. The firm's most significant past and present cases include:

- In re Urethane Antitrust Litigation (Polyether Polyol Cases) (D. Kan.). Cohen Milstein serves as co-lead counsel on behalf of a class of direct purchasers of chemicals used to make many everyday products, from mattress foam to carpet cushion, who were overcharged as a result of a nationwide price-fixing conspiracy. On February 25, 2016, Cohen Milstein reached an agreement with The Dow Chemical Company to settle the case against Dow for \$835 million. Combined with earlier settlements obtained from Bayer, Huntsman, and BASF, the Dow settlement pushed the total settlements in the case to \$974 million.
- In re: Bear Stearns Mortgage Pass-Through Certificates Litigation (No. 08-08093, U.S. District Court for the Southern District of New York). On May 27, 2015, U.S. District Judge Laura Taylor Swain finally approved a class action settlement with JPMorgan Chase & Co., which agreed to pay \$500 million and up to an additional \$5 million in litigation-related expenses to resolve claims arising from the sale of \$27.2 billion of mortgage-backed securities issued by Bear Stearns & Co. during 2006 and 2007 in 22 separate public offerings.
- Countrywide MBS Litigation, (2:10-cv-00302, U.S. District Court in the Central District of California). In April 2013, Plaintiffs in the landmark mortgage-backed securities (MBS) class action litigation against Countrywide Financial Corporation and others, led by Lead Plaintiff, the Iowa Public Employees' Retirement System (IPERS), agreed to a \$500 million settlement. It is the nation's largest MBS-federal securities class action settlement. The settlement was approved in December 2013 and brings to a close the consolidated class action lawsuit brought in 2010 by multiple retirement funds against Countrywide and other defendants for securities violations involving the packaging and sale of MBS. The settlement is also one of the largest (top 20) class action securities settlements of all time.
- RALI MBS Litigation, (Civ. No. 08-8781, U.S. District Court for the Southern District of New York). In July 2015 On July 31, 2015, Judge Katherine Failla gave final approval to a \$235 million settlement with underwriters Citigroup Global Markets Inc., Goldman Sachs & Co., and UBS Securities LLC. She also approved a plan for distribution to investors of those funds as well as the previously approved \$100 million settlement with RALI, its affiliates, and the individual Defendants that was reached in in 2013. This global settlement marks an end to a long and complicated class action over MBS offerings that RALI and certain of its affiliates issued and sold to the New Jersey Carpenters Health Fund and other investors from 2006 through 2007. The case took seven years of intense litigation to resolve.

- Harborview MBS Litigation, (No. 08-5093, U.S. District Court for the Southern District of New York). In February 2014, Cohen Milstein reached a settlement with the Royal Bank of Scotland (RBS) in the Harborview MBS Litigation, resolving claims that RBS duped investors into buying securities backed by shoddy home loans. The \$275 million settlement is the fifth largest class action settlement in a federal MBS case. This case is one of eight significant MBS actions that Cohen Milstein has been named lead or co-lead counsel by courts and one of three that were nearly thrown out by the court, only to be revived in 2012.
- In Re Electronic Books Antitrust Litigation, (No. 11-md-02293, U.S. District Court for the Southern District of New York). In August 2014, a New York federal judge approved a \$400 million antitrust settlement in the hotly contested ebooks price-fixing suit against Apple Inc. Combined with \$166 million in previous settlements with five defendant publishing companies, consumers could receive more than \$560 million. The settlement resolves damages claims brought by a class of ebook purchasers and attorneys general from 33 U.S. states and territories.
- In re Beacon Associates Litigation (No. 09-cv-0777, United States District Court for the Southern District of New York). Class action settlement of \$219 million for trustees and participants in ERISA-covered employee benefit plans whose assets were lost through investments made on their behalf by Beacon Associates LLC I & II in the investment schemes of Bernard Madoff.
- In re Plasma-Derivative Protein Therapies Antitrust Litigation (No. 09 C 7666, United States District Court for the Northern District of Illinois). After four years of litigation, in October of 2013, CSL Limited, CSL Behring LLC, CSL Plasma, Inc. (collectively, “CSL”), and the Plasma Protein Therapeutics Association (“PPTA”) agreed to pay \$64 million dollars to settle a lawsuit brought by the University of Utah Hospital and other health care providers alleging that CSL, the PPTA, and Baxter agreed between 2003-2009 to restrict the supply of immunoglobulin and albumin, and thereby increase the prices of those therapies. Two months later, Baxter International Inc. and Baxter Healthcare Corp. (collectively “Baxter”) agreed to pay an additional \$64 million to settle these claims – bringing the total recovery to the class to \$128 million.
- Keepseagle v. Vilsack, Civil Action No. 1:99CV03119 (D.D.C.). A class of Native American farmers and ranchers allege that they have been systematically denied the same opportunities to obtain farm loans and loan servicing that have been routinely afforded white farmers by the USDA. A class was certified in 2001 by Judge Emmet Sullivan, District Judge for the U.S. District Court for the District of Columbia, and the D.C. Circuit declined USDA’s request to review that decision. On October 19, 2010, the case reached a historic settlement, with the USDA agreeing to pay \$680 million in damages to thousands of Native American farmers and ranchers and forgive up to \$80 million worth of outstanding farm loan debt.
- Brannen vs. Ford Motor Corporation, (No. 16-2011-CA-01772-XXXX0MB Div. CV-B). In Brannen vs. Ford Motor, at the conclusion of a lengthy three-week trial, the jury found that the 2005 Ford F-150 was placed on the market with a defectively designed fuel system with a plastic skid plate. Through litigation, the Defendants denied any design defect and refused to acknowledge that the plastic construction led to a catastrophic failure and secondary injuries for Plaintiff Michelle Brannen. Cohen Milstein counsel successfully saw the case to trial and a jury awarded a \$4.2 million dollar verdict in favor of Ms. Brannen.

- Salvato vs. Marion County Sheriff's Office, (Civil Action No. 5:12-CV-635-OC-10PRL). In Salvato vs. Marion County Sheriff's Office, a jury of 3 men and 5 women found Sheriff Chris Blair, and Deputies Lauren Miley and Norman Brown of the Marion County Sheriff's Office, responsible for using excessive deadly force that resulted in the wrongful death of Joshua Salvato, an unarmed 21-year-old, who was shot and killed by the deputies nearly two years ago. The verdict was issued after an eight-day trial in the United District Court, Middle District of Florida Ocala Division, under presiding Judge William Terrell Hodges. Cohen Milstein counsel successfully saw the case to trial and the jury returned restitution in the amount of \$2.3 million, charging Miley used excessive force and Brown willfully and wantonly acted in bad faith by inflicting conscious pain and suffering on Joshua Salvato before he died.
- In re Parmalat Securities Litigation, No. 04 MD 1653 (S.D.N.Y.). In this securities litigation case, Cohen Milstein has successfully negotiated two partial settlements totaling approximately \$90 million. At the second partial settlement hearing, Judge Lewis A. Kaplan remarked that plaintiffs counsel "did a wonderful job here for the class and were in all respects totally professional and totally prepared. I wish I had counsel this good in front of me in every case." Our clients, four large European institutional investors, were appointed as co-lead plaintiffs and we were appointed as co-lead counsel. Most notably, this case allowed us the opportunity to demonstrate our expertise in the bankruptcy area. During the litigation, the company subsequently emerged from bankruptcy and we added "New Parmalat" as a defendant because of the egregious fraud committed by the now-bankrupt old Parmalat. New Parmalat strenuously objected and Judge Kaplan of the Southern District of New York ruled in the class plaintiffs' favor, a ruling which was affirmed on appeal. This innovative approach of adding New Parmalat enabled the class to obtain an important additional source of compensation, as we subsequently settled with New Parmalat.
- Dukes v. Wal-Mart Stores, Inc., No. C-01-2252 (N.D. Cal.). Cohen Milstein is co-lead counsel in this sex discrimination case. In 2004, the U.S. District Court certified a nationwide class action lawsuit for all female employees of Wal-Mart who worked in U.S. stores anytime after December 26, 1998. This was the largest civil rights class action ever certified against a private employer, including approximately 1.5 million current and former female employees. That ruling was appealed, and while affirmed by the Ninth Circuit, was reversed by the Supreme Court in June 2011. Cohen Milstein argued the case for the plaintiffs-respondents in the Supreme Court. Since then, the *Dukes* action has been amended to address only the Wal-Mart regions that include stores in California, and other regional class cases have been or are soon to be filed. This litigation to resolve the merits of the claims – whether Wal-Mart discriminates against its female retail employees in pay and promotions – continues.
- Rubin v. MF Global, Ltd. (08-CV-02233, S.D.N.Y.). Acting as co-lead counsel in this class action, the Firm represented the Central States, Southeast and Southwest Areas Pension Fund which was one of the co-lead plaintiffs in the case. In September 2010, as a result of Plaintiffs' decision to appeal, the U.S. Second Circuit Court of Appeals vacated in part the lower court's dismissal of the case and remanded the case for further proceedings. In overturning the District Court decision, the Second Circuit issued a decision which differentiated between a forecast or a forward looking statement accompanied by cautionary language -- which the Appellate Court said would be insulated from liability under the bespeaks caution doctrine -- from a factual statement, or non-forward-looking statement, for which liability may exist. Importantly, the

Second Circuit accepted Plaintiffs' position that where a statement is mixed, the court can sever the forward-looking aspect of the statement from the non-forward looking aspect. The Court further stated that statements or omissions as to existing operations (and present intentions as to future operations) are not protected by the bespeaks caution doctrine. Mediation followed this decision and resulted in a settlement comprised of \$90 million in cash.

- Hughes v. Huron Consulting Group (09-CV-04734, N.D. Ill.). Cohen Milstein represented lead plaintiffs the Public School Teachers' Pension & Retirement Fund of Chicago and the Arkansas Public Employees Retirement System ("APERS") in this case against Huron Consulting Group, founded by former Arthur Anderson personnel following its collapse in the wake of the Enron scandal. In August 2010, the District Court for the Northern District of Illinois denied defendants' motions to dismiss in their entirety and upheld plaintiffs' allegations that defendants intentionally improperly accounted for acquisition-related payments, which allowed plaintiffs to move forward with discovery. The case was settled for \$40 million, comprised of \$27 million in cash and 474,547 shares in Huron common stock, with an aggregate value at the time of final approval in 2011 of approximately \$13 million.
- In re Lucent Technologies Securities Litigation, Civ. Action No. 00-621 (JAP) (D.N.J.). A settlement in this massive securities fraud class action was reached in late March 2003. The class portion of the settlement amounts to over \$500 million in cash, stock and warrants and ranks as the second largest securities class action settlement ever completed. Cohen Milstein represented one of the co-lead plaintiffs in this action, a private mutual fund.
- Nate Pease, et al. v. Jasper Wyman & Son, Inc., et al., Civil Action No. 00-015 (Knox County Superior Court, Me.). In 2004, a state court jury from Maine found three blueberry processing companies liable for participating in a four-year price-fixing and non-solicitation conspiracy that artificially lowered the prices defendants paid to approximately 800 growers for wild blueberries. The jury ordered defendants Cherryfield Foods, Inc., Jasper Wyman & Son, Inc., and Allen's Blueberry Freezer, Inc. to pay \$18.68 million in damages, the amount which the growers would have been paid absent the defendants' conspiracy. After a mandatory trebling of this damage figure under Maine antitrust law, the total amount of the verdict for the plaintiffs is just over \$56 million. The Firm served as co-lead counsel.
- In re StarLink Corn Products, Liability Litigation, MDL No. 1403. (N.D. Ill.). Cohen Milstein successfully represented U.S. corn farmers in a national class action against Aventis CropScience USA Holding and Garst Seed Company, the manufacturer and primary distributor of StarLink corn seeds. StarLink is a genetically modified corn variety that the United States government permitted for sale as animal feed and for industrial purposes, but never approved for human consumption. However, StarLink was found in corn products sold in grocery stores across the country and was traced to widespread contamination of the U.S. commodity corn supply. The Firm, as co-lead counsel, achieved a final settlement providing more than \$110 million for U.S. corn farmers, which was approved by a federal district court in April 2003. This settlement was the first successful resolution of tort claims brought by farmers against the manufacturers of genetically modified seeds.
- Snyder v. Nationwide Mutual Insurance Company, No. 97/0633 (Sup. Ct. N.Y. Onondaga Cty.). Cohen Milstein served as one of plaintiffs' principal counsel in this case on behalf of persons who held life insurance policies issued by Nationwide through its captive agency force.

The action alleged consumer fraud and misrepresentations. Plaintiffs obtained a settlement valued at more than \$85 million. The judge praised the efforts of Cohen Milstein and its co-counsel for having done “a very, very good job for all the people.” He complimented “not only the manner” in which the result was arrived at, but also the “time ... in which it was done.”

- Oncology & Radiation Associates, P.A. v. Bristol Myers Squibb Co., et al., No. 1:01CV02313 (D.D.C.). Cohen Milstein has been co-lead counsel in this case since its inception in 2001. Plaintiffs alleged that Bristol-Myers Squibb unlawfully monopolized the United States market for paclitaxel, a cancer drug discovered and developed by the United States government, which Bristol sells under the brand name Taxol. Bristol’s scheme included a conspiracy with American BioScience, Inc., a generic manufacturer, to block generic competition. Cohen Milstein’s investigation and prosecution of this litigation on behalf of direct purchasers of Taxol led to a settlement of \$65,815,000 that was finally approved by U.S. District Judge Emmet G. Sullivan on August 14, 2003 and preceded numerous Taxol-related litigations brought by the Federal Trade Commission and State Attorneys General offices.
- Kruman v. Christie’s International PLC, et al., Docket No. 01-7309. A \$40 million settlement on behalf of all persons who bought or sold items through Christie’s or Sotheby’s auction houses in non-internet actions was approved in this action. Cohen Milstein served as one of three leading counsel on behalf of foreign plaintiffs. The Court noted that approval of the settlement was particularly appropriate, given the significant obstacles that faced plaintiffs and plaintiffs’ counsel in the litigation. The settlement marked the first time that claims on behalf of foreign plaintiffs under U.S. antitrust laws have been resolved in a U.S. court, a milestone in U.S. antitrust jurisprudence.
- Roberts v. Texaco, Inc., 94-Civ. 2015 (S.D.N.Y.). Cohen Milstein represented a class of African-American employees in this landmark litigation that resulted in the then-largest race discrimination settlement in history (\$176 million in cash, salary increases and equitable relief). The Court hailed the work of class counsel for, *inter alia*, “framing an imaginative settlement, that may well have important ameliorative impact not only at Texaco but in the corporate context as a whole ...”.
- Trotter v. Perdue Farms, Inc., Case No. 99-893 (RRM) (JJF) (MPT), D. Del. This suit on behalf of hourly workers at Perdue’s chicken processing facilities – which employ approximately 15,000 people – forced Perdue to pay employees for time spent “donning and doffing,” that is, obtaining, putting on, sanitizing and removing protective equipment that they must use both for their own safety and to comply with USDA regulations for the safety of the food supply. The suit alleged that Perdue’s practice of not counting donning and doffing time as hours worked violated the Fair Labor Standards Act and state law. In a separate settlement with the Department of Labor, Perdue agreed to change its pay practices. In addition, Perdue is required to issue retroactive credit under one of its retirement plans for “donning and doffing” work if the credit would improve employees’ or former employees’ eligibility for pension benefits. Cohen Milstein was co-lead counsel.

Awards & Recognition

In 2016, Law360 named Cohen Milstein Partner Julie Goldsmith Reiser one of the 25 Most Influential Women in Securities Law.

In 2016, Cohen Milstein is named to the National Law Journal's "Plaintiffs Hot List" for the fifth time in six years.

In 2016, Law360 names Cohen Milstein as one of the top firms for female attorneys.

In 2015, Law360 selects Cohen Milstein as the sole plaintiff firm to be selected in two "Practice Groups of the Year" categories and one of only five class action firms recognized.

In 2015, Cohen Milstein was named an Elite Trial Lawyer Firm by the National Law Journal for the second year in a row.

In 2015, Cohen Milstein Partner Steven J. Toll named a Law360 MVP in Securities Law.

In 2015, Cohen Milstein is selected as a "Most Feared Plaintiffs Firm" by Law360 for the third year in a row.

In 2015, Cohen Milstein Attorney Jeffrey Dubner was named a National Law Journal D.C. Rising Star.

In 2015, five Cohen Milstein Attorneys were named to the 2016 The Best Lawyers in America© list.

In 2015, Cohen Milstein's Denver office was named "Antitrust Law Firm of the Year – Colorado" by Global Law Experts.

In 2015, Partners Theodore J. Leopold and Leslie M. Kroeger and Of Counsel Attorney Stephan A. LeClainche were selected to the 2015 Florida Super Lawyers list and Adam J. Langino was selected to the Florida Rising Stars list.

In 2015, Cohen Milstein attorneys R. Joseph Barton, Andrew Friedman, Agnieszka Fryszman, Karen Handorf, Kit A. Pierson, Julie Reiser, Joseph M. Sellers, Linda Singer, Daniel A. Small, Daniel S. Sommers, Steven J. Toll and Christine E. Webber were selected as Washington DC Super Lawyers.

In 2015, Cohen Milstein attorneys Laura Alexander, Monya Bunch, S. Douglas Bunch, Joshua S. Devore, Jeffrey Dubner, Johanna Hickman, Kalpana Kotagal, Emmy Levens, and David Young were selected as Washington DC Rising Stars by Super Lawyers.

In 2015, for the fourth time in five years, Cohen Milstein was selected to the *National Law Journal* **Plaintiffs' Hot List**

In 2015, Cohen Milstein Partner Carol V. Gilden was selected as "Pension Funds Litigation Attorney of the Year in Illinois" for the second year in a row by the Corporate INTL Legal Awards.

In 2014, Cohen Milstein's Antitrust Practice was selected as a Practice Group of the Year by Law360.

In 2014, Cohen Milstein Partner Kit Pierson was selected as an MVP by Law360.

In 2014, Cohen Milstein was named a "**Most Feared Plaintiffs Firm**" by Law360 for the second year in a row.

In 2014, Cohen Milstein was selected as an **Elite Trial Lawyer** firm by the National Law Journal.

Cohen Milstein Partners Steven J. Toll, Joseph M. Sellers, Kit A. Pierson, and Agnieszka M. Fryszman Selected to the **2014 Lawdragon 500**.

Joseph M. Sellers, Theodore J. Leopold, and Leslie M. Kroeger Make "**Best Lawyers'** List" for 2015.

Released in 2014, the 2013 SCAS 50 Report on Total Securities Class Action Settlements once again ranked Cohen Milstein as a top firm.

In 2014, Theodore J. Leopold, a partner at Cohen Milstein, was been selected to the Top 100 Miami Florida Super Lawyers list. Partner Leslie M. Kroeger was selected to the **2014 Florida Super Lawyers** list and Diana L. Martin was selected to the **Florida Rising Stars** list.

In 2014, Cohen Milstein attorneys Leslie M. Kroeger and Adam J. Langino were both recognized in the 2014 edition of **Florida Trend's Florida Legal Elite™**. Kroeger is recognized as Legal Elite and Langino is listed as an Up-and-Comer.

In 2014, Cohen Milstein was selected to the selected to the **National Law Journal's Midsize Hot List**.

In 2014, Cohen Milstein was recognized as a "**Highly Recommended Washington, DC Litigation Firm**" by Benchmark Plaintiff: The Definitive Guide to America's Leading Plaintiff Firms and Attorneys.

In 2014, Cohen Milstein was ranked as a **Leading Plaintiff Class Action Antitrust Firm in the United States by the Legal 500** for the sixth year in a row.

In 2014, Partner Richard Koffman was named, for the fourth consecutive year, in the Legal 500 United States "**Leading Lawyers**" list under the category of "Litigation - Mass Tort and Class Action: Plaintiff Representation - Antitrust".

In 2014, Cohen Milstein attorneys Christopher Cormier, Agnieszka Fryszman, Julie Goldsmith Reiser, Joseph Sellers, Daniel Sommers, and Steven Toll were recognized **as Local Litigation Stars** by Benchmark Plaintiff: The Definitive Guide to America's Leading Plaintiff Firms and Attorneys.

In 2014, Cohen Milstein attorneys R. Joseph Barton, Andrew Friedman, Agnieszka Fryszman, Karen Handorf, Kit A. Pierson, Julie Reiser, Joseph M. Sellers, Linda Singer, Daniel A. Small, Daniel S. Sommers, Steven J. Toll and Christine E. Webber were selected as **Washington DC Super Lawyers**.

In 2014, Cohen Milstein attorneys Laura Alexander, Monya Bunch, S. Douglas Bunch, Joshua S. Devore, Jeffrey Dubner, Johanna Hickman, Joshua Kolsky, Kalpana Kotagal, Emmy Levens, Michelle Yau and David Young were selected as **Washington DC Rising Stars** by Super Lawyers.

In 2014, Cohen Milstein Partner Carol V. Gilden was selected as the Illinois Pension Fund Attorney of the Year.

In 2014, Best Lawyers named Cohen Milstein Partner Joseph Sellers D.C. Litigation - Labor & Employment Lawyer of the Year.

In 2013, for the third-year in a row, Cohen Milstein was selected to the *National Law Journal* **Plaintiffs' Hot List**.

In 2013, Cohen Milstein was named a "**Most Feared Plaintiffs Firm**" by Law360.

In 2013, Cohen Milstein was ranked as a Leading Plaintiff Class Action Antitrust Firm in the United States by the Legal 500 for the fifth year in a row.

In 2013, Cohen Milstein attorneys Joseph Barton, Andrew Friedman, Agnieszka Fryszman, Karen Handorf, Kit A. Pierson, Julie G. Reiser, Joseph M. Sellers, Daniel A. Small, Daniel S. Sommers, Steven J. Toll, and Christine E. Webber were selected as **Washington DC Super Lawyers**.

In 2013, Cohen Milstein attorneys Joshua Devore and Michelle Yau were selected as **Washington DC Rising Stars** by Super Lawyers.

In 2013, Cohen Milstein Partner Carol V. Gilden was selected as a **2013 Illinois Super Lawyer**. She has been selected every year since 2005.

In 2012, for the second-year in a row, Cohen Milstein was selected to the *National Law Journal* **Plaintiffs' Hot List**.

In 2012, Cohen Milstein was the recipient of the Judith M. Conti Pro Bono Law Firm of the Year Award from the Employment Justice Center.

In 2012, Cohen Milstein was recognized as a "Highly Recommended Washington, DC Litigation Firm" by Benchmark Plaintiff: The Definitive Guide to America's Leading Plaintiff Firms and Attorneys.

In 2012, Cohen Milstein was ranked as a top firm by the 2011 SCAS Report on Total Securities Class Action Settlements.

In 2012, Cohen Milstein was ranked as a Leading Plaintiff Class Action Antitrust Firm in the United States by the Legal 500 for the fourth year in a row.

In 2012, Partner Joseph M. Sellers was selected as a **Washington DC Super Lawyer**. Mr. Sellers was also selected for this prestigious award in 2007, 2008, 2009, 2010, and 2012.

In 2012, Partner Steven J. Toll was selected as a **Washington DC Super Lawyer**. Mr. Toll was also selected for this prestigious award in 2007, 2009, 2010, and 2011.

In 2012, Partner Daniel S. Sommers was selected as a **Washington DC Super Lawyer**. Mr. Sommers was also selected for this prestigious award in 2011.

In 2012, Partner Christine E. Webber was selected as a **Washington DC Super Lawyer**. Ms. Webber was also selected for this prestigious award in 2007.

In 2012, Partner Agnieszka M. Fryszman was selected as a **Washington DC Super Lawyer**.

In 2012, Partner Kit A. Pierson was selected as a **Washington DC Super Lawyer**.

In 2012, Partner Carol V. Gilden was selected as an **Illinois Super Lawyer**. Ms. Gilden was also selected for this prestigious award in 2005, 2006, 2007, 2008, 2009, 2010, and 2011.

In 2011, Cohen Milstein was selected to the *National Law Journal* **Plaintiffs' Hot List**.

In 2011, Partner Joseph M. Sellers was selected as a "**Visionary**" by *The National Law Journal*.

In 2011, Partner J. Douglas Richards, Of Counsel Joel Laitman, and Of Counsel Christopher Lometti were selected as **New York - Metro Super Lawyers**.

In 2011, Partner Joseph M. Sellers and the *Keepseagle v. Vilsack* team were selected as a finalist for the **2011 Trial Lawyer of the Year Award** from the Public Justice Foundation.

In 2011, **Cohen Milstein was ranked as a Leading Plaintiff Class Action Antitrust Firm in the United States** by the Legal 500 for the third year in a row.

In 2011, Partners Steven Toll, Joseph Sellers, and Daniel Sommers were selected as **Washington DC Super Lawyers**. Partner J. Douglas Richards, Of Counsel Joel Laitman and Christopher Lometti were selected as **New York - Metro Super Lawyers**. Partner Carol Gilden was selected as an **Illinois Super Lawyer**.

In 2011, Cohen Milstein was a recipient of *The National Law Journal's* **Pro Bono Award**. The Firm was named one of the "six firms that best reflect the pro bono tradition."

In 2010, Partner Joseph M. Sellers was selected as one of "**The Decade's Most Influential Lawyers**" by *The National Law Journal*.

In 2010, Partner Steven J. Toll was named one of Law360's "**Most Admired Attorneys**".

In 2010, Partner Andrew N. Friedman was selected as a **Washington DC Super Lawyer**.

In 2010, Partner Linda Singer was selected as one of "**Washington's Most Influential Women Lawyers**" by *The National Law Journal*.

In 2010, Partner Agnieszka M. Fryszman was selected as a finalist for the **Trial Lawyer of the Year Award** from the Public Justice Foundation.

In 2010, Partners Joseph M. Sellers and Agnieszka M. Fryszman were both selected as one of the **Lawdragon 500 Leading Lawyers in America**.

In 2010, Cohen Milstein was once again ranked as a **Leading Plaintiff Class Action Antitrust Firm in the United States** by the Legal 500.

In 2009, Partner Steven J. Toll was named a **Top Attorney in Corporate Litigation for Securities Litigation** by Super Lawyers.

In 2009, Partners Joseph M. Sellers and Christine E. Webber were named as **Top Washington Lawyers** by the Washingtonian Magazine.

In 2009, Cohen Milstein was recognized as **one of the top 50 law offices in Washington D.C. for diversity efforts**.

In 2009, Cohen Milstein was nominated for the prestigious **Class Action Law Firm of the Year** award by Global Pensions magazine for the third year in a row.

Cohen Milstein ranked as a **2009 Leading Plaintiff Class Action Antitrust Firm in the United States** by *The Legal500*.

The **2008 SCAS Report on Total Securities Class Action Settlements** ranked Cohen Milstein as a top firm for the second year in a row.

In 2008, Cohen Milstein was nominated for the prestigious **Class Action Law Firm of the Year** award by Global Pensions magazine for the second year in a row.

In 2008, Managing Partner Steven J. Toll was named one of Lawdragon's **100 Lawyers You Need to Know in Securities Litigation**.

In 2008, Steven J. Toll and Joseph M. Sellers were both named as one of Lawdragon's "**500 Leading Lawyers in America**."

500 Leading Plaintiffs' Lawyers in America

Lawdragon

January-February, 2007

Top Antitrust Plaintiffs' Firm

Competition Law 360

February 14, 2007

Cohen Milstein named #1

Joseph M. Sellers was selected by his peers to be included in the 2007 edition of **The Best Lawyers in America®** in the specialty of Civil Rights Law.

Beacon of Justice Award - For Cohen Milstein's work on the Guantanamo cases.

From the National Legal Aid and Defender Association

Summer 2007

Fierce Sister Award - For Cohen Milstein's work on the comfort woman case.

Summer 2007

Attorney Profiles – Partners

Steven J. Toll

Steven J. Toll joined the Firm in 1979 and has been lead or principal counsel in some of the most highly publicized stock fraud cases for over 30 years. He has been Managing Partner of the Firm since 1997 and is co-chair of the Securities Fraud/Investor Protection practice group. Mr. Toll was profiled in the February 1996 *Washington Business Journal* as one of five attorneys that stand out as the “cream of the crop” in the Washington D.C. legal community. *Lawdragon* named him as one of the 500 Leading Lawyers in America in 2006-07-08, as well as naming him one of the 100 Lawyers You Need to Know in Securities Litigation in 2008. In 2010, Mr. Toll was selected *Law360*'s "Most Admired Attorneys" and in 2012 and 2013, he was selected as a "Leading Plaintiffs Star in the District of Columbia" by Benchmark: Litigation, *the Guide to America's Leading Litigation Firms and Attorneys*.

In July 2005, Mr. Toll was lead trial counsel in one of the few securities class actions to go to trial involving Globalstar, a satellite manufacturer. Mr. Toll successfully argued the motions before and during trial and ultimately achieved a settlement of \$20 million shortly before the case was scheduled to go to the jury. In approving the settlement, U.S. District Judge Kevin Castel remarked that Mr. Toll and his colleagues had “done a terrific job in presenting the case for the plaintiffs.”

Mr. Toll is co-lead counsel in the largest case ever resolved involving mortgage-backed securities, the case against Countrywide. That case ultimately settled, after years of vigorous litigation and multiple legal challenges, for \$500 million in 2013. Some of Mr. Toll's other notable cases include those against Lucent Technologies, which was settled in 2001 for approximately \$575 million, at the time, the second largest securities class action settlement ever achieved; *Converium*, where he negotiated a global settlement in the U.S. courts and the courts in Amsterdam of \$135 million; *MF Global*, where he helped negotiate a settlement of \$90 million; *Southmark Securities Litigation*, where he helped achieve a settlement of \$70 million from the company's auditors, Drexel Burnham and Michael Milken; *Norman v. Salomon Smith Barney*, where he negotiated a \$50 million settlement on behalf of customers of Salomon's Guided Portfolio Management Program, who alleged that Salomon invested their money in companies in order to boost Salomon's investment banking business.

Mr. Toll also served as co-lead counsel in one of the most publicized frauds of the 1990s -- *Cascade International* (S.D. Fla.) where the mastermind of the fraud, Victor Incendy, is still a fugitive from justice. The case settled on the eve of trial against Raymond James Inc. -- the only securities class action ever successfully litigated against a brokerage firm for its role as a research analyst.

Mr. Toll is currently co-lead counsel in the BP Securities Litigation, a major case stemming out of the Deepwater Horizon explosion in 2010 and BP's process safety disclosures. He led the Firm's team as co-lead counsel in one of the most highly publicized fraud cases of this era, the securities fraud class action involving Parmalat, the Italian dairy manufacturer; the case is known as Europe's “Enron,” because of the similarities of the fraudulent schemes and the non-existence of billions of dollars of assets that had been recorded on Parmalat's financial statements. That case was settled for \$90 million. He was also lead counsel in a mortgage-backed securities case against Lehman Brothers that settled for \$40 million.

He has written for and spoken at various conferences about securities law and corporate governance issues, including, *inter alia*, *The Plaintiffs' Perspective*, *Securities Regulation and the New Law*,

National Legal Center for the Public Interest, No. 1, Sept. 1996; *The Sarbanes-Oxley Bill Provides No Assistance To Investors Seeking To Recovery From Corporate Fraud*, ABA Annual Meeting, August 2002; *The Analyst Cases Involving Merrill Lynch, and Its Internet Analyst Henry Blodget, and Salomon Smith Barney and Its Telecommunications Analyst Jack Grubman*, Mass Torts Made Perfect (presented January 2003); and *Coming to Terms with Loss Causation after Dura: A Response to Professors Portnoy, Ferrell, and Saha*, The Journal of Corporation Law, Fall 2009.

Mr. Toll is an honors graduate of the Wharton School of the University of Pennsylvania (B.S., Accounting, *cum laude*, 1972). He graduated from Georgetown University Law Center (J.D., 1975) where he was Special Project Editor of the Tax Lawyer.

Joseph M. Sellers

Joseph M. Sellers, a Partner at the Firm and head of the Civil Rights & Employment practice group, joined Cohen Milstein in 1997.

Mr. Sellers has represented victims of discrimination and other illegal employment practices individually and through class actions. He has tried several civil rights class actions to judgment before juries and has argued more than 25 appeals in the federal and state appellate courts, including the United States Supreme Court. He has served as class counsel, and typically lead counsel, in more than 30 civil rights and employment class actions.

Those cases have included: serving as lead counsel in *Keepseagle v. Vilsack* (D.D.C.), which resulted in a settlement providing \$760 million of relief and broad injunctive relief to Native American farmers and ranchers who were denied loans or loan servicing by the United States Department of Agriculture. In approving the settlement, the Court commended counsel saying, “[i]t’s probably the best negotiated agreement that this court has seen in its experience . . . the terms of this settlement are historic,” and Cohen Milstein has “demonstrated the highest level of skills and professionalism.” In addition, Mr. Sellers represented a class of women alleging sex discrimination in promotions and compensation in *Dukes v. Wal-Mart Stores, Inc.* (N.D. Cal.), where he presented oral argument on their behalf before the United States Supreme Court and continues to represent them in regional class actions formed in the wake of the Supreme Court’s ruling; he has successfully represented a class of more than 28,000 women employees at Boeing facilities in Washington state in *Beck v. Boeing Company* (W.D. Wash.), where they alleged sex discrimination in compensation and promotion practices and overtime decisions; *Conway, et al. v. Deutsch* (E.D. Va.), involving a class of female covert case officers at the CIA alleging sex discrimination in promotions and job assignments; *Johnson v. Freeh* (D.D.C.), involving a class of African-American FBI special agents alleging racial discrimination in promotion and job assignments; *Neal v. Director, D.C. Dept. of Corrections* (D.D.C.), the first sexual harassment class action tried to a jury on behalf of a class of women correctional employees and women and men subject to retaliation at the D.C. Department of Corrections; and *Trotter v. Perdue Farms* (D. Del.), involving a company-wide collective action brought under the Fair Labor Standards Act for violations of federal wage and hour law.

Throughout his career, Mr. Sellers has also been active in legislative matters. He has testified more than 20 times before Committees of the United States Senate and House of Representatives on various civil rights and employment matters. He worked on the passage of the Civil Rights Act of 1991, the Americans with Disabilities Act of 1990, and the Lily Ledbetter Fair Pay Restoration Act of 2009.

Mr. Sellers has trained lawyers at the U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice on the trial of civil rights cases and has lectured extensively throughout the country on various civil rights and employment topics. He was an Adjunct Professor at the Washington College of Law at American University, where he taught Employment Discrimination law, and at the Georgetown University Law Center, where he taught Professional Responsibility.

He served on the Obama/Biden Transition Team in 2008 and the Clinton/Gore Transition Team in 1992 and 1993. He also served as a Co-Chair of the D.C. Circuit Task Force on Gender, Race and Ethnic Bias to which he was appointed by the judges of the D.C. Circuit Court of Appeals and the U.S. District Court for the District of Columbia.

At the request of the Ford Foundation and the American Bar Association, Mr. Sellers delivered a series of lectures and designed and delivered a mock trial on civil rights law to Chinese judges, lawyers and other government officials in China.

Mr. Sellers was recognized as one of the top lawyers in Washington and as one of the top 10 plaintiffs' employment lawyers in the country. In 2010, he was recognized as one of "The Decade's Most Influential Lawyers" by The National Law Journal, in 2011 he was recognized as a Visionary in the legal profession by The Legal Times and in 2012 he was given the Wiley A. Branton Award by the Washington Lawyers' Committee for Civil Rights and Urban Affairs for his leadership in civil rights. He is served as a professionally-trained mediator and has served as the President of the Washington Council of Lawyers.

Prior to joining Cohen Milstein, Mr. Sellers served as head of the Employment Discrimination Project of the Washington Lawyers' Committee for Civil Rights and Urban Affairs for over 15 years.

Mr. Sellers received a J.D. from Case Western Reserve School of Law (1979), where he served as Research Editor of the Case Western Reserve Law Review, and a B.A. in American History and Literature from Brown University (1975).

Mr. Sellers is admitted to practice in the District of Columbia.

Andrew N. Friedman

Andrew Friedman, a Partner at the Firm, joined Cohen Milstein in 1985. He is a member of the Securities Fraud/Investor Protection practice group and the head of the Consumer Protection & Unsafe Products practice group.

Mr. Friedman has been involved in many successful securities class actions. In July, 2005, Mr. Friedman served as one of lead trial counsel at the trial of a certified class action in *In re Globalstar Securities Litigation* in the United States District court for the Southern District of New York. Near the end of the second week of trial, a cash settlement of \$20 million was reached for the benefit of the certified class. The settlement was approved by Judge P. Kevin Castel, who was highly complimentary of counsel: "This case has been litigated by top trial lawyers, each of whom, as to both lead counsel and the other counsel in the case, have been exceptionally fine in their presentation of the evidence. Mr. Toll, Mr. Friedman, Mr. Shalov, their colleagues Mr. Devore, Ms. Peterson, have all done a terrific job in presenting the case for the plaintiffs."

In addition, Mr. Friedman served as one of co-lead or principal counsel in *Norman Frank et al. v. David L. Paul* (recovery of over \$18 million); *In re Jiffy Lube Securities Litigation* (D. Md.) (recovery of over \$12 million); and *In re Immunex Securities Litigation* (W.D. Wash.) (recovery of \$14 million, then the largest securities class action settlement in Seattle). Mr. Friedman was one of the Firm's attorneys selected by the County of Cuyahoga, Ohio to prosecute a lawsuit that sought to recover losses from the County's Secured Assets Fund Earnings Program (S.A.F.E.). The lawsuit alleged that broker/dealers and a financial institution assisted the County in engaging in unsuitable and inappropriate investments and trading activity. The case settled favorably for \$9.5 million.

In the consumer protection area, Mr. Friedman has been instrumental in securing significant recoveries on behalf of thousands of consumers. He was one of the principal counsel in *Snyder v. Nationwide Mutual Insurance Company* (Sup. Ct., Onondaga Cnty, N.Y.), a class action that resulted in a settlement valued at between \$85 million and \$103 million. As one of two co-lead counsel in a class action against Thomson Consumer Electronics, Mr. Friedman reached a court-approved agreement that made up to \$100 million available for persons who paid for unreimbursed repairs to televisions. He was also part of the plaintiffs' team that secured nationwide benefits for GM vehicle purchasers as the result of defective automobile engine coolants. *In re General Motors Dex-Cool Products Liability Litigation* (S.D. Ill).

Mr. Friedman has been a speaker on numerous panels for legal education seminars and institutional investor conferences on the issues of securities class actions, securities fraud monitoring, accounting fraud and corporate governance. He was featured in a November 15, 1997 Washington Post article about securities class actions and profiled in the April 14, 2000 edition of The Washington Business Journal. In 2007, Lawdragon named Mr. Friedman as one of the 3,000 Leading Plaintiffs' Lawyers in America and in 2011, he was named to the Super Lawyers 2011 Business Edition for litigation.

Prior to joining Cohen Milstein, Mr. Friedman served as an attorney with the U.S. Patent and Trademark Office.

Mr. Friedman graduated from Tufts University with a B.A. in Psychology (1980, *magna cum laude*, Phi Beta Kappa) and is a 1983 graduate of the National Law Center, George Washington University.

Mr. Friedman is admitted to practice in the District of Columbia and New York.

Daniel S. Sommers

Daniel Sommers, a Partner at the Firm, joined Cohen Milstein in 1988. He is co-chair of the Firm's Securities Fraud practice group and is a member of the Firm's Executive Committee.

During his career at Cohen Milstein, Mr. Sommers served as lead or co-lead counsel or otherwise played a significant role in securities class actions in federal courts throughout the United States. He currently represents institutional investors including, among others, the Ohio Public Employees Retirement System, the State Teachers Retirement System of Ohio and the Arkansas Public Employees Retirement System, as well as various Taft-Hartley pension funds. He is one of the lead counsel for investors in significant securities litigation matters including *In re Bear Stearns Mortgage Pass Through Certificates Litigation* (S.D.N.Y.), and is also currently involved in the prosecution of the *In re Fannie Mae Securities Litigation* (D.D.C.). In addition, Mr. Sommers served as one of the lead U.S. counsel for investors in *In re Converium (Scor) Securities Litigation*, where he utilized the Dutch

Collective Settlement Statute to obtain a groundbreaking opinion from the Amsterdam Court of Appeal approving a world-wide settlement on behalf of non-U.S. investors.

Mr. Sommers has obtained significant recoveries for investors in numerous class action cases including: *Steiner v. Southmark Corporation* (N.D. Tex.) (over \$70 million recovery); *In re PictureTel Inc. Securities Litigation* (D. Mass.) (\$12 million recovery); *In re Physician Corporation of America Securities Litigation* (S.D. Fla.) (\$10.2 million recovery); *In re Gilat Satellite Securities Litigation* (E.D.N.Y.) (\$20 million recovery); *In re Pozen Inc. Securities Litigation* (M.D.N.C.) (\$11.2 million recovery); *In re Nextel Communications Securities Litigation* (D.N.J.) (up to \$27 million recovery); *In re PSINet Inc. Securities Litigation* (E.D. Va.) (\$17.8 million recovery); *In re Cascade International Inc. Securities Litigation*, (S.D. Fla.) (global recovery of approximately \$10 million); *In re GT Solar Securities Litigation* (D.N.H.) (recovery of \$10.5 million) and *In re ECI Telecom Securities Ltd. Litigation* (E.D. Va.) (\$21.75 million recovery). He has also handled significant appellate matters including arguing before the United States Court of Appeals for the Eleventh Circuit in *In re CP Ships Ltd. Securities Litigation*, 578 F. 3d 1306 (2009), where he successfully opposed objections to a settlement that provided non-U.S. investors with the protections of the federal securities laws. In addition, he was co-lead counsel for investors before the United States Supreme Court in *Broudo v. Dura Pharmaceuticals, Inc.*, 544 U.S. 336 (2005) (addressing the standards for pleading loss causation).

Mr. Sommers is also experienced in non-class action litigation. He represented TBG Inc., a multi-billion dollar privately-held overseas corporation, in a multi-party, complex action alleging fraud in a corporate acquisition and represented individuals in connection with investigations brought by the United States Securities and Exchange Commission. He also has represented publicly traded corporations in the prosecution and defense of claims. Mr. Sommers has litigated cases covering a wide-range of industries including the financial services, computer software, pharmaceutical, insurance, real estate and telecommunications industries among others. In addition, he has substantial experience in cases presenting complex accounting and auditing issues.

Mr. Sommers has been a guest lecturer at the Georgetown Law Center, the George Washington University Law School and the Columbus School of Law at the Catholic University of America on the topics of class actions and securities litigation. He is a frequent commentator on the federal securities laws and corporate governance issues, and addresses institutional investor groups, lawyers and others on these topics as illustrated below:

- Guest panelist on “It’s Your Business,” a nationally syndicated television program, where he spoke on investor lawsuits.
- Addressed the California State Association of County Retirement Systems, to whom he spoke on corporate governance and fiduciary duties and liabilities.
- Spoke at a District of Columbia Bar Association program in 2005 where he addressed “Attorney Liability in the Post-Enron, Post-Sarbanes-Oxley Era.”
- Panelist at a 2006 presentation to Illinois-based institutional investors on the topic of “The Growing Emphasis on Fiduciary Responsibility: Implications for Illinois Pension Funds and the Emergence of Guiding Principles.”

- Addressed the Professional Liability Underwriting Society in 2007 on the topic of “Global Companies, Global Risk: Exposure Arising Outside the U.S.”
- Panelist at a 2008 District of Columbia Bar Association Program where he addressed “Developing Pleading Standards in Securities Cases.”
- Spoke at a 2008 IQPC Forum on Subprime and Structured Finance Litigation on the topic of “Understanding the Plaintiff’s View in the Subprime Crisis.”
- Panelist at District of Columbia Bar Association Program in 2009 on “Public and Private Perspectives on the Enforcement of the Federal Securities Laws in our Global Markets.”
- Panelist at a 2010 District of Columbia Bar Association Program on the topic of "Enforcement of the Federal Securities Laws in Our Global Financial Markets: Public and Private Perspectives on *Morrison v. National Australia Bank* and Beyond."
- Panelist at a 2010 District of Columbia Bar Association Program on the topic of "Private Securities Litigation: Critical Trends and Developments in Securities Class Actions."
- Panelist at 2011 District of Columbia Bar Association Program on the topic of "Independent Auditors As Gatekeepers For Investors: The Legal Landscape In Our Global Financial Markets."
- Panelist at 2013 District of Columbia Bar Association Program on the topic of "Global Securities Enforcement Issues: From *Morrison* to China."
- Panelist on Council of Institutional Investors 2013 Teleconference on its report: *A Survey of Morrison's Impact on CII Members*.
- Panelist at 2014 District of Columbia Bar Association Program on the topic of "Supreme Court Securities Litigation Roundup: Developments and Trends."
- Panelist at 2014 ALI CLE Program, "Accountants' Liability 2014: Confronting Enforcement and Litigation Risks."

Mr. Sommers was recognized in 2011, 2012, 2013 and 2014 as a Washington, D.C. “Super Lawyer” in the area of securities litigation and in 2012 he was selected as National "Litigation Star" and as a "Leading Plaintiffs Star in the District of Columbia" in the area of securities litigation by Benchmark: Litigation, and appeared in its *Guide to America's Leading Litigation Firms and Attorneys*. In addition, he received a Martindale-Hubbell® AV Preeminent™ Rating. In 2007, Mr. Sommers was appointed to serve as the chairman of the Investor Rights Committee of the Corporation, Finance and Securities Law Section of the District of Columbia Bar, and also served as vice-chair of that committee. He is a member of the Advisory Board of the Securities Regulation & Law Report published by Bloomberg BNA and a member of the Law360 Securities Editorial Advisory Board. In addition, he is a member of the Securities Litigation Committee of the American Bar Association, the Council of Institutional Investors, and the National Association of Public Pension Attorneys.

He is a 1983 graduate of Union College, earning a B.A. in Political Science (*magna cum laude*), and a 1986 graduate of the George Washington University Law School. Mr. Sommers is admitted to practice in federal courts including the United States District Courts for the Districts of New Jersey,

Maryland, Eastern District of Michigan and the District of Columbia, as well as the United States Courts of Appeals for the District of Columbia, Fourth, Ninth, Tenth and Eleventh Circuits. Mr. Sommers is also admitted to practice before the Supreme Court of the United States.

Mr. Sommers is a member of the bar of the states of New Jersey and New York as well as the District of Columbia. Mr. Sommers works in the Firm's Washington, D.C. office.

Daniel A. Small

Dan Small has been a partner at Cohen Milstein for over 19 years and has chaired or co-chaired the firm's antitrust practice group since from 2008 through 2014.

Mr. Small has represented plaintiff classes, often as lead counsel, in numerous antitrust cases over the last 25 years, and has recovered hundreds of millions of dollars. He has tried cases to verdict before juries and has argued cases in several appellate courts including the United States Supreme Court.

Among the cases on which Mr. Small has worked are: *In re Intel Corp. Microprocessor Antitrust Litig.* (D. Del.), where he serves as co-lead counsel on behalf of a putative class of purchasers of Intel-powered PCs asserting monopolization claims; *Meijer, Inc. v. 3M* (E.D. Pa.), a monopolization case in which Mr. Small, as lead counsel, negotiated a \$30 million settlement on behalf of direct purchasers of transparent tape; *In re Buspirone Antitrust Litig.* (S.D.N.Y.), in which the plaintiff class alleged that Bristol Myers-Squibb Co. unlawfully excluded generic drug competition, and Mr. Small, as co-lead counsel, helped negotiate a \$90 million settlement; and *Pease v. Jasper Wyman & Son, et al.*, (Super. Ct., Knox Cty., Maine), a price-fixing class action on behalf of Maine wild blueberry growers in which Mr. Small successfully tried the case to a jury, obtaining a judgment of nearly \$60 million. Mr. Small also represented Hy-Ko Products Co. in a competitor action against the dominant sellers, respectively, of key blanks and automatic key duplication machines. He also is defending the Service Employees International Union in an antitrust conspiracy action brought by Prime Healthcare Services, Inc.

Mr. Small has substantial appellate experience, including briefing and arguing *Free v. Abbott Laboratories*, No. 99-391, in the United States Supreme Court. That case presented the issue of whether a supplemental jurisdiction statute overruled *Zahn v. International Paper Co.* The Court split 4-4, with Justice O'Connor recusing herself. Additionally, Mr. Small successfully briefed and argued appeals in *In re Publication Paper Antitrust Litig.*, 690 F.3d 51 (2d Cir. 2012) (reversing district court's grant of summary judgment against plaintiffs in price-fixing class action), *In re Brand Name Prescription Drug Antitrust Litig.*, 123 F.3d 599 (7th Cir. 1997) (reversing denial of plaintiffs' motion to remand to state court for lack of federal jurisdiction), *Paper Systems, Inc. v. Nippon Paper Industries Co., Ltd.*, 281 F.3d 629 (7th Cir. 2002) (holding that defendant that sold indirectly to class members was liable under federal antitrust law for damages caused by direct sales of its co-conspirators). Mr. Small also briefed and argued the appeal in *Mack v. Bristol-Myers Squibb Co.*, 1996-1 Trade Cas. (CCH) ¶¶ 71,401 (Fla. 1st DCA 1996), obtaining the first opinion construing the Florida Deceptive and Unfair Trade Practices Act to permit indirect purchasers to sue for damages for antitrust violations.

Mr. Small is a member of the Advisory Board of the American Antitrust Institute, and he chairs the committee that selects the annual winner of the Jerry S. Cohen Memorial Writing Award for the best antitrust scholarship. He has been invited to speak on antitrust and class action topics at events organized by the American Bar Association, the District of Columbia Bar, the Conference Board, and the American Antitrust Institute, among others. In 2013 and 2014, Mr. Small was recognized as a

Washington, D.C. "Super Lawyer" for antitrust litigation, and he was named both a plaintiffs "Local Litigation Star" in the District of Columbia and a national antitrust "Litigation Star" by Benchmark Plaintiff. Mr. Small is listed in the The International Who's Who of Competition Lawyers & Economists 2014 as one of the world's leading competition lawyers.

Mr. Small is a 1981 graduate of Colgate University, receiving a B.A. (*cum laude*) in History. He graduated from American University's Washington College of Law in 1986, and joined Cohen Milstein after serving as a law clerk to the Honorable Roger Vinson, United States District Court for the Northern District of Florida (1986-1988). Mr. Small is admitted to practice in Maryland and the District of Columbia.

Christine E. Webber

Christine Webber, a Partner at the Firm and a member of the Civil Rights & Employment practice group, joined Cohen Milstein in 1997. Ms. Webber represents plaintiffs in class action employment discrimination and Fair Labor Standards Act cases. Ms. Webber's current docket includes *Dukes v. Wal-Mart Stores, Inc.* (N.D. Cal.), challenging Wal-Mart's treatment of women employees with complaints of discrimination in pay and promotion; and *In re Tyson Foods FLSA MDL*, (M.D. Ga.), a collective action involving FLSA claims at over 40 Tyson chicken processing plants. Ms. Webber was also counsel to the plaintiff class in *Keepseagle v. Vilsack*, and is currently administering the claims process through which \$760 million of relief will be awarded to Native American farmers and ranchers who were denied loans or loan servicing by the USDA. Ms. Webber was part of the team recognized by Public Justice as finalists for their Trial Lawyer of the Year award in 2011 for the work done in *Keepseagle*.

She represented plaintiffs in *Beck v. The Boeing Co.* (W.D. Wash.), a class action alleging sex discrimination in compensation and promotions which settled in 2004 for \$72.5 million. She was also lead counsel in *Hnot v. Willis* (S.D.N.Y.), representing a class of women at the vice-president level and above whose challenge to sex discrimination in compensation resulted in a settlement averaging \$50,000 per class member in 2008. She was counsel in *Trotter v. Perdue* (D. Del.), representing plaintiffs who were wrongly denied payment of overtime wages, and obtaining a \$10 million settlement.

In 2004 and 2007, Ms. Webber was named one of the Top Lawyers in Washington, D.C. by Washingtonian Magazine and was named one of the 2007 Washington, D.C. Superlawyers in the Civil Rights category. In 2011, Ms. Webber was recognized as one of the Top Women Lawyers in the Northeast in the labor and employment category by Arrive magazine.

Prior to joining Cohen Milstein, Ms. Webber received a Women's Law and Public Policy fellowship and worked for four years at the Washington Lawyers' Committee for Civil Rights and Urban Affairs in their Equal Employment Opportunity Project. She worked on a variety of employment discrimination cases, and focused in particular on the sexual harassment class action *Neal v. Director, D.C. Department of Corrections, et al.* Ms. Webber participated in the trial of this ground-breaking sexual harassment class action in 1995. Ms. Webber also tried the race discrimination case *Cooper v. Paychex* (E.D. Va.), and successfully defended the plaintiffs' verdict before the Fourth Circuit.

Ms. Webber is a member of the National Employment Lawyers' Association (NELA) and co-chair of their Class Action Committee. She speaks regularly at CLE programs on employment discrimination and class actions, including presentations for NELA.

She graduated from Harvard University with a B.A. in Government (*magna cum laude*, 1988) and the University of Michigan Law School (J.D., *magna cum laude*, 1991, Order of the Coif). Following law school, Ms. Webber clerked for the Honorable Hubert L. Will, United States District Judge for the Northern District of Illinois.

Ms. Webber is admitted to practice in Illinois and the District of Columbia.

Richard A. Koffman

Richard Koffman, a Partner at the Firm, joined Cohen Milstein in 2003 and is the co-Chair of the Antitrust Practice Group. For each year from 2011-2014, the U.S. Legal 500 listed Mr. Koffman as one of the nation's "leading lawyers" in the field of antitrust class actions, describing him as a "strong brief writer and an excellent oral advocate."

Mr. Koffman is co-lead counsel for plaintiffs in *In re Urethane Antitrust Litigation* (D. Kan.), in which a Kansas jury returned a verdict for plaintiffs against The Dow Chemical Company in excess of \$400 million. The district court trebled the damage award as required under the federal antitrust laws and entered judgment against Dow for more than \$1.06 billion on July 26, 2013. On September 29, 2014, a panel of the United States Court of Appeals for the Tenth Circuit unanimously affirmed the \$1.06 billion judgment against Dow, holding that the evidence at trial amply supported the jury verdict. Four other defendants had previously settled for a total of \$139.5 million.

Mr. Koffman is also co-lead counsel for plaintiffs in *Wallach, et al. v. Eaton Corp., et al.* (D. Del.), in which plaintiffs allege a conspiracy to monopolize the market for heavy-duty truck transmissions. Mr. Koffman also served as co-lead counsel for plaintiffs in *In re Rubber Chemicals Antitrust Litigation* (N.D. Cal.), which settled for a total of approximately \$320 million; *In re Plasma-Derivative Protein Therapies Antitrust Litigation* (N.D. Ill.), which settled for a total of \$128 million; *In re Polyester Staple Antitrust Litigation* (W.D.N.C.), which settled for a total of \$46 million; *In re Endosurgical Products Antitrust Litigation* (C.D. Cal.), which settled for \$13 million in cash, plus structural relief worth more than \$26 million; and *Coalition for Elders' Independence, Inc., et al. v. Biovail Corp., et al.* (Cal. Super. Ct.), which settled for \$8.2 million.

Mr. Koffman came to Cohen Milstein after four years with the Antitrust and Civil Rights Divisions of the United States Department of Justice. In the Antitrust Division, Mr. Koffman served as a Senior Trial Attorney with the Computers and Finance Section (now Networks and Technology), which is responsible for antitrust enforcement and competition policy in the areas of information technology, Internet-related businesses, financial services, and the securities industry. In the Civil Rights Division, he served as a Senior Trial Attorney with the Housing and Civil Enforcement Section, where he worked to enforce the Fair Housing Act, the Equal Credit Opportunity Act, the Religious Land Use and Institutionalized Persons Act, and Title II of the Civil Rights Act of 1964.

Prior to joining the Department of Justice, Mr. Koffman spent seven years in private practice, first with Fine, Kaplan and Black in Philadelphia (working primarily on antitrust class actions and other complex commercial litigation) and then with Bernabei & Katz in Washington, D.C. (handling employment discrimination cases). While at Fine Kaplan, Mr. Koffman was actively involved in litigating several

successful antitrust class actions on behalf of plaintiffs and classes, including *In re Nasdaq Market-Makers Antitrust Litigation* (S.D.N.Y.) (settled for more than \$1 billion); *In re Polypropylene Carpet Antitrust Litigation* (N.D. Ga.); *In re Commercial Explosives Antitrust Litigation* (D. Utah); and *In re Drill Bits Antitrust Litigation* (S.D. Tex.). He was also co-counsel, along with John G. Roberts, Jr., who was then a Partner at Hogan & Hartson and is now Chief Justice of the United States Supreme Court, for Respondents in *First Options of Chicago, Inc. v. Kaplan*, 514 U.S. 938 (1995). In that case, argued by Mr. Roberts with Mr. Koffman assisting on the briefs, Mr. Koffman's clients won a unanimous ruling by the United States Supreme Court.

Immediately after law school, Mr. Koffman served as a judicial clerk for Judge James B. McMillan of the United States District Court for the Western District of North Carolina, and for Judge Anthony J. Scirica of the United States Court of Appeals for the Third Circuit.

Mr. Koffman is a graduate of Yale Law School (J.D., 1990), where he was a Senior Editor of the Yale Law Journal, and Wesleyan University, from which he received a B.A., with honors, in English (1986).

Mr. Koffman is admitted to practice in the District of Columbia, the United States Supreme Court, and the United States Courts of Appeals for the Eighth, Ninth, and Tenth Circuits.

Agnieszka M. Fryszman

Agnieszka Fryszman, a Partner at Cohen Milstein, joined the Firm in 1998. She heads Cohen Milstein's International Human Rights and Pro Bono practice.

Ms. Fryszman regularly litigates complex cases against corporate giants. She was a member of the legal team that successfully represented survivors of Nazi-era forced and slave labor against the German and Austrian companies that allegedly profited from their labor. These cases were resolved by international negotiations that resulted in multi-billion dollar settlements. She also represented, pro bono, Holocaust survivors suing Swiss banks that collaborated with the Nazi regime during World War II. This litigation led academics to revise their assessment of Switzerland's relationship with Nazi Germany and exposed the extent of business participation in the Holocaust.

Ms. Fryszman and colleague Matthew Handley earned the National Law Journal's Pro Bono Award for their efforts on behalf of Nepali laborers injured or killed at U.S. military bases in Iraq and Afghanistan. They obtained several judgments and significant settlements on behalf of the families. She currently represents victims of a human trafficking ring that lured men from Nepal with the promise of employment at luxury hotels, but instead took them against their will to work for U.S. military contractors in Iraq. Ms. Fryszman investigated and initiated suit against military contractors KBR and Daoud & Partners, filing one of the first complaints under the Trafficking Victims Protection Act. Her work on behalf of the former "comfort women," women and girls trafficked into sexual slavery by the government of Japan during World War II, was recognized with the "Fierce Sister" award from the National Asian Pacific American Women's Forum. She also represents Indonesian villagers in a lawsuit against Exxon Mobil over abuses allegedly committed by the defendant's security force.

Ms. Fryszman has been repeatedly recognized as one of the 500 "Leading Lawyers in America" by Lawdragon; a Washington, D.C. "Super Lawyer"; a "Leading Star" Plaintiffs' Litigator; and one of the Top 150 Women in Litigation by Benchmark. She was also a finalist for the Public Justice Foundation Trial Lawyer of the Year Award for her work on *Wiwa v. Royal Dutch Shell*. Ms. Fryszman joined the

legal team in that long-running case to prepare it for trial, resulting in a multi-million dollar settlement on the morning of jury selection.

Ms. Fryszman represented pro bono, victims of the September 11 attack on the Pentagon and obtained one of the highest awards for an injured survivor from the Victim's Compensation Fund. Ms. Fryszman also represented, pro bono, two individuals indefinitely detained without charge by the United States at Guantanamo Bay, work that was recognized with the Frederick Douglass Award from the Southern Center for Human Rights and the Beacon of Justice Award from the National Legal Aid and Defender Association.

In the Antitrust practice group, Ms. Fryszman represented small businesses that have been victims of alleged price-fixing.

Before joining Cohen Milstein, Ms. Fryszman was counsel to the United States House of Representatives Committee on the Judiciary, Subcommittee on Commercial and Administrative Law. She also served as counsel to Representative Henry Waxman, Ranking Member on the House Government Reform and Oversight Committee.

Ms. Fryszman graduated from Brown University with a B.A. in International Relations. She graduated (*magna cum laude* and Order of the Coif) from Georgetown University Law Center, where she was a Public Interest Law Scholar.

Ms. Fryszman is admitted to practice in the District of Columbia and New Jersey.

Julie Goldsmith Reiser

Julie Goldsmith Reiser is a partner at Cohen Milstein Sellers & Toll PLLC and member of the Firm's Securities Fraud/Investor Protection practice group. She has extensive experience with case generation, motion practice, developing and implementing discovery strategies, depositions, expert discovery and case resolution. Ms. Reiser focuses much of her practice on enforcement of the federal securities laws on behalf of sophisticated domestic and international institutional investors. She has represented these investors in class action and individual "opt-out" actions as well as in transaction-related litigation in Delaware Chancery Court.

Ms. Reiser currently works on several high-profile securities fraud actions seeking to recover assets lost due to corporate fraud. These included representing the New York State Common Retirement Fund in a securities class action against BP p.l.c. where she successfully presented the argument supporting class certification; and the New York City Employees' Retirement System in a securities class action against American Realty Capital Properties. She also represented Iowa, Oregon and Orange County public retirement systems in a class action litigation against Countrywide related to its issuance of mortgage-backed securities, which culminated in a \$500 million settlement. In the action *Policemen's Annuity and Benefit Fund of the City of Chicago, et al. v. Bank of America, NA, et al.*, 12-CV-2865 (S.D.N.Y.), Ms. Reiser represented and Arkansas PERS, Iowa PERS and Chicago Laborers on behalf of investors who sued MBS trustees for failing to remove defective mortgages from MBS trusts, ultimately negotiating a \$69 million dollar settlement in this action. Ms. Reiser acted as co-lead counsel representing investors in the largest fraud in European corporate history, *In re Parmalat Sec. Litig.* (S.D.N.Y.) (\$90 million settlement). She was co-lead counsel in *In re SCOR Holding (Switzerland) Securities Litigation* (S.D.N.Y.) (\$140 million settlement) and was a member of the team representing Pacific Life Insurance Company in an opt-out action against WorldCom that

yielded a far-greater recovery for the client relative to what it would have received through the class settlement.

In the employment area, Ms. Reiser represented African American employees who claimed that Kroger discriminated against them in pay and promotions, and settled claims for \$16 million in *Wade v. Kroger* (W.D. Ky.). She was involved in the litigation and successful settlement of *Beck v. The Boeing Co.* (W. D. Wash.), which alleged sex discrimination in compensation and promotions and was resolved for \$72.5 million.

Ms. Reiser served as Co-Chair for CLE International's 9th Annual Class Action Conference where she also was a panelist speaking on the Class Standing Doctrine. She also will speak at a PLI Conference on Class Action Litigation in 2015.

Ms. Reiser is the co-author of "Omnicare: Negligence is the New Strict Liability When Pleading Omissions Under the Securities Act," Bloomberg BNA, *Corporate Law & Accountability Report*, April 10, 2015; the author of "Dodd Frank's Protections for Senior Citizens: An Important, Yet Insufficient Step," *University of Cincinnati Law Review*, Volume 81, Issue 2, May 30, 2013; "Why Courts Should Favor Certification of MBS Actions," *ABA Securities Litigation Journal*, Volume 22, Number 1, Fall 2011; and the co-author of "The Misapplication of American Pipe Tolling Principles," *ABA Securities Litigation Journal*, Volume 21, Number 2, Winter 2011. She also co-authored Opt-Outs: Making Private Enforcement of the Securities Laws Even Better, featured in the Winter/Spring 2008 edition of the ABA's *Class Action and Derivative Suit Committee Newsletter* and Companies in the Cross Hairs: When Plaintiffs Lawyers Choose Their Targets, They Look for These Employment Practices, *The Legal Times*, February 21, 2005.

Since 2012, Ms. Reiser has been selected as a "Super Lawyer". She was also named a "Leading Plaintiffs' Star in the District of Columbia" by *Benchmark Litigation, the Guide to America's Leading Litigation Firms and Attorneys*, a "Local Litigation Star" in District of Columbia in the 2014 *Benchmark Plaintiff, The Definitive Guide to America's Leading Plaintiff Firms and Attorneys*, and has also been recognized as one of the Top 150 Women in Litigation by *Benchmark Plaintiff*.

Ms. Reiser, who joined Cohen Milstein in 1999, graduated from Vassar College (B.A. with honors) and the University of Virginia School of Law (J.D.). She is admitted to practice in Washington State (1997) and the District of Columbia (2004), in addition to a variety of federal jurisdictions including U.S. Courts of Appeals for the Fifth and Ninth Circuits.

Theodore J. Leopold

Theodore J. Leopold, a Partner, joined Cohen Milstein in January 2014 and is based in the Firm's Florida office. Mr. Leopold is head of the Firm's Catastrophic Injury and Managed Care practices and co-chair of the Consumer Protection & Unsafe Products practice group. Prior to joining the Firm, he was the Founding Partner of Leopold Law P.A. in Palm Beach Fla.

Mr. Leopold has a state wide and national practice devoted solely to trial work. He specializes in consumer justice litigation with a focus on complex products liability, managed care, catastrophic injury and class action litigation. Mr. Leopold has tried cases throughout the country and has recovered multi-million dollar verdicts, including jury verdicts in the eight-figure and nine-figure amounts.

Recently, Mr. Leopold obtained a \$131 million verdict against the Ford Motor Company which was the eighth largest jury award in 2010 and the ninth biggest U.S. verdict against an automobile company in U.S. history. Mr. Leopold has also achieved many multi-million dollar settlements for his clients.

Mr. Leopold has been involved in significant class and antitrust cases. He was on the steering committee in the National Managed Care Class Action and the Plaintiffs' settlement committee for the Ford/Firestone National Class Action. Currently, Mr. Leopold is serving on the Plaintiffs' trial team in the *Rail Freight Fuel Surcharge Antitrust Litigation* and as co-lead counsel in the *Caterpillar Defective Engine Class Action*. He is also Immediate Past President of Public Justice, a national organization headquartered in Washington, D.C., that fights for justice through precedent-setting and socially significant individual and class action litigation.

For many consecutive years, Mr. Leopold has been profiled in The Best Lawyers in America. His work has been featured in the National Law Journal's Top Cases of the year and he was nominated for "Trial Lawyer of the Year" by the Public Justice Foundation for his ground breaking litigation involving the managed care industry.

Mr. Leopold lectures nationally to Bar and Professional Trial Associations throughout the country on issues such as personal injury, product liability, class action litigation, trial tactics and consumer justice issues. Mr. Leopold is also the author and co-author of several legal publications including Florida Insurance Law and Practice, an annual publication by Thomson/West. Additionally, Mr. Leopold has earned the Florida Bar Civil Trial Certification, which is the highest level of recognition by the Florida Bar for competency and experience within civil trial law.

Awards & Recognitions

- Top Attorneys in Florida, Wall Street Journal (2011)
- Top 100 Florida Super Lawyers (2013 and 2014)
- The American Jewish Committee Judge Learned Hand Award (2003)
- Finalist, Trial Lawyer of the Year, The Trial Lawyers for Public Justice (2000)
- AV Rating Martindale Hubbell
- The Steven M. Shapiro New Leadership Award
- Top Florida Lawyer, The South Florida Legal Guide (2011-2014)
- Best Lawyers in America (2005 - 2014)
- Super Lawyers (2006 - 2014)
- Florida Trend's Legal Elite (2011 - 2013)

Carol V. Gilden

Carol Gilden is a Partner at Cohen Milstein Sellers & Toll PLLC, joined the Firm in 2007 and is a member of the Securities Fraud/Investor Protection practice group. Ms. Gilden represents public pension funds, Taft-Hartley Benefit Funds, private pension funds and high net worth individuals.

Ms. Gilden has extensive experience in protecting the rights of investors, including five years of experience as an enforcement attorney in the Securities and Exchange Commission. Prior to joining Cohen Milstein, Ms. Gilden worked at a prominent Chicago law firm, Much Shelist, where she was the head of the securities class action practice and the Vice Chair of the firm's Class Action Department.

Earlier this year, Ms. Gilden was selected by the Council for Institutional Investors (CII) to serve on its Advisory Council to CII's Board of Directors. CII is a nonprofit association of pension and other employee benefits funds, endowments and foundations and a voice for effective corporate governance and strong shareholder rights.

Ms. Gilden has been co-lead counsel, a member of the Executive Committee and on the litigation teams of many high profile cases. She is currently lead counsel in the City of Chicago's case against on-line travel companies, as well as lead counsel in securities class action cases against IntraLinks Corporation, Navistar Corporation and ITT Education Services, Inc., in addition to other matters in which she is involved.

Ms. Gilden served as co-lead counsel in the *MF Global IPO Securities* case, which settled for \$90 million. Her work in the case, which included winning an appeal before the Second Circuit Court of Appeals of the lower court's dismissal of the case, was singled out for recognition by the National Law Journal in connection with its selection of Hot Plaintiffs' Firms for 2011. Other recent significant cases in which she has served as co-lead counsel include the *Huron Consulting Inc. Securities Litigation*, which settled for \$40 million (cash plus stock) and the *RehabCare* merger case (settled for significant deal term changes, disclosure changes and a cash settlement fund).

Ms. Gilden actively litigated and was on the Executive Committees in the action *Global Crossing Securities Litigation* (settlements of \$448 million) and the *Merrill Lynch & Co. Research Reports* case (\$125 million settlement). Among other notable cases, Ms. Gilden has also served as co-lead counsel in the *Sears/Sears Acceptance Corp. Securities Litigation*, *Sara Lee Securities Litigation*, *99 Cents Only Stores Securities Litigation*, *Quokka Sports Securities Litigation*, *ML Lee Securities Litigation* and *Smith Kline Litigation*, as well as lead counsel in *Pacha, et al. v. McKesson Corporation, et al.*, an opt-out securities action on behalf of a group of investors that settled for a substantial, confidential sum. In addition, she was liaison counsel and an active litigation team member in the *Waste Management Litigation*, which settled for \$220 million. Under her leadership, her former firm was an active member of the litigation teams in the *AOL Time Warner Securities Litigation* (\$2.5 billion settlement), *Salomon Analyst Litigation/In re AT&T* (\$75 million settlement), and *CMS Securities Litigation* (\$200 million settlement).

Ms. Gilden lectures at legal conferences around the country on securities litigation and class action law. She has spoken on such topics as corporate ethics, financial reporting, officer and director liability, securities fraud class actions, the Sarbanes-Oxley Act of 2002, the Private Securities Reform Act of 1995, class certification standards and trends, Illinois class actions, deferred prosecution agreements, directors and officers insurance risks, advising companies in crisis, settlements and claims administration. Ms. Gilden also served as a panelist and Advisory Committee member for the Francis McGovern Conferences on "Distribution of Securities Litigation Settlements: Improving the Process", at which regulators, judges, custodians, academics, practitioners and claims administrators participated. In May, 2012, she spoke about "Settlements Objections" at a "Recent Developments in Class Actions" seminar, sponsored by the Chicago Bar Association. More recently, in October and November 2012, Ms. Gilden gave presentations regarding the recent LIBOR scandal and ensuing litigation for LEXIS/NEXIS and the Practising Law Institute. Further, at Loyola University Chicago School of Law's Second Annual Institute for Investor Protection in October 2012, Ms. Gilden moderated a panel including Judge Rakoff and leading academics on the topic "Behavioral Economics and State of Mind: Pleading and Proving Scienter in Securities Fraud Cases."

In addition, Ms. Gilden regularly speaks at investor conferences and symposiums regarding shareholder rights and regulatory reform. In June 2013, Ms. Gilden moderated a panel at the IMN Conference on the topic Fiduciary and Ethics for Public Pension Funds, in which the General Counsels of TRS, ISBI and SWIB participated. In May 2012, Ms. Gilden discussed the *Morrison* decision in a speech entitled “Pension Funds and Foreign Investments” at the Illinois Public Employee Retirement Systems Summit (ILPERS). In 2011, Ms. Gilden gave a presentation at the ILPERS conference on the “Dodd-Frank Wall Street Reform and Consumer Protection Act - The Implications for Institutional Investors.” She also spoke at the National Summit on the Future of Fiduciary Responsibility on the impact of the *Morrison* decision on investor rights. At previous ILPERS conferences she has given speeches titled “The Power of Your Pension Plan Assets”, the “Overhaul of the U.S. Financial Regulatory System” and “What’s Ahead in Regulatory Reform: Storm Clouds on the Horizon?” In March 2009, she was a panelist at Vanderbilt Law School’s symposium on the “Future of Federal Regulation of Financial Markets, Corporate Governance and Shareholder Litigation.” In December 2008, Ms. Gilden spoke at the Pension Group East Conference on “A New Era of Regulation: The Three Legged Stool”. In October 2008, she gave a presentation regarding the Emergency Economic Stabilization Act at the Illinois Public Retirement Systems Conference, and also led a roundtable discussion regarding the Bailout Bill and potential regulatory reform at the Made in America Conference. Ms. Gilden also has spoken at the International Foundation on shareholder rights and proxy voting.

Ms. Gilden has published a variety of scholarly articles and course materials. She has co-authored a law review article which was published in the Loyola University Chicago Law Journal, Volume 44, No. 5, Summer of 2013 edition, titled: “*The Dangers of Missing the Forest: The Harm caused by Verifone Holdings In a Tellabs World*”. She is an author and co-author of articles published by the National Law Journal, *Courts Grapple with Lead-Counsel Auctions*; IICLE on Illinois Causes of Action, Shareholder Derivative Suits; the American Bar Association, *The Impact of Central Bank on Securities Fraud Litigation: The Plaintiffs’ Perspective*; Illinois Bar Journal, *Proposed Rule 225: A Death Warrant for Class Actions in Illinois*; and Practising Law Institute on Class Actions Litigation (2006 and 2007): *A Hybrid 23(B)(2) Rule For Hybrid Class Actions? New Developments In The Use Of Rule 23(b)(2) In Class Certification*; and *The Evolving Use of Rule 23(b)(2) in Hybrid Class Actions Seeking Monetary Damages: A Hybrid Approach*. In January 2005, Ms. Gilden testified against Proposed Rule 225 before the Illinois Supreme Court’s Rules Committee.

Ms. Gilden is a frequent commentator in the national media on market scandals, recent developments and trends in securities law and high profile securities fraud cases. She has frequently appeared on CNBC, including an appearance on a special segment titled *I Want My Money Back* where she was described as “one of the top investor advocacy attorneys in the country.” She also has been featured on the ABC news programs *World News Tonight*, *World News Now* and *Good Morning America*, as well as numerous appearances on *First Business* and an appearance on BBC World News. In addition to television appearances, Ms. Gilden has been quoted by prominent publications such as the *Associated Press*, *Bloomberg News*, *BBC*, *Crain’s*, *CFO.Com*, *Fortune* magazine, the *National Law Journal*, *USA Today*, *London Mail*, *Chicago Tribune*, *Dow Jones*, *Business Insurance* and *Corporate Legal Times*. Ms. Gilden appeared on the cover of *Chicago Lawyer* in connection with a feature article on The Ebb and Flow of Securities Class Actions.

Ms. Gilden was the President of the National Association of Shareholder and Consumer Attorneys (NASCAT), the preeminent trade association for securities class action attorneys, from April 2007-April 2009. As President of NASCAT, Ms. Gilden actively worked to promote the interests of

investors. She made repeated visits to Capitol Hill and met with Members, and their staffs, of the Senate Banking Committee, House Financial Services Committee and the Senate Judiciary Committee where she advocated the need for strong investor protection. She also engaged in outreach to the institutional investor community on needed reforms to reverse the erosion of investor rights. Under Ms. Gilden's leadership, NASCAT also filed amicus briefs in connection with major securities cases before the Supreme Court and other courts. Prior to becoming President, Ms. Gilden served as the President-Elect and Treasurer for NASCAT. Ms. Gilden continues to be actively involved in NASCAT and serves on its Executive Committee.

Ms. Gilden is a Vice President of the Institute for Law and Economic Policy (ILEP). ILEP is a preeminent think tank with leading academics, and was established to preserve and enhance access to the civil justice system by investors and consumers.

Most recently, Ms. Gilden was selected by the Council for Institutional Investors (CII) to serve on its selected to be on the Markets Advisory Committee. She also serves on the Advisory Council to CII's Board of Directors. CII is a nonprofit association of pension and other employee benefits funds, endowments and foundations and a voice for effective corporate governance and strong shareholder rights.

Ms. Gilden has been repeatedly selected as an "Illinois Super Lawyer" (2005-2016) by Law & Politics, which published its selections in *Chicago magazine*. Ms. Gilden was selected as "Pension Funds Litigation Attorney of the Year in Illinois" by the Corporate INTL Legal Awards 2015. Only 5 percent of Illinois attorneys are awarded this honor. Ms. Gilden also has achieved the "AV" Peer Review Rating by Martindale-Hubbell

Ms. Gilden is a graduate of the University of Illinois (B.S., Business Administration, 1979). She graduated with honors from Chicago-Kent College of Law (J.D. 1983) where she was a member of the Chicago-Kent Law Review. Ms. Gilden is admitted to practice in Illinois (1983), the federal district court for the Northern District of Illinois, the United States Circuit Court of Appeals for the Seventh Circuit and the United States Supreme Court, as well as *pro hac* before other federal and state courts throughout the country.

Kit A. Pierson

Kit A. Pierson, a Partner, joined the Firm in 2009 and has been co-Chair of Cohen Milstein's Antitrust Practice Group since 2010. The Antitrust Practice Group was selected as a Competition Law Practice Group of the Year by *Law360* in 2013 and 2014 (the only plaintiff firm in the United States receiving that recognition in both years).

Mr. Pierson represents plaintiffs in significant class action matters and other complex civil litigation in jurisdictions across the United States. Prior to joining Cohen Milstein, Mr. Pierson was a Shareholder at Heller Ehrman from 1997-2008, where he represented clients in large antitrust class action litigation, False Claims Act litigation and other complex civil litigation matters. Mr. Pierson also has a longstanding commitment to civil rights matters and other pro bono representation and has provided pro bono representation to public interest organizations as well as indigent clients in numerous matters.

Mr. Pierson has represented clients in class actions and other antitrust cases of national significance. He was one of the trial lawyers for the plaintiff class in the *Urethanes* antitrust litigation, where a jury returned a verdict of more than \$400 million in favor of the plaintiffs, which was then trebled to more

than \$1.1 billion (after offsets). *In re: Urethane Antitrust Litig.*, MDL No. 1616, 2012 WL 6681783 (D. Kan. Dec. 21, 2012), *aff'd*, 768 F.3d 1245 (10th Cir. 2014), *cert. petition pending*. The jury's verdict was unanimously upheld by the United States Court of Appeals for the Tenth Circuit and Defendant Dow Chemical's subsequent request for *en banc* review was denied. A petition for certiorari has been filed with the United States Supreme Court and is pending.

Mr. Pierson is co-lead counsel for the plaintiff class in *In re Electronic Books Antitrust Litig.*, No. 11 MD 2293 (DLC), 2014 WL 3798764 (S.D.N.Y. Aug. 1 2014), a case challenging price-fixing by Apple Corporation and five major publishers to increase the price of electronic books. Settlements were reached with the five publisher defendants in the amount of \$166 million. After decisions by the District Court certifying the plaintiff class, and excluding much of the expert testimony proffered by Apple, the case settled against Apple shortly before trial. In addition to the settlements already paid by the publisher defendants, Apple agreed to pay an additional \$450 million in the class litigation if the verdict against Apple in a related case brought by the Department of Justice is upheld on appeal (the verdict was upheld by the United States Court of Appeals for the Second Circuit in *United States v. Apple, Inc.*, 2015 WL 3953243 (2d Cir. June 30, 2015)).

Mr. Pierson represented dock and trucking companies in *Erie Port Authority v. Chesapeake & Ohio Railroad* (E.D. Pa.), an antitrust case challenging a conspiracy by large railroad companies to restrain trade in the shipment of iron ore and resulted in a substantial jury verdict for the plaintiffs. The verdict was subsequently upheld by the United States Court of Appeals for the Third Circuit, and the Defendant's petition for certiorari was denied by the United States Supreme Court.

Mr. Pierson represented the American Booksellers' Association on behalf of its members (independent bookstores across the country) in *American Booksellers Association v. Houghton Mifflin* (S.D.N.Y.) and related litigation. These cases resulted in the entry of consent decrees against several of the leading publishers in United States. After learning that one of the Defendants had violated the terms of its consent decree, litigation was commenced to enforce the decree. This resulted in a financial settlement that, at the time, was the largest reported settlement in the history of the Robinson Patman Act. Mr. Pierson also has significant experience representing corporations, national associations and individuals in antitrust litigation and other complex civil litigation matters.

Prior to joining Cohen Milstein, Mr. Pierson spent more than twenty years providing representation across the United States in a broad range of litigation matters. This work was predominantly on behalf of defendants. For example, Mr. Pierson has represented Microsoft Corporation in antitrust class action litigation and other matters and was one of the trial attorneys representing Microsoft in jury trials in *Gordon v. Microsoft* (Minnesota) and *Comes v. Microsoft* (Iowa). He represented 3M Company in antitrust class action litigation challenging bundled discounts in federal and state court. Mr. Pierson has represented many other Fortune 500 companies and other businesses, associations and individuals in class action litigation and complex civil matters.

Mr. Pierson's representation in other complex civil litigation matters includes, for example:

- Co-lead counsel for the plaintiff class in *In re Domestic Drywall Antitrust Litigation*, 13-md-2437 (E.D. Pa.), a case alleging that manufacturers of wallboard have conspired to fix prices and restrain competition in the sale of gypsum wallboard. This matter is now proceeding in the United States District Court for the Eastern District of Pennsylvania. Claims against two of the

Defendants have been settled and those settlements are now being reviewed in accordance with Federal Rule 23.

- Plaintiffs' Steering Committee in *In re Lithium Ion Batteries Antitrust Litigation*, 13-md-02420-YGR (N.D. Cal.), a case alleging that the leading battery manufacturers conspired to fix prices and restrain competition in the sale of batteries in the United States. This case is now proceeding in the United States District Court for the Northern District of California.
- Co-lead counsel for subclasses of direct purchasers in *In re Ductile Iron Pipe Fittings (DIPF) Antitrust Litigation*, Civ. No. 12-711, 2014 WL 3971620 (D.N.J. Aug. 13, 2014), a case alleging unlawful monopolization and price-fixing by the defendant manufacturers. The District Court has denied the Defendants' motions to dismiss, and subsequent settlements with two of the three defendants have been submitted for preliminary approval.
- Co-lead counsel for the plaintiff class of direct purchasers in *In re Cast Iron Pipe & Fittings Antitrust Litigation*, No. 14 ML 02508 (E.D. Tenn.), a case challenging anti-competitive activity by two manufacturers of cast iron pipe in violation of Section 1 of the Sherman Act and Section 7 of the Clayton Act. The Defendants' motion to dismiss has been denied and discovery is now proceeding.
- Co-lead counsel for a subclass of thousands of dairy farmers in the Northeast in antitrust litigation challenging a conspiracy to restrain competition and reduce the prices paid to farmers for supplying milk. The plaintiffs in this litigation have settled claims against Dean Foods for \$30 million. The case is proceeding against the remaining defendants.
- Representation of a whistleblower in *Funk v. MEP* (E.D. Va.), a case alleging that a defense contractor engaged in fraud in providing translators to support the United States' troops in Afghanistan and engaged in retaliation based on the whistleblower's protected activities under the False Claims Act. This case was resolved prior to trial and the terms are confidential.
- Representation of the plaintiff in *United States ex rel. Loughren v. UnumProvident* (D. Mass.), a qui tam action against the largest disability carrier in the United States, alleging that it violated the False Claims Act by causing the submission of false claims for social security disability benefits to the United States. Mr. Pierson was lead counsel at trial, where a jury found that the Defendant Unum had committed fraud and violated the False Claims Act. On appeal, the First Circuit upheld the legal theory of the case, but vacated the verdict and remanded the case based on the trial court's exclusion of certain evidence. The matter settled prior to a new trial.
- Representation of a hospital and surgeon in their successful defense of claims brought by a physician alleging that they had infringed his patent by performing eye surgery in a method allegedly subject to the patent. *Palin v. Singer* (D. Vt.). This case received national media attention, including two pieces on the McNeil-Lehrer News Hour, and – following successful defense of the litigation – the United States Congress enacted legislation to protect physicians from patent infringement claims based on their method of providing care.
- Representation of health policy researchers at the Urban Institute, a non-profit think tank, after they were sued in *Minntech v. Held* (D. Minn.), for allegedly defaming the plaintiff-corporation by publishing research relating to the safety of dialysis products used by thousands of dialysis patients nationwide.
- Representation of the nation's leading association of psychologists in various litigation matters, including cases successfully defending the association's decisions to discipline members for unethical conduct.
- Representation of parties in numerous cases involving constitutional issues, including the National Association of Broadcasters' successful defense of the "must carry" provisions in *Turner Broadcasting Systems v. FCC* (S. Ct.).

- Representation of a Guantanamo detainee, Allah Ali Bin Ali Ahmed, in *Ahmed v. Obama*, 613 F.Supp.2d 51 (D.D.C. 2009), in challenging the lawfulness of his detention. Following a multi-day evidentiary hearing, the District Court held that Mr. Ahmed had been improperly detained at Guantanamo for seven years and ordered that he be released and returned to his home country. This was one of the first Guantanamo cases successfully challenging the legality of a detention.
- Representation of non-profit organizations and individuals in litigation that exposed illegal spying activities by the Maryland state police against more than thirty organizations and numerous individuals based on activities such as anti-war protests, opposition to the death penalty and other constitutionally protected activities. The exposure of these spying activities resulted in legislative hearings, appointment of a former Maryland Attorney General to conduct an independent investigation, and implementation of remedial actions by the State of Maryland.

Mr. Pierson has been chair of Cohen Milstein's pro bono committee from 2009-2015. From 2006-2008, he was the chair of Heller Ehrman's pro bono and community service program for the firm's thirteen offices.

Mr. Pierson is a Member of the ACLU of Maryland's Committee on Litigation and Legal Priorities and a Member of the Board of Trustees for the Lawyers' Committee for Civil Rights Under Law.

Mr. Pierson has also represented the District of Columbia Bar Association in litigation and served on a Committee established by the District of Columbia Bar and the Access to Justice Commission to expand pro bono representation by law firms in the District of Columbia.

Mr. Pierson was selected as one of the 500 leading lawyers in the United States in 2013 and 2014 by *LawDragon 500*. Mr. Pierson was one of six lawyers selected by *Law360* in 2014 as an MVP in the field of competition law. He was also selected by the *Global Competition Review* as one of the world's leading competition lawyers. Mr. Pierson was described by *The Legal 500* as "a very talented trial attorney, with good instincts and a strong presence in the court room." He has been selected as a Washington, D.C. "Super Lawyer" in the antitrust field in 2012, 2013, 2014 and 2015.

Mr. Pierson is a 1979 graduate of Macalester College, where he received a B.A. (*magna cum laude*) in Economics and Political Science. He graduated from the University of Michigan Law School (*magna cum laude*) in 1983, where he was a Note Editor of the Michigan Law Review and a member of the Order of the Coif.

Mr. Pierson served as a Law Clerk for the Honorable Harry T. Edwards, United States Court of Appeals for the District of Columbia Circuit, from 1983-1984 and as a law clerk for the Honorable Chief Judge John Feikens, United States District Court for the Eastern District of Michigan, from 1984-1985.

J. Douglas Richards

J. Douglas Richards is Managing Partner of Cohen Milstein's New York office and a partner in its antitrust practice group. Mr. Richards has extensive expertise in class action practice and commercial litigation relating to diverse trade regulation issues, including antitrust and commodity regulation as well as related issues of patent law. Prior to joining Cohen Milstein in 2009, Mr. Richards served as head of the antitrust practice groups at two other leading class action law firms, and prior to that as

Deputy General Counsel of the Commodity Futures Trading Commission, where he received a Special Service Award for exemplary accomplishment. His general preeminence in legal practice has been recognized by the leading peer review organizations, including by being named one of 22 Antitrust "Litigation Stars" nationally and as a New York "Local Litigation Star" by Benchmark Plaintiff, by New York Super Lawyers (2011-2013), by being named as one of the world's leading competition lawyers by The International Who's Who of Competition Lawyers and Economists (2014) and by receiving the highest available peer ranking for many years from Martindale-Hubbell. He has written extensively about class actions, having twice authored chapters for books edited by the American Antitrust Institute covering issues of class action practice, as well as various law reviews and other publications. Leading antitrust organizations frequently recognize his expertise by inviting him to speak on wide-ranging issues of substantive antitrust law, civil procedure and class actions.

Education

- A.B. University of Chicago, 1977 (economics major)
- J.D. Harvard Law School, 1981

Co-Lead Counsel Positions In Antitrust Class Actions

- *In re Nexium (Esomeprazole) Antitrust Litig.*, MDL 2409 (D. Mass.)
- *In re Lipitor Antitrust Litig.*, MDL 2332 (D.N.J.)
- *In re Buspirone Antitrust Litig.*, MDL 1413 (S.D.N.Y.)
- *In re Ciprofloxacin Hydrochloride Antitrust Litig.*, MDL 1383 (E.D.N.Y.)
- *Cox v. Microsoft Corp.* (Sup. Ct. N.Y. County)
- *In re G-Fees Antitrust Litig.*, No. 05114 (RWR) (D.D.C.)
- *In re IPO Antitrust Litig.*, 01 Civ. 2014 (WHP) (S.D.N.Y.) I
- *In re K-Dur Antitrust Litig.*, MDL 1419 (D.N.J.)
- *Kruman v. Christie's Int'l PLC* (international case in *In re Auction Houses Antitrust Litig.*), 00 Civ. 0648 (LAK) (S.D.N.Y.)
- *In re New Motor Vehicles Antitrust Litig.* MDL 1532 (D. Me.)(co-chair, executive committee)
- *In re Parcel Tanker Shipping Servs. Antitrust Litig.*, MDL 1568 (D. Ct.) \In re Fresh Del Monte Pineapples Antitrust Litig., MDL 04-md-1628 (RMB) (S.D.N.Y.)
- *In re Plastics Additives Antitrust Litig.*, MDL 1684 (E.D. Pa.)
- *In re Relafen Antitrust Litig.*, 01-12239-WG4 (D. Mass.) \
- *Sperry v. Crompton Corp.* (Sup. Ct. Nassau County) 28I222
- *In re Tamoxifen Citrate Antitrust Litig.*, MDL 1408 (E.D.N.Y.)
- *Twombly v. Bell Atlantic Corp.*, 02 Civ. 10220 (GEL) (S.D.N.Y.)
- *In re Reformulated Gasoline Antitrust Litig.*, MDL 1671 (M.D. Ca.)
- *In re Wellbutrin Antitrust Litig.*, MDL 04-5525 (E.D. Pa.)

Leading Appeals Argued in Antitrust Class Actions

- *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007).
- *Twombly v. Bell Atlantic Corp.*, 425 F.3d 99 (2d Cir. 2007).
- *Uniondale Beer Co. v. Anheuser Busch, Inc.*, Nos. 95-7321, 7371 (2d Cir. 1995).
- *Kruman v. Christie's Int'l PLC*, 284 F.3d 384 (2d Cir. 2002).
- *In re Ciprofloxacin Hydrochloride Antitrust Litig.*, 544 F.3d 1323 (Fed. Cir. 2008), cert. denied, 77 U.S.L.W. 3690 (June 22, 2009).

- *In re Tamoxifen Citrate Antitrust Litig.*, 429 F.3d 370 (2d Cir. 2005), cert. denied, 127 S.Ct. 3001 (2007).
- *JLM Industries, Inc. v. Stolt-Nielsen SA*, 387 F.3d 163 (2d Cir. 2004).
- *American Banana, Inc. v. Del Monte Fresh Produce Co.*, 09-4561-cv (2d Cir. 2010).
- *Sperry v. Crompton Corp.*, 8 N.Y. 3d 204 (2007).
- *Cox v. Microsoft Corp.*, 8 A.D. 3d 39, 778 N.Y.S. 2d 147 (1st Dep't 2004).
- *Cox v. Microsoft Corp.*, 290 A.D. 2d 206, 737 N.Y.S. 2d 1 (1st Dep't 2002).
- *Sperry v. Crompton Corp.*, A.D. 3d 488, 810 N.Y.S. 2d 498 (2d Dep't 2006).

Recent Publications

- Book Review of Richard A. Posner, *Reflections on Judging* (2013), Trial Magazine (forthcoming in 2014).
- *Private Antitrust Enforcement: Will The Levee Soon Be Dry?*(co-authored with Cohen Milstein partner Christopher J. Cormier) (forthcoming in 2014).
- *Pro-Business and Anti-Efficiency: How Conservative Procedural "Innovations" Have Made Litigation Slower, More Expensive, and Less Efficient*, CPI Antitrust Chronicle, May 2013 (1) (co-authored with Michael B. Eisenkraft).
- *Does Manipulation of LIBOR Fall Within the Sherman Act's Definition of "Trade"? A Question of First Principles*, CPI Antitrust Chronicle, Nov. 2012 (2) (co-authored with Michael B. Eisenkraft).
- *Is Market Definition Necessary In Sherman Act Cases When Anticompetitive Effects Can Be Shown with Direct Evidence?*ABA Antitrust Magazine, Summer 2012, Vol. 26. No. 3.
- *Class Action Issues*, Ch. 5 of Private Antitrust Enforcement of Antitrust Law in the United States: A Handbook (Edward Algar, Cheltenham, UK)(co-authored with Michael B. Eisenkraft).
- *Heart of Darkness -- A Satirical Commentary*, 66 N.Y.U. Annual Survey of Am. Law 569 (2011).
- *Aggregation of Claims*, Ch. 8 of The International Handbook on Private Enforcement of Competition Law (AAI, 2010).
- *Predominance of Common Questions -- Common Mistakes in Applying the Class Action Standard*, 41 Rutgers L.J. 163 (2009) (co-authored with Benjamin J. Brown).
- Co-author, with John Vail of the Center for Constitutional Litigation, *A Misguided Mission to Revamp the Rules*, TRIAL MAGAZINE, Nov. 2009.
- *Class Action Standards in Crisis: Whether Common Merits Questions Predominate Does Not Depend on the Questions' Answers*, Global Competition Policy (May 2009).
- *Three Limitations of Twombly: Antitrust Conspiracy Inferences in a Context of Historical Monopoly*, 82 St. John's L. Rev. 849 (2008).
- *What Makes An Antitrust Class Action Remedy Successful?: A Tale of Two Settlements*, 80 Tulane L. Rev. 621 (2005).

Recent Speaking Engagements

- January 2014 – Moderator at Next Generation of Antitrust Scholars Conference at NYU School of Law.
- October 2013 – October 2013 –Panel member at Golden State Institute in San Francisco regarding "Pay for Delay" agreements after the Supreme Court's Actavis decision.

- September 2013 – Panel member at National Association of Attorneys General (NAAG) presentation entitled “Drug Shortages and Other Pharmaceutical Issues.”
- May 2013 – Panel member at Federal Bar Council/Antitrust Section presentation in Islip, New York titled “To Fee or Not to Fee: Caveats on Attorneys’ Fees in Federal Courts”
- April 2013 - Panelist with Prof. Arthur Miller and Judge Shira Scheindlin at Institute for Law and Economic Policy presentation in Naples, FL titled "The Roberts Court and Business Litigation."
- June 2012 - Speaker at Federal Bar Council presentation titled "Antitrust Conspiracies, Class Actions and Refusals to Deal: Parallels, Signals, Plus Factors and Agreements."
- April 2012 - Speaker at 12th Annual Loyola Law School Antitrust Colloquium in Chicago, IL regarding "Exclusion as a Core Principle of Antitrust."
- February 2012 - Testified before United States House Judiciary Committee Subcommittee on Intellectual Property, Competition and the Internet, at a hearing titled "Litigation as a Predatory Practice" concerning Noerr-Pennington antitrust immunity.
- January 2012 - Moderator at Next Generation of Antitrust Scholarship Conference, NYU School of law.
- December 2011 - Speaker at American Antitrust Institute, 5th Annual Future of Private Antitrust Enforcement Conference.
- October 2011 - Plaintiffs’ bar commentator at Antitrust Forum organized by NYSBA titled “Upward Price Pressure, Market Definition, and Supply Mobility.”
- January 2011 - Speaker at NYS Bar Association Antitrust Law Section annual meeting on panel titled “Fifty Miles from Home with a Briefcase: Expert Hot Topics.”
- December 2010 - Speaker at Private Enforcement Conference of American Antitrust Institute in Washington, D.C., regarding motions to dismiss in antitrust cases.
- July 2010 - Speaker at Pound Civil Justice Institute 2010 Forum for State Appellate Court Judges in Vancouver, B.C. regarding Twombly in state courts.
- April 2010 - Participant in mock argument before the Hon. Sidney H. Stein opposite Paul Saunders of Cravath Swaine & Moore, entitled “Twombly v. Conley—The fight of the Century.”
- March 2010 - Presentation to Rutgers–Camden Law School Faculty and Students regarding Twombly.
- February 2010 - Speaker on Private Enforcement panel at a symposium at NYU School of law titled “Critical Directions in Antitrust.”
- January 2010 - Speaker at NYS Bar annual meeting in program titled “Section 2: Is It Really Coming Back?”
- December 2009 - Speaker at Private Enforcement Conference of the American Antitrust Institute at National Press Club in Washington, D.C. regarding Rule 23 issues.
- November 2009 - Panelist at Federal Bar Council presentation titled “Issues That Arise in Antitrust Cases That You Don’t Learn About in Law School.”
- October 2009 - Panelist at Federal Bar Council program titled “Motions to Dismiss in Federal Court After the Supreme Court’s Decisions in Twombly and Iqbal.”
- October 2009 - Panelist, along with former Assistant Attorney General Thomas O. Barnett and FTC Commissioner J. Thomas Rosch, with regard to “Monopolization in the New Administration,” at Newport Summit on Antitrust Law and Economics.
- September 2009 - Speaker for AAJ Teleseminar entitled “Iqbal/Twombly: The Death of Notice Pleading?”
- September 2009 - Panelist at University of San Francisco symposium titled “A Prescription for Antitrust Enforcement in the Pharmaceutical Industry.”

- January 2009 - Represented plaintiff's bar at meeting of the Standing Committee on Federal Rules of Civil Procedure in San Antonio, TX for presentation concerning possible rule revisions to address discovery burdens in federal litigation.
- September 2008 - Panelist at the annual NAAG meeting in Salt Lake City, Utah, for presentation titled "Recent Developments in Intellectual Property."
- April 2008 - Speaker at NYU School of law commenting on Report and Recommendations of the Antitrust Modernization Commission, dated April 2, 2007.
- November 2007 - Panelist at ABA Fall Forum in Washington, D.C. for presentation titled "Litigating an Antitrust Case After Twombly."
- October 2007 - Panelist at 2007 Fall Bench and Bar Retreat of the Federal Bar Council, in Lenox, MA titled "Rule 23 in the Second Circuit: Post-CAFA and Post-IPO."

Legal and Policy Advisory Positions

- American Antitrust Institute
Member, Board of Advisors
- Institute for Consumer Antitrust Studies
Member, Board of Advisors
- Antitrust Section, New York State Bar Association
Member, Executive Committee

Linda Singer

Linda Singer, a Partner, joined Cohen Milstein Sellers & Toll, PLLC in 2009 as head of the Public Client practice group. Ms. Singer is the former Attorney General for the District of Columbia. Ms. Singer has represented clients in approximately 350 matters during her legal career. Ms. Singer brings her extensive experience to lead the practice in supporting state Attorneys General, who serve as the critical front line in litigation protecting consumers, workers, and public resources.

Ms. Singer currently represents Attorneys General in high stakes and high profile investigations and litigation involving consumer and Medicaid fraud, including in mortgage lending and servicing and other financial services and the marketing of prescription drugs, and misclassification of independent workers in violation of state tax and employment laws. The Public Client Practice focuses on cases with a strong policy dimension that are likely to result in litigation, are especially resource-intensive, or require specialized expertise.

Among other cases, Ms. Singer has:

- Represented a state Attorney General in the landmark proceedings against Countrywide Financial (and its parent, Bank of America), which resulted in mortgage modifications and other relief valued at approximately \$8.6 billion. As a result of the settlement, Countrywide agreed to provide loan modifications to 400,000 borrowers nationwide and financial relief to the states and borrowers.
- Represent the States of Arizona and Nevada in consumer fraud lawsuits against Bank of America over the servicing of nearly one half million mortgages. Those cases were settled as a part of the national mortgage settlement with significant additional recoveries for the states and consumers.
- Represented attorneys generals in a multi-billion dollar settlement with a major lender over the deceptive marketing of payment option adjustable rate mortgages.

- Represent an attorney general in investigations relating to the securitization of subprime mortgages.
- Represent attorneys general in various antitrust investigations relating to the financial crisis and technology issues.
- Represented an attorney general in a multi-million misclassification case against Fortune 100 company.
- Represented attorney general in the investigation of high profile consumer prescription drug case.
- Represent cities in prescription drug and other consumer fraud investigations.

Because many of these matters remain non-public investigations, the specific attorney general's office and target are not listed.

Before entering the private sector, Ms. Singer led the seventh-largest state Attorney General's office in the nation, overseeing the litigation and policy initiatives carried out by her staff of more than 350 lawyers. As the chief law enforcement office for the District of Columbia, she was responsible for overseeing all of the District's litigation, providing legal advice to the Mayor and the Directors of other District agencies, and for representing the interests of District residents through enforcement initiatives focused on consumer protection, public safety, and the environment. During her tenure as Attorney General, Ms. Singer successfully petitioned the Supreme Court to hear its first Second Amendment case in more than 70 years; developed new initiatives to combat gun violence; and expanded enforcement litigation aimed at protecting consumers, children, tenants, and victims of domestic violence.

Prior to serving as Attorney General, Ms. Singer was the Executive Director of the Appleseed Foundation, a national network of public interest law centers. Earlier in her career, Ms. Singer served a staff attorney in the Criminal Defense Division of the Legal Aid Society of New York City. She has spoken extensively before legal and other audiences and is a frequent contributor to numerous legal trade publications.

In 2010, Ms. Singer was selected one of "Washington's Most Influential Women Lawyers" by The National Law Journal.

Ms. Singer is a graduate of the Harvard College (B.A., *magna cum laude*, 1988) and of Harvard Law School (J.D., *magna cum laude*, 1991).

Ms. Singer is admitted to practice in the District of Columbia and New York.

Geoffrey Graber

Geoffrey Graber, a partner, joined Cohen Milstein in 2015 and is a member of the Consumer Products & Unsafe Products Group. Prior to joining the firm, Mr. Graber served as a Deputy Associate Attorney General and Director of the Residential Mortgage-Backed Securities (RMBS) Working Group at the United States Department of Justice.

As Director of the RMBS Working Group, Mr. Graber oversaw the Department's nationwide investigation into the packaging and sale of mortgage-backed securities leading up to the financial crisis. Mr. Graber supervised and coordinated the efforts of over 100 prosecutors, lawyers,

investigators and analysts from the Department of Justice. Mr. Graber also worked closely with senior officials from the United States Securities & Exchange Commission, the Department of Housing and Urban Development, the Inspector General's Office for the Federal Finance Agency, and the offices of more than 10 state attorneys general.

The RMBS Working Group investigations overseen by Mr. Graber ultimately recovered over \$36 billion. These recoveries include the record-breaking \$16.65 billion settlement reached in August 2014 with Bank of America – the largest settlement with a single entity in American history – as well as settlements with Citigroup (\$7 billion), and JP Morgan (\$13 billion).

Prior to serving as the Director of the RMBS Working Group, Mr. Graber served as a counsel in the Civil Division, where he proposed and then led the three-year investigation of Standard & Poor's concerning the rating of structured finance products from 2004 to 2007. As the lead lawyer overseeing the investigation of S&P, Mr. Graber supervised a team of over 50 prosecutors, DOJ lawyers, investigators and analysts. The investigation, which made groundbreaking use of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 (FIRREA), resulted in the largest enforcement action filed by the United States concerning the financial crisis (*United States v. Standard & Poor's*).

Before joining the Department of Justice, Mr. Graber was an associate at Morrison & Foerster LLP, where he defended Fortune 500 companies and their officers and directors in securities and derivative suits, consumer class actions, and government investigations. Mr. Graber also devoted substantial time to pro bono representation of indigent individuals and families in civil rights actions against local law enforcement.

In 2014, Mr. Graber received the Attorney General's Distinguished Service Award for his work relating to the \$13 billion settlement with JP Morgan - including, at the time, the largest FIRREA penalty recovered by the Department of Justice. In October 2015, he again received the Attorney General's Distinguished Service Award for his work on the successful investigation and litigation against S&P.

Mr. Graber earned his undergraduate degree in Philosophy from Vassar College (B.A., 1995). He received his law degree from the University of Southern California Law School, where he served as the Managing Articles Editor on Southern California Law Review (J.D. 2000).

Mr. Graber is admitted to practice law in the State of California and the District of Columbia.

Leslie M. Kroeger

Leslie M. Kroeger, a Partner, joined Cohen Milstein in January 2014 and is based in the Firm's Florida office. Prior to joining the Firm, she was a Partner at Leopold Law Firm in Palm Beach, Fla. She is a highly accomplished civil trial attorney who began her legal career in the courtroom as an Assistant Public Defender and later as an Assistant State Attorney in Miami-Dade County, Fla. She then moved into private practice where she continues to handle a variety of complex civil litigation matters, including products liability, medical malpractice, and wrongful death, both in the State of Florida and nationwide.

She has achieved an AV rating from Martindale-Hubbell, the highest rating available from the nation's oldest guide to the legal profession. At Cohen Milstein, Mrs. Kroeger focuses her practice in the areas of product liability, wrongful death, and cases involving complex managed care abuse.

She currently serves on the Executive Committee of the Florida Justice Association and is past Chair of the Women's Caucus. She is Past President of the Martin County Chapter of the Florida Association for Women Lawyers and is on the Board of Directors of United for Families; as well as serving as an active member of The Florida Bar, the American Association for Justice, the Palm Beach County Bar Association, the Martin County Bar Association, the Palm Beach County Justice Association, and the Florida Association for Women Lawyers, Palm Beach Chapter.

Ms. Kroeger graduated from the University of Tennessee at Knoxville in 1990 with a B.S., and obtained her law degree from the Cumberland School of Law, Samford University in 1993.

Awards & Recognitions

- Florida Super Lawyers Magazine (2012 - 2014)
- Florida Rising Stars List, Florida Super Lawyers Magazine (2009)
- Florida Justice Association Silver EAGLE Award (2011 and 2012) and Bronze EAGLE Award (2014)
- Florida Justice Association Shoeleather Award for Legislative Leadership (2010 and 2012)
- Florida Justice Association Rough Riders Award for Legislative Service (2011)
- AV Rating Martindale Hubbell
- FAWL Leaders in Law (2011)
- Florida Trend's Legal Elite (2011 -2014)

Victoria S. Nugent

Victoria Nugent, a Partner at the Firm, joined Cohen Milstein in 2000 and is a member of the Public Client practice group.

Ms. Nugent has focused on consumer protection and public health litigation throughout her career. Past cases include *In re StarLink Product Liability Litigation*, in which she represented farmers suing Aventis CropScience after an unapproved variety of genetically modified corn was detected in the U.S. corn supply and drove down prices for all U.S. corn exports. More than \$100 million was recovered for the class in a landmark settlement. In 2009 and 2010, Ms. Nugent filed suit on behalf of consumers challenging the post-transaction marketing practices of Internet giants Intelius and McAfee, persuading federal courts in California and Washington that these practices run afoul of state consumer protection laws. Ms. Nugent has argued cases before the high courts of Georgia, Nebraska and the District of Columbia, as well as the federal D.C. Circuit Court of Appeals.

Since November 2011, Ms. Nugent has been working on behalf of various states in the Firm's Public Client Practice Group.

Before joining Cohen Milstein, Ms. Nugent worked for seven years at Public Citizen, a national consumer advocacy organization. During that time, she worked on many legislative and regulatory campaigns addressing issues that ranged from automobile safety to international trade policy. In 1998,

Ms. Nugent received a two-year fellowship sponsored by the National Association for Public Interest Law (NAPIL). As a NAPIL Fellow, she worked at Trial Lawyers for Public Justice (TLPJ), where she helped develop and prosecute impact litigation in the areas of arbitration, banking, credit and insurance.

Ms. Nugent received her undergraduate degree in History from Wesleyan University in 1991 and graduated from Georgetown University Law Center in 1998.

Ms. Nugent is admitted to practice in the District of Columbia and Maryland.

Benjamin D. Brown

Benjamin Brown, a Partner at Cohen Milstein, joined the firm in 2005 and is a member of the Antitrust practice group. He has extensive experience leading complex litigation, particularly class actions.

The Legal 500 has recognized Mr. Brown as one of the nation's leading class action antitrust attorneys and he has been listed as one of Washington D.C.'s "Leading Star" Plaintiffs' Litigators by Benchmark Litigation. He has served as class counsel in numerous successful cases litigated across the country and at all levels of federal appeals, helping to achieve over one hundred million dollars worth of recoveries on behalf of clients.

Mr. Brown is a contributing author of the ABA's Antitrust Class Actions Handbook, and, since 2005, has served as a state editor for the ABA's Survey of State Class Action Law. He has also authored chapters on private antitrust recovery actions for the Global Competition Review's Antitrust Review of the Americas. Most recently, Mr. Brown co-authored with fellow partner Douglas Richards "Predominance of Common Questions – Common Mistakes in Applying the Class Action Standard," 41 Rutgers L.J. 163 (2009). He discussed joint civil and criminal investigations and litigation as a featured panelist on both the National Association of Criminal Defense Lawyers (NACDL) 2009 Summer CLE Program and the 2010 University of Texas Law School's Review of Litigation Symposium. Mr. Brown has been honored by the United States District Court for the District of Columbia for outstanding commitment in pro bono litigation. He has been a repeated guest on CNBC and other networks discussing antitrust news and developments.

Mr. Brown currently serves as co-lead counsel or on steering committees for plaintiffs in, among other cases, *In re Plasma-Derivative Protein Therapies Antitrust Litigation* (N.D. Ill.); *Allen, et al. v. Dairy Farmers of America, Inc.* (D. Vt.); *In Re Puerto Rican Cabotage Antitrust Litigation*. (S.D. Fla.); and *Carlin, et al. v. DairyAmerica, Inc.* (E.D. Ca.).

Mr. Brown came to Cohen Milstein after four years as a trial attorney with the Antitrust Division of the United States Department of Justice. While there, Mr. Brown led and assisted in numerous investigations, litigations and trials involving anticompetitive conduct and mergers. Mr. Brown also prosecuted criminal cases as a Special Assistant United States Attorney in the Eastern District of Virginia. Prior to joining the Department of Justice, he was in private practice with Covington & Burling in Washington, D.C., handling insurance coverage and antitrust litigation. Prior to entering private practice, Mr. Brown served as a judicial law clerk for Chief Judge Juan R. Torruella of the U.S. Court of Appeals for the First Circuit.

Mr. Brown graduated cum laude from Harvard Law School and Phi Beta Kappa from the University of Wisconsin – Madison.

Mr. Brown is admitted to practice in California and the District of Columbia.

R. Joseph Barton

Joseph Barton, a Partner at the Firm, joined Cohen Milstein in 2001 and is a member of the Employee Benefits practice group and leads all veterans rights litigation at the Firm.

Prior to joining the firm, Mr. Barton served as a judicial law clerk to the Honorable Lenore C. Nesbitt, United States District Judge for Southern District of Florida (2000-2001). Since joining the firm, Mr. Barton has been actively involved in a variety of class action cases involving employee benefits as well as antitrust and securities cases.

Mr. Barton has been actively involved in a diverse number of employee benefit cases. He has litigated and is litigating a number of private ESOP cases. In litigation challenging the sale of stock for \$25 million by the family shareholders to the Azon Corporation ESOP, Mr. Barton defeated defendants' summary judgment motions and obtained partial summary judgment and obtained a settlement of \$9.25 million for the ESOP participants. In litigation challenging a sale of stock to the Tharaldson Motels Inc. ESOP (one of the largest ESOP's in the country) for \$500 million, Mr. Barton obtained a determination that former employees had standing to sue as participants of the plan. Mr. Barton has also been involved in a number of cases alleging breach of fiduciary duty by investing the 401k plan in company stock of publicly traded companies. In *Simpson v. Fireman's Fund Insurance Company* (N.D. Cal.), Mr. Barton represented a class of active and terminated employees alleging that FFIC's policy of terminated persons on disability violated the discrimination provisions of ERISA, and obtained a settlement restoring their right to benefits for a period of years and also reimbursement of past expenses. Mr. Barton has been lead trial counsel in two complex class action ERISA cases, obtaining favorable results at the trial level, most recently a trial challenging a transaction involving the Trachte ESOP and the Alliance ESOP on behalf of a class of employees of Trachte, which resulted in a liability and remedies decision of \$17.2 million (plus prejudgment interest) for Plaintiffs and the Class.

Mr. Barton has litigated a number of other cases involving allegations of fiduciary misconduct. Mr. Barton was also involved in one of the earliest cases challenging the prudence of investment and fees of the pension and 401k plans sponsored by New York Life Insurance Company. On behalf of the fiduciaries of the Severstal Wheeling Plans, Mr. Barton obtained a \$15 million judgment against their former investment manager for breach of fiduciary duties in investing the Plans' assets.

Mr. Barton has been active in a number of securities fraud lawsuits including *In re Physician Corporation of America Securities Litigation* (S.D. Fla.) (settlement of \$10.2 million), and *In re MCI Securities Litigation* (D.D.C.) (settlement of \$4.5 million) and also represented a small class of former Sterling shareholders who received Uniroyal stock in a merger in *Avery v. Uniroyal Technology Corp.*, (M.D. Fla.) (settlement of \$2.3 million). Mr. Barton represented a limited partners of Lipper Convertibles, a defunct hedge fund, in an arbitration against the fund's former general partners, *Levitt v. Lipper Holdings et al.*(AAA), and in litigation against the outside auditor in federal district court, *Levitt v. PricewaterhouseCoopers* (S.D.N.Y.) in connection with their investments in the Partnership which were allegedly overvalued for over 5 years.

Mr. Barton has also worked on a number of antitrust actions. Mr. Barton was a part of the team that engaged in intensive trial preparations in *In re High Fructose Corn Syrup Antitrust Litigation*, (C.D. Ill.), a class action alleging price-fixing by the manufacturers of high fructose corn syrup, which settled for more than \$500 million shortly before trial. Mr. Barton litigated *In re Mercedes-Benz Antitrust Litigation* (D.N.J.), a class action alleging price-fixing of new Mercedes-Benz vehicles in the New York Region that settled for \$17.5 million or 50% of Plaintiffs' calculation of actual damages. In connection with the Mercedes-Benz litigation, Mr. Barton briefed and argued and obtained summary judgment on an issue of first impression that established that lessee-plaintiffs had standing to sue as direct purchasers under the federal antitrust laws.

Mr. Barton considers pro bono representation an important component of his practice and usually has at least one pro bono representation. He has represented a number of clients involving actions concerning their employer's failure to pay wages and/or overtime. In one such action, the Judge in D.C. Superior Court described Mr. Barton's representation as follows: "everything done on behalf of the Plaintiff has been professional, timely and thorough."

Along with the non-profit law firm Midwest Environmental Advocates, Mr. Barton provided pro bono representation to the grassroots citizens action group Clean Water Action Council of Northeastern Wisconsin, in objecting to a settlement by the United States Department of Justice and the State of Wisconsin concerning natural resource damages in the Fox River area of Wisconsin.

Mr. Barton received his undergraduate degree from the College of William & Mary (B.A. 1991) where he majored in History and minored in Classical Studies, and graduated Order of the Coif from the College of William & Mary, Marshall-Wythe School of Law (J.D. 2000). At law school, he received the Lawrence W. T'Anson Award for outstanding student scholarship, character and leadership, the William B. Spong Award for professionalism and ethics, the Robert R. Kaplan Award for excellence in legal writing and Order of the Barristers. He served on the editorial board of the William & Mary Law Review and was a staff member of the William & Mary Bill of Rights Journal. Mr. Barton was a member of the William & Mary National Trial Team and served as Vice-President of the William & Mary Chapter of the Association of Trial Lawyers of America.

Mr. Barton is the author of a number of articles including *Navigating the Unfriendly Skies of ERISA Reimbursement*, Trial Magazine (October 2014), *Determining the Meaning of "Direct Evidence" in Discrimination Cases Within the Eleventh Circuit: Why Judge Tjoflat was (W)right*, 77 Fla. B.J. 42 (2003), *Drowning in a Sea of Contract: Application of the Economic Loss Rule to Fraud and Negligent Misrepresentation Claims*, 41 Wm. & Mary L. Rev. 1789 (2000), and *Utilizing Statistics and Bellwether Plaintiff Trials: What do the Constitution and the Federal Rules of Civil Procedure Permit?*, 8 Wm. & Mary Bill Rts. J. 199 (1999). Each of these published articles has been cited by courts and commentators.

Mr. Barton has been invited to speak on ERISA and Class Actions including at the ABA Employee Benefits Mid-Winter meetings, the ABA Joint Committee on Employee Benefits. Mr. Barton is the Plaintiffs' Co-Chair of the Civil Procedure Subcommittee for the ABA Employee Benefits Committee. Mr. Barton was the Co-Chair of the American Association of Justice (AAJ) Class Action Litigation Group for 2014-2015 and was re-elected to serve another term as Co-Chair for 2015-2016. Mr. Barton is and has been for several years, a member of the Publications Committee for the AAJ, which is the Committee that oversees the selection and review of articles for AAJ's award-winning magazine, Trial. Mr. Barton was also the 2013-2104 Chair of the Employment Rights Section of the

AAJ which focuses on all aspects of employment and labor law including Title VII, ADA, ADEA, FMLA, wrongful discharge, and employee benefits cases.

Mr. Barton has a Martindale-Hubbell® AV Preeminent™ Rating, has been selected every year since 2013 as a Washington, D.C. "Super Lawyer," has a 10.0 rating from Avvo, and is listed in the Marquis' Who's Who in American Law.

Mr. Barton is admitted to practice in the State of California and the District of Columbia.

Joshua S. Devore

Joshua Devore, a Partner at the Firm, joined Cohen Milstein in 2000 as a member of the Securities Fraud/Investor Protection practice group.

He is currently working on several high-profile securities fraud class actions, including litigation concerning the explosion of BP's Deepwater Horizon rig in the Gulf of Mexico, and multiple cases involving mortgage backed securities that collapsed due to failures to follow loan origination guidelines. Mr. Devore has been heavily involved in litigation covering a wide-range of sophisticated investment products in addition to mortgage backed securities, including private equity funds, auction rate securities, and mutual funds. He has actively participated in a number of cases that resulted in substantial recoveries for investors, including *In re Lucent Technologies, Inc. Securities Litigation* (settlement of approximately \$575 million); *Maine State Retirement Sys. v. Countrywide Financial* (settlement of \$500 million); *In re Merrill Lynch Research Reports Securities Litigation* (settlement of \$125 million); *New Jersey Carpenters Health Fund v. Residential Capital* (\$100 million partial settlement); *In re VeriSign Corp. Securities Litigation* (settlement of \$78 million); and *Norman v. Salomon Smith Barney* (settlement of \$51 million on behalf of Guided Portfolio Management Account holders).

Mr. Devore has been the primary author of numerous briefs addressing complex and novel issues of the federal securities laws, leading to notable reported decisions such as *In re Parmalat Securities Litigation*, 376 F.Supp.2d 472 (S.D.N.Y. 2003), that affirmed claims of "scheme" liability against a corporation's outside investment banks, and *Lentell v. Merrill Lynch & Co.*, 396 F.3d 161 (2d Cir. 2005), that reversed a dismissal on statute of limitations grounds and reset the standards for pleading loss causation. In the course of his cases, Mr. Devore has taken depositions on four continents of fact witnesses at all levels, including CEO and CFO, and expert witnesses in numerous fields. He was also a member of the trial team in *In re Globalstar Securities Litigation*, which settled during trial for \$20 million after Plaintiffs had fully presented their case.

Mr. Devore is actively involved in the representation of the firm's institutional investor clients and personally developed and oversees the analysis of the firm's clients' investments in securities that may have been affected by fraud.

Mr. Devore was selected as a "Rising Star" by Super Lawyers in 2013 and 2014.

Mr. Devore graduated from Rice University in 1997 with a B.A. in Chemistry, and obtained his law degree from Georgetown University Law Center in 2000. While at Georgetown, Mr. Devore served as an Executive Editor of the Georgetown International Environmental Law Review. Mr. Devore is co-author of *State Court Class Actions: Trends and Issues*, in National Institute on Class-Actions, C-1 (ABA CLE 1999).

Mr. Devore is admitted to practice in the District of Columbia and the Commonwealth of Virginia.

Christopher J. Cormier

Christopher J. Cormier, a Partner at the Firm, joined Cohen Milstein in 2003 and is a member of the Antitrust Practice Group. He has gained considerable experience at the pre-trial, trial and appellate levels in various types of large and complex antitrust cases. And he has helped obtain recoveries for clients in these matters exceeding one billion dollars.

Chris has been named an Antitrust "Litigation Star" in the 2013, 2014, and 2015 editions of Benchmark Plaintiff: The Definitive Guide to America's Leading Plaintiff Firms and Attorneys. And in 2015, the firm's Denver office—which he runs—was named "Antitrust Law Firm of the Year – Colorado" by Corporate International Magazine Global Awards, 2015-2016.

He works or has worked on the following representative matters:

- *In re Urethane Antitrust Litigation* (D. Kan.), where he serves as co-lead counsel on behalf of a certified class of direct purchasers of several types of chemicals that were overcharged as a result of a nationwide price-fixing and market allocation conspiracy. He played a leading role in litigating major aspects of the case, and helped obtain class settlements with Bayer (\$55.3 million), BASF (\$51 million), and Huntsman (\$33 million). He was a member of the trial team that obtained a \$1 billion judgment following a victorious jury trial against the sole remaining defendant, Dow Chemical. That verdict was the largest in the country in 2013. The judgment was affirmed on appeal by the 10th Circuit.
- *In re Plasma-Derivative Protein Therapies Antitrust Litigation*(N.D. Ill.), where he served on the plaintiffs' steering committee on behalf of a proposed class of direct purchasers alleging a nationwide output restriction and price-fixing conspiracy. He played a leading role in managing all day-to-day as well as strategic aspects of the plaintiffs' litigation efforts. He helped secure \$128 million in court-approved settlements from the defendants in 2013.
- *In re Ductile Iron Pipe Fittings Direct Purchaser Antitrust Litigation* (D.N.J.), where he serves as co-lead counsel representing proposed classes of direct purchasers alleging a price-fixing conspiracy among the three major fittings manufacturer defendants, monopolization of a particular market by one defendant, and a conspiracy to monopolize that market by two defendants.
- *In re Cast Iron Soil Pipe and Fittings Antitrust Litigation* (E.D. Tenn.), where he serves as co-lead counsel representing a proposed class of direct purchasers alleging a price-fixing conspiracy among the major manufacturers of cast iron soil pipe and fittings.
- *In re Endosurgical Products Direct Purchaser Antitrust Litigation*(C.D. Cal.), where he served as co-lead counsel on behalf of a proposed class of direct purchasers of medical instruments used in laparoscopic surgery that were overcharged pursuant to alleged monopolistic conduct. In 2009, the Court approved class settlements valued at more than \$39 million.
- *In re Parcel Tanker Shipping Services Antitrust Litigation* (D. Conn.), where he served as co-lead counsel in an arbitration on behalf of direct purchasers of shipping services who allegedly were overcharged pursuant to the defendants' international customer allocation and price-fixing conspiracy. He was a primary author of the brief opposing defendants' request for Supreme Court review of the lower court's order holding that the relevant arbitration clauses did not preclude class-wide arbitration.

- *McIntosh, et al. v. Monsanto Co., et al.* (E.D. Mo.), where he served as co-lead counsel on behalf of farmers alleging a price-fixing conspiracy concerning genetically modified soybean seeds. Following the Court's denial of the remaining defendant's motion for summary judgment, the plaintiffs settled with that defendant on confidential terms.
- *Nate Pease, et al. v. Jasper Wyman & Son, Inc., et al.* (Knox County Superior Court, Me.), where he served as co-lead counsel on behalf of a class of Maine wild blueberry growers. In 2004, a Maine state court jury found the processing companies liable for participating in a four-year price-fixing and non-solicitation conspiracy, and ordered the defendants to pay over \$56 million in damages.

Chris also has written about developments in the antitrust field. He has authored or co-authored the following articles that have been published in leading competition journals:

- "Perspectives on the Future Direction of Antitrust," *Antitrust*, Vol. 22, No. 3, Summer 2008, © 2008 by the American Bar Association.
- "Private Recovery Actions in the United States," *The Antitrust Review of the Americas* 2010, *Global Competition Review*, September 2009.
- "Private Enforcement in the U.S.: An Overview of Leading Cases," *Concurrences Journal*, *Institute of Competition Law*, April 2014.
- Numerous case law summaries, *E-Competitions Bulletin*, *Institute of Competition Law*, Fall and Winter 2013.

Prior to joining Cohen Milstein, Chris practiced at a large Baltimore-based law firm, where he focused on commercial and antitrust litigation. After his first year of law school, he served as a judicial intern to the Honorable Deborah K. Chasanow, United States District Court for the District of Maryland. During his second year of law school, he served as a legal intern in the National Criminal Enforcement Section of the United States Department of Justice's Antitrust Division.

He graduated from the University of Virginia with a B.A. in Government in 1999 and from the American University's Washington College of Law (*magna cum laude*) in 2002.

He is admitted to practice in Maryland, the District of Columbia, Colorado, the U.S. District Court for the District of Maryland, the U.S. Court of Appeals for the 9th Circuit; the U.S. Court of Appeals for the 10th Circuit; the U.S. District Court for the District of Colorado; and the U.S. Supreme Court.

Betsy A. Miller

Betsy A. Miller, a Partner at the Firm, joined Cohen Milstein in 2009 and is a member of the Public Client practice group.

Named one of Washington's *Top 40 Under 40 Rising Legal Stars* by the National Law Journal, Ms. Miller is an experienced labor, employment and commercial litigator. Currently, Ms. Miller represents state Attorneys General in investigations, litigation and enforcement actions involving fraudulent mortgage lending, unsafe and deceptive practices in the sale of prescription drugs, and misclassification of independent contractors in violation of state tax and labor laws. In addition to government clients, Ms. Miller represents other public-sector clients, including non-profit organizations and labor unions, in their efforts to ensure enforcement of laws protecting workers and consumers.

Since 2001, Ms. Miller has served on the adjunct faculty of Georgetown University Law Center, where she teaches courses on mediation strategy and negotiation skills. Ms. Miller's dispute resolution experience also includes serving as a mediator, arbitrator, mediation coach and negotiation skills trainer. She has taught negotiation skills courses at Harvard Law School and for a variety of federal and state government clients, law firms, corporations and non-profit organizations. As a consultant for the Kennedy School of Government, Ms. Miller traveled to Central America to evaluate mediation and arbitration programs in Guatemala, Costa Rica, El Salvador and Nicaragua.

Prior to joining Cohen Milstein, Ms. Miller served as the Chief of Staff and Senior Counsel to Linda Singer, the former Attorney General for the District of Columbia. In that capacity, Ms. Miller managed high-profile legal issues and policy initiatives for the Attorney General and was the Mayor's lead labor and employment lawyer overseeing the transition of the D.C. Public Schools to mayoral control. Ms. Miller also supervised the General Counsels' offices of three District agencies, including the D.C. Public Schools and the Office of the State Superintendent for Education. Her other government experience includes serving as Counsel to the U.S. Senate Committee on the Judiciary, where she worked for Chairman Patrick J. Leahy (VT), and clerking for the Honorable Thomas Penfield Jackson in the U.S. District Court for the District of Columbia. In addition, Ms. Miller spent seven years as a litigator in the private sector, working for Jones Day and Crowell & Moring, LLP.

Ms. Miller's recent publications include "Untapped Potential: Creating a Systematic Model for Mediation Preparation," *Dispute Resolution Journal* (May-August, 2009) and "WARNings for Firms Facing Layoffs or Bankruptcy," *Law360* (January, 2009).

Ms. Miller received her undergraduate degree in Comparative Literature from Dartmouth College, *magna cum laude* and Phi Beta Kappa (A.B., 1996). She received her law degree from Harvard Law School, where she was an editor on the Harvard Human Rights Journal and the Harvard Latino Law Review (J.D., 1999). After graduating, Harvard awarded Ms. Miller the Heyman Fellowship for government service and academic excellence and the Kaufman Fellowship for public service.

Ms. Miller is admitted to practice in Massachusetts and the District of Columbia.

Manuel J. Dominguez

A partner in Cohen Milstein's Florida office, Manuel J. ("John") Dominguez focuses his practice on antitrust litigation. Mr. Dominguez plays a significant role in the firm's antitrust group identifying and investigating potential antitrust violations.

Mr. Dominguez is also involved in and helps to lead many of the firm's pending antitrust cases. He is currently representing plaintiffs in antitrust litigation involving alleged price-fixing and other anti-competitive conduct in various industries including truck transmissions, medical products, auto industry, and finance, among others. He recently litigated and resolved cutting-edge litigation against a major internet service provider for allegedly unlawfully collecting the internet search data of millions of users and making their private information available for downloading by the general public.

Mr. Dominguez has been litigating complex antitrust and consumer cases for more than 20 years, and has served as lead counsel and handled numerous high-profile, high-stakes cases during that time. His efforts have enabled aggrieved businesses and consumers to recover hundreds of millions of dollars.

Mr. Dominguez is also nationally recognized for his knowledge of managing the discovery process in today's increasingly technologically complex business environment. He has made presentations on topics such as the impact of the new e-discovery amendments to the Federal Rules of Civil Procedure, and has also participated in The Sedona Conference® Working Group 1 – an organization at the vanguard of developing standards for electronic discovery.

Mr. Dominguez formerly served as the Chair for the Antitrust, Franchise & Trade Regulation Committee of the Florida Bar's Business Law Section. Mr. Dominguez previously served as the Vice Chair of this committee and was a member of the Executive Council of Florida Bar's Business Law Section. Mr. Dominguez also co-authored an article for the Florida Bar Journal, "*The Plausibility Standard as a Double Edge Sword: The application of Twombly and Iqbal to Affirmative Defenses*" (Volume 84, No 6, June 2010).

Mr. Dominguez began his career as an Assistant Attorney General serving in the Attorney General of the State of Florida's Department of Economic Crimes. As an AAG, he represented the state of Florida in prosecuting corporations and business entities for alleged violations of Florida's RICO, antitrust, and Unfair and Deceptive Trade Practices Act statutes. Following his service as an AAG, Mr. Dominguez entered private practice, litigating and trying numerous cases involving unfair trade practices and other alleged violations of state and federal consumer protection statutes. In 2000 he joined Berman DeValerio as an associate and when he left the firm in 2011 he was one of the partners leading the firm's antitrust and consumer practice groups.

Mr. Dominguez graduated with honors from the Florida State University Law School in 1995, where was a member of the Transnational Journal of Law and Policy. He received his undergraduate degree from Florida International University in 1991.

Mr. Dominguez is admitted to practice law in the State of Florida as well as U.S. District Courts for the Northern, Middle and Southern Districts of Florida. Mr. Dominguez is also admitted to practice in the United States District Court for Northern District of Illinois and the Eastern District of Michigan.

Brent W. Johnson

Brent W. Johnson, a Partner at the Firm, joined Cohen Milstein in 2009 and is a member of the Antitrust Practice Group. Mr. Johnson has considerable expertise in complex antitrust litigation and class actions.

Mr. Johnson represents businesses and individuals as plaintiffs in federal and state civil actions with a focus on multi-district class actions. His class action experience spans across multiple industries, such as motion pictures, dairy, building materials, chemicals, automotive parts, processed foods, private equity, adhesives and others. His practice encompasses a broad variety of antitrust claims, including Sherman Act Section 1 restraints of trade and Section 2 monopoly and monopsony claims. He has argued before federal district courts and state trial and appellate courts.

Mr. Johnson's recent matters include, among others:

- *Allen vs. Dairy Farmers of America* (D. Vt.), in which he serves as lead counsel for one of two certified subclasses of Northeast dairy farmers against Dairy Farmers of America and Dairy Marketing Services who fixed prices of raw milk, allocated markets and agree not to solicit

dairy farmers to supply raw milk in the Northeast and in which defendant Dean Foods Company settled for \$30 million and Defendant Dairy Farmers of America has settled for \$50 million pending approval by the Court;

- *In re Domestic Drywall Antitrust Litigation* (E.D. Pa.), in which he serves as co-lead counsel representing a class of direct purchasers of drywall against drywall manufacturers for price-fixing and in which a major defendant has already settled for \$40 million pending approval by the Court;
- *In re Urethane Antitrust Litigation* (D. Kan.), in which he serves as co-lead counsel on behalf of a certified class of direct purchasers of several types of chemicals who were overcharged as a result of a nationwide price-fixing and market allocation conspiracy and in which multiple defendants collectively settled for over \$130 million and a jury verdict of \$1.1 billion was secured against the final defendant Dow Chemical in 2013;
- *Grand Strand v. Oltrin*, (D. S.C.) in which he was personally appointed co-lead Class Counsel and leads the CMST team in representing a class of direct purchasers of bulk bleach, including municipal water authorities and others, against that product's manufacturers who engaged in an illegal market allocation agreement and in which a settlement worth nearly all of the class's single damages has been preliminarily approved by the Court;
- *The Shane Group, Inc. v. Blue Cross Blue Shield of Michigan* (E.D. Mich.) in which he serves as co-lead counsel representing purchasers of hospital services against Blue Cross Blue Shield of Michigan for agreeing to MFN provisions in its contracts with hospitals throughout Michigan that required those hospitals to charge other insurers as much or considerably more for services provided to class members and in which a settlement with BCBSM for nearly \$30 million is currently pending final approval by the Court;
- *Nitsch v. Dreamworks* (N.D. Ca.) in which he serves as co-lead counsel representing a class of visual effects and animation workers against their defendant employers that include Pixar, Lucasfilm Ltd and Dreamworks Animation and who secretly agreed not to actively solicit class members and to fix their wages and salaries in certain ranges;
- *In re Capacitors Antitrust Litigation* (N.D. Ca.) in which he represents a class of direct purchasers of certain capacitors against the defendant manufacturers of those products for price-fixing in violation of Sherman Act;
- *In re Automotive Parts Antitrust Litigation* (E.D. Mich.), in which he represents direct purchasers of wire harnesses, bearings and other automotive parts who were overcharged as a result of price-fixing and bid-rigging conspiracies by various sets of defendants throughout the automotive parts industry.

Prior to joining Cohen Milstein, Mr. Johnson practiced at Latham & Watkins LLP in its Washington, D.C. and New Jersey offices for six years, where he focused on antitrust litigation. Some of Mr. Johnson's matters included:

- *Feesers, Inc. v. Michael Foods, Inc. and Sodexo, Inc.* (M.D. Pa.), in which he was a member of the successful trial team that represented Michael Foods, a manufacturer of processed egg products and refrigerated potato products, in a three week trial of a Robinson-Patman Act action brought by a broad-line distributor of food products;
- *National Laser Technology, Inc. v. Biolase Technology, Inc.* (S.D. Indiana), in which he represented Biolase, the country's largest manufacturer of lasers for dental applications, in a civil action brought by an after-market dental laser support company resulting in a favorable settlement for the client. The plaintiff alleged that Biolase had monopoly power over the hard

tissue dental laser market and used that power to coerce dentists into purchasing products from it in violation of Sections 1 and 2 of the Sherman Act;

- *Dahl, et al. v. Bain Capital, et al.* (D. Mass.), in which he represented The Carlyle Group in a class action where plaintiffs alleged collusion among certain private equity firms and investment banks in specific going-private transactions in violation of Section 1 of the Sherman Act; and
- *In re Aftermarket Filters Antitrust Litigation* (N.D. Ill.), in which he represented Champion Laboratories, a manufacturer of aftermarket automotive filters, in a class action where plaintiffs alleged a conspiracy among manufacturers to fix prices in violation of Section 1 of the Sherman Act.

Mr. Johnson also advised clients in the insurance, commodities exchange, chemical and energy industries in obtaining clearance of mergers, acquisitions and joint ventures from the Federal Trade Commission and the Antitrust Division of the Department of Justice in connection with pre-merger notification proceedings under the Hart-Scott-Rodino Antitrust Improvements Act.

Mr. Johnson also has significant experience in other complex civil and criminal litigation and investigations. He has substantial mass torts experience and represented the City of New York and others in multiple federal actions related to the September 11th attacks. He has litigated government contracts matters and was a member of a team handling a GAO administrative hearing concerning a \$1.1 billion Air Force procurement contract. He has conducted internal investigations in response to criminal investigations and inquiries by the Department of Justice and U.S. Attorney's office. He has argued before state trial and appellate courts. He has first-chaired hearings before administrative law judges for the Department of Health and Human Services and the District of Columbia.

Mr. Johnson graduated *magna cum laude* from Duke University in 2000 with a B.A. in Political Science and Spanish. He obtained his law degree from Stanford Law School in 2003.

Mr. Johnson is admitted to practice in the District of Columbia, New York and New Jersey, as well as the U.S. District Courts for the Districts of the District of Columbia and New Jersey. He is a member of the ABA Section of Antitrust Law.

Along with the group's co-chair Dan Small, Mr. Johnson leads the Antitrust Practice Group's new case investigation efforts. In his pro bono work, he has recently represented Covenant House Washington, D.C., Habitat for Humanity International, Inc. and the Cystic Fibrosis Foundation.

Gary L. Azorsky

Gary Azorsky, a Partner at Cohen Milstein, is Co-chair of the Firm's Whistleblower/False Claims Act Practice. In his nation-wide practice, Mr. Azorsky has helped to recover more than \$1.5 billion for federal and state governments, including hundreds of millions of dollars for whistleblower clients.

Mr. Azorsky is currently co-lead counsel in the qui tam action against the pharmaceutical company Wyeth pending in the District of Massachusetts, in which more states have joined to intervene along with the government of the United States than have ever intervened in a qui tam action in history. (*United States of America et al., ex rel. Lauren Kieff, v. Wyeth*, No.1:03-CV-12366-DPW (D.Mass.)). He has also represented whistleblowers in False Claims Act cases involving defense contractors, off-label marketing and misbranding by pharmaceutical companies, and fraud in connection with for-profit

colleges and student loan programs. In addition, Mr. Azorsky represents whistleblowers in tax fraud claims against large and small corporations through the IRS Whistleblower Office, as well as whistleblowers alleging violations of the Foreign Corrupt Practices Act filed with the SEC Whistleblower Office.

Mr. Azorsky served as co-counsel for the whistleblower on the following representative matters:

- *United States of America ex rel. Ven-a-Care of the Florida Keys Inc. v. Dey Laboratories, et al.*, Civil Action No. 05-11084 (D. Mass.) (\$280 Million settlement in December 2010)
- *United States of America ex rel. Ven-A-Care of the Florida Keys Inc. v. Boehringer Ingelheim Corp, et al.*, Civil Action No. 07-10248 (D. Mass.) (\$280 Million settlement in December, 2010)
- *Florida ex rel. Ven-A-Care of the Florida Keys Inc. v. Boehringer Ingelheim Corp, et al.*, Civil Action No. 98-3-32A (Leon Cty., Fla.) (\$6.5 Million settlement with Dey Laboratories, Inc. in March 2010)
- *Florida ex rel. Ven-A-Care of the Florida Keys Inc. v. Boehringer Ingelheim Corp, et al.*, Civil Action No. 98-3-32A (Leon Cty., Fla.) (\$9.57 Million settlement with Schering-Plough in December 2009)
- *Florida ex rel. Ven-A-Care of the Florida Keys Inc. v. Boehringer Ingelheim Corp, et al.*, Civil Action No. 98-3-32A (Leon Cty., Fla.) (\$8.5 Million settlement with Boehringer Ingelheim in December 2009)
- *Texas ex rel. Ven-A-Care of the Florida Keys Inc. v. Roxane Laboratories, Inc., Boehringer Ingelheim Pharmaceuticals, Inc., Ben Venue Laboratories, Inc. and Boehringer Ingelheim Corporation*, Civil Action No. GV3-03079 (Travis Cty., Tex.) (\$10 Million settlement with Boehringer Ingelheim in November 2005)
- *Texas ex rel. Ven-A-Care of the Florida Keys Inc. v. Warrick Pharmaceuticals Corporation, Schering Plough Corporation, Schering Corporation*, Civil Action No. GV002327 (Travis Cty., Tex.) (\$27 Million settlement with Schering-Plough in May 2004)
- *Texas ex rel. Ven-A-Care of the Florida Keys Inc. v. Dey, Inc., Dey, L.P.*, Civil Action No. GV002327 (Travis Cty., Tex.) (\$18.5 Million settlement with Dey Laboratories, Inc. in June 2003)

Mr. Azorsky regularly speaks before professional audiences regarding the federal and state False Claims Acts. He is a member of Taxpayers Against Fraud, a nonprofit, public interest organization dedicated to combating fraud against the Federal Government through the promotion and use of the Federal False Claims Act and its qui tam provisions.

Prior to joining Cohen Milstein, in addition to his Whistleblower/False Claims Act practice, Mr. Azorsky was actively involved in groundbreaking civil rights, commercial and intellectual property litigation, including Internet and software industry-related litigation.

Mr. Azorsky is a member of the bars of the Commonwealth of Pennsylvania and the State of New Jersey and is admitted to the United States Supreme Court, Third Circuit Court of Appeals, Eastern District of Pennsylvania and the District of New Jersey. He received a B.A. degree from the University of Pennsylvania and his J.D. from Cornell University Law School. He is rated AV® Preeminent™ 5.0 out of 5 in Martindale-Hubbell Peer Review, representing the highest rating for professional excellence.

Jeanne A. Markey

Jeanne Markey, a Partner at Cohen Milstein, is Co-chair of the Firm's Whistleblower/False Claims Act Practice. She has successfully represented whistleblowers in federal and state cases across the country. Ms. Markey has extensive experience in Qui Tam litigation in the health care, defense and education industries, and has represented whistleblower clients in the public housing sector.

Ms. Markey is co-lead counsel in *United States of America et al., ex rel. Lauren Kieff, v. Wyeth*, the whistleblower case against pharmaceutical giant Wyeth (recently acquired by Pfizer). The lawsuit alleges that Medicaid, the healthcare program for the poor which is jointly funded by the federal and state governments, was defrauded when Wyeth falsely inflated the price of the acid suppression drug Protonix Oral from 2001 through 2006. Thirty-six states and the District of Columbia have joined with the United States to intervene in the Wyeth case -- more states than have ever intervened in any U.S. Qui Tam case.

She also served as the primary attorney representing the putative class in *Benzman v. Whitman*, a class action in Manhattan and Brooklyn against the U.S. Environmental Protection Agency. The claims were based on class members' exposure to contaminants contained in World Trade Center interior dust resulting from the 9/11 attacks.

Ms. Markey is admitted to practice law in the Commonwealth of Pennsylvania, the State of New Jersey, the Eastern District of Pennsylvania and to the First Circuit Court of Appeals, Second Circuit Court of Appeals, and Eleventh Circuit Court of Appeals. She is a member of Taxpayers Against Fraud, a nonprofit, public interest organization dedicated to combating fraud against the Federal Government through the promotion and use of the Federal False Claims Act and its qui tam provisions, the Association of Qui Tam Attorneys, and frequently speaks about developments in the Qui Tam field. She received her B.A. (*cum laude*) from Colgate University and her J.D. from Cornell University Law School.

Michael Eisenkraft

Michael Eisenkraft, a Partner at the Firm, joined Cohen Milstein in 2009 and is a member of its Securities Fraud/Investor Protection and Commercial Contingency practice groups. Mr. Eisenkraft currently represents investors in many of the firm's mortgage backed securities act cases, including [*HEMT*](#) (Credit Suisse), [*Harborview*](#) (RBS Greenwich Capital) (settlement of \$275 million), [*RALI*](#) (settlement of \$335 million preliminarily approved), and [*NovaStar*](#) (RBS Greenwich Capital, Deutsche Bank, and Wachovia) as well as the firm's ongoing litigation in the [*China MediaExpress*](#) securities suit (settlement of \$12 million with auditor defendant preliminarily approved). Mr. Eisenkraft also takes a leading role in prosecuting commodities related cases for the firm and currently serves as lead counsel in *Choi et al v. Tower Research Capital et al*, 14-cv-9912 (KMW), a Commodity Exchange Act class action against a high frequency trading firm alleging manipulation of the market for KOSPI 200 futures contracts traded on the CME and helps lead the firm's efforts in the *LIBOR* and *Cotton* CEA cases. In addition, since joining the firm Mr. Eisenkraft has represented investors in the *Dynex* case, which settled for \$7.5 million on the eve of trial and the *Lehman* mortgage-backed securities act case, which settled for \$40 million. Mr. Eisenkraft chairs the Firm's business development committee, serves as the Administrative Partner for the New York office, and was selected as a "Rising Star" by New York Super Lawyers for 2013 and 2014.

Prior to joining the firm, Mr. Eisenkraft was associated with Kramer Levin Naftalis & Frankel LLP and, before that, with the firm now known as Milberg LLP.

Mr. Eisenkraft served as a law clerk to the Honorable Barrington D. Parker of the United States Court of Appeals for the Second Circuit.

While associated with Milberg, Mr. Eisenkraft represented a lead plaintiff in a number of securities fraud class actions, including *In re CVS Securities Litigation* (D. Mass.), which settled on the eve of trial for \$110 million; *In re Novastar Financial Securities Litigation* (W.D. Mo.), which eventually settled for \$7.25 million; *In re McLeodUSA Inc. Securities Litigation* (N.D. Iowa), which settled for \$30 million; *In re Regeneron Pharmaceuticals Inc.* (S.D.N.Y.), which settled for \$4.7 million; and *In re ARM Financial* (W.D. Ky.), which settled for \$4.1 million.

When associated with Kramer Levin Naftalis & Frankel, Mr. Eisenkraft represented individuals and large corporations in complex civil, criminal, and regulatory matters. Matters included the representation of the former CEO of a publicly traded company charged with a multi-billion dollar securities fraud; the defense of the former director and chair of the compensation committee of the New York Stock Exchange in an action brought by the New York Attorney General relating to executive compensation; and the representation of publicly traded corporations in complex civil suits.

Publications:

Carol V. Gilden and Michael B. Eisenkraft, "[New Tools in the Investor Toolbox: Using the Commodity Exchange Act and the Antitrust Laws to Protect Your Portfolio](#)," Pension & Benefits Daily (Bloomberg BNA) (March 24, 2016)

Julie Goldsmith Reiser & Michael B. Eisenkraft, Omnicare: Negligence is the New Strict Liability When Pleading Omissions Under the Securities Act, Corporate Law & Accountability Report (BNA), (April 10, 2015)

Michael Eisenkraft, "Can Silence Keep You Safe? New Debate on 10b-5 Liability," Law360 (January 20, 2015)

Steven J. Toll & Michael B. Eisenkraft, "The Critical Role Played by Private Enforcement of the Securities Laws on Behalf of Taft-Hartley Pension Plans in the Aftermath of the Mortgage-Backed Securities Crisis- A Case Study," Pens. & Ben. Daily (BNA) No. 113 (June 12, 2014)

Michael Eisenkraft, *The Supreme Court Grants Certiorari in Indymac: What's at Stake for Investors, Securities Lawyers, and the Courts. What You Should Do Right Now to Prepare*, 46 Sec. Reg. & L. Rep. (BNA) 663 (Apr. 7, 2014)

Julie Goldsmith Reiser & Michael B. Eisenkraft, *Why the Financial Services Industry Should Enhance Dodd-Frank's Protections for Senior Citizens*, Banking & Financial Services Policy Report, Vol. 32: No. 11 (November 2013)

Carol V. Gilden, Michael B. Eisenkraft, and Josh Segal, *The Dangers of Missing the Forest: The Harm Caused by Verifone Holdings in a Tellabs World*, Loyola University Chicago Law Journal Vol. 44: No. 5 (Summer 2013)

Reiser, Julie Goldsmith and Eisenkraft, Michael B. (2013) "Dodd-Frank's Protections for Senior Citizens: An Important, Yet Insufficient Step," University of Cincinnati Law Review: Vol. 81: Iss. 2, Article 5.

J. Douglas Richards & Michael B. Eisenkraft, *Pro-Business and Anti-Efficiency: How Conservative Procedural "Innovations" Have Made Litigation Slower, More Expensive, and Less Efficient*, CPI Antitrust Chronicle, May 2013 (1).

J. Douglas Richards & Michael B. Eisenkraft, *Restraint of Trade: Does Manipulation of LIBOR Fall Within the Sherman Act's Definition of "Trade"? A Question of First Principles*, CPI Antitrust Chronicle, Nov. 2012 (2).

Class Action Issues, Ch. 5 of *Private Antitrust Enforcement of Antitrust Law in the United States: A Handbook* (Edward Algar, Cheltenham, UK)(co-authored with J. Douglas Richards) (2012).

Eric Tirschwell & Michael Eisenkraft, "*Repugnant*" and "*Malevolent*": *The Use of Acquitted Conduct in Federal Sentencing*, New York Law Journal, Sept. 9, 2009 at 4.

Robert A. Wallner & Michael Eisenkraft, *The Pleading Standard for Scienter Under the PSLRA: Is It Constitutional?*, Securities Litigation Report, Feb. 2005, at 1.

Education:

Mr. Eisenkraft graduated *Magna Cum Laude* and Phi Beta Kappa from Brown University (2001) and *Cum Laude* from the Harvard Law School (2004).

Admissions:

Mr. Eisenkraft is admitted in New York, New Jersey, the S.D.N.Y., the E.D.N.Y., the D.N.J., the U.S. Court of Appeals for the Federal Circuit, and the U.S. Court of Appeals for the Second Circuit.

Karen L. Handorf

Karen Handorf, a Partner at the Firm, joined Cohen Milstein in 2007. Ms. Handorf is head of the Employee Benefits (ERISA) practice group.

Ms. Handorf is currently involved in litigation and appeals involving a broad range of employee benefits issues including church plans, ESOPs, employer stock, COBRA, mismanagement of plan investments and benefit terminations. She represented a class of 30,000 Goodyear union retirees in litigation in which Cohen Milstein obtained approval of a class action settlement between the retirees, Goodyear and the United Steel Workers, resulting in the establishment of a \$1 billion trust through which retiree healthcare benefits will be provided in the future. *Redington v. Goodyear* (N.D. Ohio). She has co-authored amicus briefs filed by the firm on behalf of the Pension Rights Center in the U.S. Supreme Court (*LaRue v. DeWolff, Boberg & Associates*) and in the Third Circuit (*In re Schering-Plough Corporation ERISA Litigation*). She also played a primary role in drafting the appellate brief in *In re Citigroup ERISA Litigation* (2d Cir.) (challenging the dismissal of a complaint alleging the imprudent purchase of employer stock) and in *Boos v. AT&T* (5th Cir.) (involving the issue of whether

a program providing cash payments to certain “pension eligible” retirees to reimburse them for their personal telephone expenses during retirement is a pension plan).

Prior to joining the firm, Ms. Handorf was an attorney for the U.S. Department of Labor (the “DOL”) where she litigated ERISA cases in federal appellate and district courts for twenty five years. She began her ERISA career in 1982 as a trial attorney in the Plan Benefits Security Division (PBSD) where she litigated actions brought by the Secretary of Labor for violations of the fiduciary standards of ERISA and handled a number of appellate matters.

In 1989, she was appointed Counsel for Decentralized and Special Litigation responsible for supervising the DOL’s ERISA appellate litigation, district court litigation brought by regional offices of the Solicitor of Labor and administrative litigation involving the civil penalty provisions of ERISA. In that position at the DOL, Ms. Handorf was responsible for establishing and supervising PBSD’s amicus brief writing program which addressed a wide range of novel and difficult ERISA issues in both state and federal court. While at the DOL, she also played a major role in formulating the Government’s position on ERISA issues expressed in amicus briefs filed by the Solicitor General in the United States Supreme Court.

In 2001, she was appointed Deputy Associate Solicitor of PBSD. As the Deputy Associate Solicitor, she was responsible for overseeing litigation brought by the Secretary of Labor and legal advice provided to the Employee Benefit Security Administration, which administers Title I of ERISA. In 2005, she returned to her position as supervisor of the ERISA appellate and amicus brief writing program, serving as Counsel for Appellate and Special Litigation.

Ms. Handorf is a recipient of the Department of Labor Distinguished Career Service Award, and received Exceptional Achievement Awards for her work on ERISA 401(k) plan remedies, the amicus brief in the Enron litigation, retiree health care, the amicus program in general, the appellate brief in the Department’s Tower litigation, termination annuities litigation and multiple employer welfare arrangement (MEWAs) litigation.

Ms. Handorf has been recognized for her expertise by her colleagues in the ERISA bar, who made her a Fellow of the American College of Employee Benefits Counsel. She is a frequent speaker on ERISA issues for the ABA, various bar associations and private seminars, and serves as plaintiffs’ co-chair of preemption subcommittee of the Employees Benefits Committee of the ABA’s Labor Section.

Ms. Handorf received her law degree from the University of Wisconsin Law School in 1975. Prior to law school, she attended the University of Wisconsin-River Falls where she received a B.S. in Speech and History.

Ms. Handorf is a member of the bars of Wisconsin and the District of Columbia, and is admitted to practice before the United States Court of Appeals for the Second Circuit, Third Circuit, Fifth Circuit, Seventh Circuit, Ninth Circuit and Tenth Circuit.

Joel P. Laitman

Joel P. Laitman is a Partner at Cohen Milstein and a member of the Securities Litigation & Investor Protection Practice Group. Mr. Laitman has served as lead counsel in five of the firm’s major mortgage-backed securities class actions brought on behalf of pension funds and other institutional

investors against major investment banks. These cases alleged that the underlying mortgages failed to comply with the underwriting standards described in the Offering Documents.

Besides initiating these cases and directing and leading discovery with his partner Chris Lometti, Mr. Laitman argued all motions and conducted all hearings both before the District Court and the Second Circuit. In just three of these cases that have settled to date, recoveries totaling \$720 million were achieved for the benefit of injured investors: \$335 million in the RALI MBS case brought against Goldman Sachs, UBS and Citigroup; \$275 million in the Harborview MBS case brought against RBS; and \$110 million in the HEMT MBS case brought against Credit Suisse.

The settlements achieved in these cases have been commended by Courts and by legal publications. Commenting on the Harborview litigation, Judge Loretta A. Preska, of the U.S. District Court, Southern District of New York, noted that the case brought on behalf of the plaintiffs was “interesting and different” and that settlement on their behalf “was a job well done.” Judge Fallia, in approving the RALI Settlement, commended the firm for prosecuting the case for seven years and “never giving up” despite substantial obstacles.

The litigations and settlements have garnered awards from the leading legal publications. In 2014 and 2015, the *National Law Journal* cited the Harborview and RALI MBS in designating the firm an Elite Trial Law Firm and placing the firm on the Hot List; Law360 cited the RALI and Harborview cases in designating the firm one of “The Most Feared Plaintiffs Firms” in 2015, the third year in a row that Cohen Milstein received the designation; and in 2015, Law360 selected Cohen Milstein as the sole plaintiff firm to be chosen in two “Practice Groups of the Year” categories and one of only five class action law firms to be recognized, singling out the RALI and Harborview cases in the award.

In addition, Mr. Laitman has also argued a number of seminal cases before the Second Circuit in the securities field including: *Teamsters Local 445 Freight Div. Pension Fund v. Dynex Capital, Inc.*, 531 F.3d 190 (2d Cir. 2008) (addressing corporate scienter under Section 10 (b)); *Teamsters Local 445 Freight Div. Pension Fund v. Bombardier, Inc.*, 546 F.3d 196 (2d Cir. 2008) (addressing standard for establishing market efficiency in certification of Section 10(b) claims); *N.J. Carpenters Health Fund v. Royal Bank of Scot. Group, PLC*, 709 F.3d 109 (2d Cir. 2013) (“NovaStar”) (reversing dismissal of Securities Act claims); *Wyo. State Treasurer v. Moody's Investors Serv.* (In re Lehman Bros. Mortgage-Backed Sec. Litig.) (“Lehman”), 650 F.3d 167 (2d Cir. 2011) (addressing rating agency liability under the Securities Act); and *N.J. Carpenters Health Fund v. Rali Series 2006-QO1*, 477 Fed. Appx. 809 (2d Cir. 2012) (“Harborview/RALI”) (addressing class member knowledge as grounds for denial of class certification).

A member of Phi Beta Kappa, Mr. Laitman is a graduate of Columbia University, with a B.A., *magna cum laude*, and earned his law degree at Georgetown University Law Center.

Christopher Lometti

Chris Lometti, a Partner at the Firm, joined Cohen Milstein in 2009. Since then, he has helped litigate numerous securities class actions, including *Countrywide MBS* (\$500 million recovery); *Harborview MBS* (\$275 million); *Lehman MBS* (\$40 million); *WaMu MBS* (\$26 million); *Leap Wireless* (S.D. Cal) (\$13.75 million); *Impax* (\$8 million) (subject to final approval); and *Dynex Capital* (\$7.5 million). He is also one of the lead attorneys in many of the firm’s ongoing mortgage-backed securities cases, including *Bear Stearns*; *HEMT* (Credit Suisse); *Rali* and *Novastar*.

Prior to joining Cohen Milstein, he was a founding member of Schoengold Sporn Laitman & Lometti, P.C. ("SSLL"), where he practiced for more than thirteen years in the area of securities class action litigation.

While at SSLL, Mr. Lometti oversaw the firm's institutional client development efforts. Under his supervision, the firm established relationships with dozens of Taft-Hartley pension and benefit funds which the firm represented in numerous securities class action lawsuits over the years. In addition, Mr. Lometti participated in the successful litigation of these and other cases, including *WorldCom* (\$6.15 billion recovery), *Bank One* (\$50 million), *USN Communications* (\$45 million), *Nicor* (\$39 million), *PNC* (\$47 million), *Westar* (\$30 million), *SpectraVision* (\$28 million) and *SPX* (\$10 million). In *In re WorldCom, Inc. Securities Litigation*, 02-CV-3288 (S.D.N.Y.), Mr. Lometti represented a named plaintiff and certified class representative with a significant financial interest in WorldCom bonds. That case was settled in 2005 for over \$6.15 billion, the second-largest securities fraud settlement of all time. A majority of the settlement proceeds in the WorldCom case was allocated to the bond claims of Mr. Lometti's client and the class they represented. In addition, in *In re Nicor Securities Litigation*, 02-CV-5168 (N.D. Ill.), Mr. Lometti represented a Taft-Hartley pension and benefit fund in their capacity as sole lead plaintiff. Despite the fact that the case asserted claims under Section 10b of the Securities Exchange Act of 1934 which centered on complex accounting rules governing the financial reporting of natural gas leases, the case was eventually settled for \$39 million.

Prior to SSLL, Mr. Lometti was associated with Shea & Gould, a large New York City-based commercial litigation firm, where he practiced in the Litigation Department. While there, he represented an array of clients, including Fortune 500 companies, in a wide variety of commercial litigation disputes, including SEC investigations and enforcement proceedings, securities class actions and ERISA matters.

In addition to serving as a commercial mediator for the New York State Unified Court system for many years, Mr. Lometti has served as an arbitrator for the New York Stock Exchange and the National Association of Securities Dealers since approximately 1991. From 2011 - 2015, Mr. Lometti has been elected to Super Lawyers. Super Lawyers is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high-degree of peer recognition and professional achievement. The selection process is multi-phased and includes independent research, peer nominations and peer evaluations.

Mr. Lometti received a Bachelor of Arts from Fordham College in 1983, and his J.D. from Fordham Law School in 1986. He is a member of the New York State Bar Association, the New York County Lawyers Association and the Association of the Bar of the City of New York.

Mr. Lometti is admitted to practice in the State of New York, and is resident in the firm's New York office.

Michelle C. Yau

Michelle Yau, a Partner at the Firm, joined Cohen Milstein in 2007. Ms. Yau is a member of the Employee Benefits practice group.

Ms. Yau specializes in ERISA fiduciary breach cases involving complex financial transactions or investments. She successfully represented a multi-plan class of participants, beneficiaries and fiduciaries as ERISA counsel in *In re Beacon Assoc. Litig.*, 09 Civ. 0777 (S.D.N.Y.), which, along with other consolidated case, settled for \$219 million. The settlement provides approximately 70% of the Class Members damages. Several notable decisions were reached during the course of the litigation, including Judge Sand's holding that the Ivy Defendants were fiduciaries under the investment advisor for a fee regulation and the successful certification of multi-plan class. Ms. Yau was part of a team that achieved a \$75 million settlement in *In re: Merrill Lynch*, an employer stock based on allegations that fiduciaries of the Merrill Lynch retirement plans imprudently purchased and held inflated Merrill employer stock for the retirement accounts of the Companies' employees.

Ms. Yau currently leads an action against Weyerhaeuser Company and Morgan Stanley alleging the the Plan's fiduciaries violated ERISA by investing 80-95% of the Plan's assets in risky and illiquid alternative investments (hedge funds, private equity funds and derivatives). The Weyerhaeuser Plaintiffs recently won a motion to dismiss filed by Morgan Stanley. Ms. Yau also currently represents a multi-plan case against Austin Capital and its parent corporation Key Corp based on their investment of plan assets in a Madoff feeder fund.

Prior to joining Cohen Milstein, Ms. Yau was an Honor Program Attorney at the Department of Labor where she enforced and administered of a variety of labor statutes. Before law school, Ms. Yau worked as a financial analyst at Goldman, Sachs & Co. in the Financial Institutions Group of the Investment Banking Division.

Ms. Yau received her law degree from Harvard Law School in 2003, where she was awarded several public interest fellowships, including the Heyman Fellowship for academic excellence and a demonstrated commitment to federal public service. Ms. Yau graduated Phi Beta Kappa with a B.A. in Mathematics from the University of Virginia. Ms. Yau was also selected as an Echols Scholar and awarded the Student Council Scholarship for leadership, academic achievement and community service. Ms. Yau was named a Rising Star Under 40.

Ms. Yau is admitted to practice in the District of Columbia, Massachusetts, the United States Supreme Court and the United States Court of Appeals for the Fourth Circuit.

George F. Farah

George F. Farah, a Partner, joined the Firm in 2005 and is a member of the Antitrust and Human Rights practice groups.

Since joining the firm, Mr. Farah has represented classes of direct purchasers who were allegedly injured by price-fixing conspiracies, including in *In re Hydrogen Peroxide Antitrust Litigation* (E.D. Pa.) and *In re OSB Antitrust Litigation* (E.D. Pa.), both of which obtained total settlements exceeding \$100 million. He has also represented victims of other tortious conduct, including the City of Milwaukee in a lawsuit against lead paint manufacturers for widespread childhood lead poisoning as well as survivors of Nazi-era slave labor against German companies that profited from that labor.

Mr. Farah is currently involved in several antitrust class action cases alleging concerted or unilateral anticompetitive conduct. In *In re Publication Paper Antitrust Litigation* (D. Ct.), he serves on the executive committee representing direct purchasers who allege that publication paper manufacturers

conspired to reduce capacity and fix prices. In *Allen, et al. v. Dairy Farmers of America, et al.* (D. Vt.), he serves as co-lead counsel representing farmers who allege that cooperatives and processors in the Northeast conspired to monopolize the raw milk market and depress prices. In *Carlin, et al. v. DairyAmerica, et al.* (E.D. Ca.), he serves as co-lead counsel representing farmers who allege that a marketing company misrepresented data to the USDA and artificially depressed milk prices.

Mr. Farah is also currently litigating other cases on behalf of victims of alleged tortious conduct. In *In re Google Inc. Street View Electronic Communications Litigation* (N.D. Ca.), he serves as co-lead counsel representing a proposed class of nationwide computer users whose private data was intercepted and retained by Google's Street View vehicles. In *Greenpeace, Inc. v. Dow Chemical Company, et al.* (D.D.C.), he represents Greenpeace in a lawsuit against chemical and public relations companies that allegedly engaged in surveillance, trespass and other actions to secure information about Greenpeace's environmental activities. In political asylum proceedings before a United States Immigration Court, he represents a Nepali nurse who was tortured on the basis of her religion and social group.

Prior to joining the Firm, Mr. Farah focused on electoral reform and income inequality issues. He is the founder of Open Debates, a nonprofit organization working to reform the presidential debate process. Before attending law school, Mr. Farah worked to expose the harms of media concentration and the IMF's structural adjustment programs at The Center for the Study of Responsive Law.

Mr. Farah is the author of the book *No Debate: How the Republican and Democratic Parties Secretly Control the Presidential Debates* from Seven Stories Press. His articles addressing legal and electoral issues have been published in *The Washington Post*, *The Boston Globe*, *The Philadelphia Inquirer*, *The Denver Post*, *The Christian Science Monitor*, *Fort Lauderdale Sun-Sentinel*, *Extra! Magazine*, and other publications.

Mr. Farah has appeared on dozens of television programs, including "Nightline," "NOW with Bill Moyers," "20/20," "CBS Evening News," "NBC Nightly News," "CNN Lou Dobbs Tonight," "CNN's Market Call," "FOX and Friends," and "Countdown with Keith Olbermann." Mr. Farah has been interviewed on over 100 radio shows, including NPR's "To the Point," "Keep Hope Alive With Jesse Jackson," "Democracy Now!," "CounterSpin," and "Judicial Watch Report."

Mr. Farah has given several talks on the political process and electoral reform issues at colleges and universities, has hosted numerous televised press conferences, and was a Newsmaker at the National Press Club.

Mr. Farah is a graduate of Harvard Law School (J.D., 2005), and Princeton University (B.A., Woodrow Wilson School of Public and International Affairs, 2000). Mr. Farah was the recipient of a Paul and Daisy Soros Fellowship, and was a delegate to the 2005 International Achievement Summit.

Mr. Farah is admitted to practice in New York and the District of Columbia.

Kalpana Kotagal

Kalpana Kotagal, a Partner, joined the Cohen Milstein in 2006 and is a member of the Civil Rights & Employment practice group. She also chairs the Firm's Hiring and Diversity Committee.

Ms. Kotagal represents female employees alleging sexual discrimination against one of the nation's largest jewelry chains in *Jock, et al. v Sterling Jewelers Inc.* (AAA Case No.11 160 00655 08). The plaintiffs successfully sought review of the district court's decision reversing the arbitrator's clause construction award before the Second Circuit Court of Appeals, and prevailed against the defendant's motion to seek review of that decision by the United States Supreme Court. Ms. Kotagal is also currently involved in *Dukes v. Wal-Mart Stores, Inc.* (N.D. Cal.) and other cases challenging Wal-Mart's treatment of women employees alleging discrimination in pay and promotion.

Ms. Kotagal has represented a class of disabled veteran applicants alleging illegal pre-offer medical inquiries during the application process against the United States Postal Service, in *Hill, et. al v. Donohue, United States Postal Service*, which has been successfully resolved. Ms. Kotagal was also involved in *Aaron v. Pilgrim's Pride Corp.*, Civ. No. 06-1082 (W.D. Ark.), representing workers seeking redress for unpaid overtime, a case that was successfully resolved in 2009.

Ms. Kotagal is a member of the Center for Worklife Law's Working Group on Pregnancy Accommodation. She is a member of the National Employment Lawyers Association (NELA). She is also the co-author of "Innovation, Economics and the Law: The Health Care Industry's Exposure to Antitrust Liability," published by the ABA Antitrust Law Section in 2007.

Before attending law school, Ms. Kotagal worked in the environmental community as Assistant National Field Director of the United States Public Interest Research Group, running national legislative campaigns on renewable energy and environmental issues, and as an organizer with Green Corps. In 2006, she served as an advisor to a Congressional candidate. Ms. Kotagal served as an honorary chair of the National Finance Committee of Young Lawyers for Obama in 2008.

While in law school, Ms. Kotagal was a summer associate at Cohen Milstein and served as law clerk in the Chambers of the Honorable J. Curtis Joyner, Eastern District of Pennsylvania. She was also involved in litigation under the Alien Tort Claims Act and RICO on behalf of Haider Mushin Saleh against contractors CACI and Titan for human rights abuses in Abu Ghraib prison. She served on the Editorial Board of the University of Pennsylvania Law Review as an Articles Editor.

Following law school, Ms. Kotagal clerked for the Honorable Betty Binns Fletcher, United States Court of Appeals for the Ninth Circuit.

Ms. Kotagal received her undergraduate degree with honors from Stanford University (A.B., economics, B.S., earth systems, 1999) and was a Morris K. Udall Scholar. She received her law degree cum laude from the University of Pennsylvania (2005), where she was a James Wilson Fellow.

Ms. Kotagal is admitted to practice in New York and the District of Columbia.

Mimi Liu

Mimi Liu, a Partner at the Firm, joined Cohen Milstein in April 2012. She is a member of the Public Client practice group. Ms. Liu was formerly a senior lawyer at Planned Parenthood Federation of America, where for almost eight years she represented clients in a variety of high-profile constitutional civil rights matters. She successfully briefed and argued cases before numerous federal district and appellate courts and state appellate courts. Ms. Liu brings her robust experience as a civil rights litigator to this practice, where she represents state Attorneys General in investigations, litigation, and

enforcement actions aimed at protecting consumers and public resources. Currently, Ms. Liu represents state Attorneys General in actions involving Medicaid fraud, and unfair and deceptive practices in debt collection.

Prior to joining Planned Parenthood, Ms. Liu was a litigator at Wilmer, Cutler & Pickering (now WilmerHale), where she represented clients in civil rights, intellectual property, bankruptcy, and federal securities litigations. In addition, during her time at Wilmer, Cutler, Ms. Liu was part of the trial team that successfully challenged a federal law restricting access to reproductive health services in the Southern District of New York and served as appellate counsel for a brutalized Congolese woman, whose asylum she ultimately secured.

Ms. Liu graduated from Harvard Law School (J.D., *cum laude*, 1999), where she served as Executive Editor of the *Human Rights Journal* and co-authored the treatise *Gender Asylum Law*, which examines decisions and guidelines for filing asylum applications in a variety of international jurisdictions. She received her Bachelor of Commerce from the University of Alberta (1996). Following law school, Ms. Liu, a Canadian, clerked for the Court of Appeals of Alberta and for the Honorable Justice Claire L'Heureux-Dubé of the Supreme Court of Canada.

Ms. Liu is admitted to practice in the District of Columbia and New York, the United States Courts of Appeals for the Sixth, Eighth, and Ninth Circuits, and the United States District Court for the District of Columbia.

Sharon K. Robertson

Sharon K. Robertson, a Partner at the Firm, joined Cohen Milstein in 2007 and is a member of the Antitrust practice group.

Ms. Robertson currently represents Registered Nurses employed by hospitals in Albany, Detroit and Memphis in lawsuits alleging that their employers unlawfully fixed their wages in violation of federal antitrust laws. Ms. Robertson is also working on *In re Urethane Antitrust Litigation (Polyether Polyol Cases)* (D. Kan.), where she represents a class of direct purchasers of several types of chemicals who allegedly were overcharged as a result of a nationwide price-fixing and market allocation conspiracy. One defendant, Bayer, already has settled for \$55.3 million and is providing cooperation pursuant to its obligations under the settlement agreement.

Ms. Robertson also represents Indonesian villagers in a lawsuit against Exxon Mobil over torture and extrajudicial killings allegedly committed by the defendant's security forces (a unit of the Indonesian military).

Before attending law school, Ms. Robertson worked on the campaign committee of Councilman John Liu, the first Asian-American to be elected to New York City's City Council.

During law school, Ms. Robertson served as an Alexander Fellow. In that capacity, she spent a semester interning full-time for the Honorable Shira A. Scheindlin, United States District Court for the Southern District of New York. She was also an intern in the Litigation Bureau of the Office of the New York State Attorney General and the United States Court of Appeals for the Second Circuit.

Ms. Robertson graduated from the State University of New York at Binghamton, where she received a

B.A. in Philosophy, Politics and Law (*magna cum laude*, 2003). She received her law degree from the Benjamin N. Cardozo School of Law (J.D., 2006). She served as Notes Editor of the Cardozo Public Law, Policy and Ethics Journal.

Ms. Robertson is admitted to practice in New York and New Jersey.

S. Douglas Bunch

S. Douglas Bunch, a Partner at the Firm, joined Cohen Milstein in 2006 and is a member of the Securities Fraud/Investor Protection practice group.

Mr. Bunch is currently litigating multiple securities class actions, including cases on behalf of investors in funds which served as so-called “feeder funds” for Bernard L. Madoff’s Ponzi scheme; class actions on behalf of investors in residential mortgage-backed securities, including *Maine State Ret. Sys. v. Countrywide Fin. Corp.*, No. 2:10-CV-00302 MRP (C.D. Cal.); *In re Lehman Bros. Mortgage-Backed Sec. Litig.*, No. 08 Civ. 6762 (LAK) (S.D.N.Y.); *New Jersey Carpenters Health Fund v. Residential Capital, LLC*, No. 08 Civ. 8781 (HB) (S.D.N.Y.); *New Jersey Carpenters Vacation Fund v. Harborview Mortgage Loan Trust 2006-4*, No. 08 Civ. 5093 (HB) (S.D.N.Y.); and *In re Bear Stearns Mortgage Pass-Through Certificates Litig.*, No. 08 Civ. 8093 (LTS) (S.D.N.Y.); and *In re Oppenheimer Rochester Funds Group Sec. Litig.*, No. 09-md-02063-JLK (D. Colo.), a class action on behalf of investors in various Oppenheimer mutual funds which alleges defendants’ failure to disclose the risks of investing in those funds. Mr. Bunch was also instrumental in achieving the successful appeal and recent settlement, for \$90 million, of *Rubin v. MF Global Ltd.*, No. 08 Civ. 2233 (VM) (S.D.N.Y.).

Mr. Bunch is a graduate of the William & Mary School of Law (2006), where he was a recipient of the Benjamin Rush Medal. A member of Phi Beta Kappa, he graduated *summa cum laude* from the College of William & Mary in 2002 with a Bachelor’s degree in Government and Classical Studies. Mr. Bunch is also a 2003 graduate of Harvard University’s Graduate School of Education, from which he holds a Master’s degree in Administration, Planning, and Social Policy. At Harvard, he served as an intern in the Boston office of the U.S. Department of Education’s Office for Civil Rights, where he worked closely with attorneys to enforce federal laws that protect students from discrimination on the basis of race, gender, age, and disability.

Mr. Bunch is actively involved in several nonprofit endeavors. He is the Founder and Chairman of nonprofit Global Playground, which helps educate countless children worldwide; a member of the Board of Directors of Ascanius: The Youth Classics Institute, which promotes the study of Latin and the Classics in the elementary school; and a former member of the Board of Directors of the Northeast Conference on the Teaching of Foreign Languages, which promotes the study of world languages more broadly. Recently he received an award for service: in 2011, Mr. Bunch was the inaugural recipient of William & Mary School of Law’s W. Taylor Reveley Award.

Mr. Bunch is admitted to practice in New York, the District of Columbia, the U.S. Supreme Court, the Courts of Appeals for the Second, Ninth, and Tenth Circuits, and the U.S. District Courts for the District of Columbia, District of Colorado, and Southern and Eastern Districts of New York.

David Young

David Young joined Cohen Milstein as an Associate in 2010. He is a member of the Antitrust practice group. Mr. Young has extensive experience in complex antitrust litigation, class actions, federal False Claims Act litigation, and appeals.

Mr. Young represents businesses and individuals in federal and state civil actions, with a focus on multi-district class actions and federal False Claims Act litigation. He has worked on antitrust issues in numerous industries, including pharmaceuticals, financial services, financial derivatives, and PC microprocessors. Mr. Young also represents qui tam relators in federal False Claims Act litigation.

Prior to joining Cohen Milstein, Mr. Young practiced at Arnold & Porter LLP's and Heller Ehrman LLP's Washington, D.C. offices. His litigation practice focused on antitrust, trademark, business, and False Claims Act litigation. He represented the relator in *U.S. ex rel. Loughren v. UnumProvident Corp.* (D. Mass), where a jury found that UnumProvident violated the False Claims Act by causing the submission of false claims for social security disability benefits. He also represented U.S. trademark holders suing to prevent the illegal importation of products bearing their marks in federal court and administrative actions. Mr. Young has represented pro bono clients in discrimination actions before the D.C. Circuit and D.C. District courts, including successfully arguing for reversal of the district court's dismissal of his client's case in *Miller v. Hersman*, 594 F.3d 8 (D.C. Cir. 2010).

Mr. Young graduated from Bridgewater College with a B.A. in Physics (2001) and from Harvard Law School (J.D., 2006), where he served as an Executive Editor for the Harvard Civil Rights-Civil Liberties Law Review. He also represented clients in disability and discrimination cases as a member of Harvard's clinical programs, worked as a research assistant for Professor Christine Jolls, and volunteered as a summer legal intern at the Whitman-Walker Clinic in Washington, D.C.

Mr. Young is admitted to practice in Washington, D.C. and New York, as well as in the U.S. Court of Appeals for the D.C. Circuit, the U.S. Court of Appeals for the Federal Circuit, and the U.S. District Court for the District of Columbia. He is a member of the ABA Section of Antitrust Law.

Attorney Profiles – Retired Partner

Herbert E. Milstein

Herbert E. Milstein began practicing law with Jerry S. Cohen in 1970 – the birth of the Firm. Mr. Milstein has been lead or principal counsel in many of the best known securities class actions litigated during the past 40 years. He retired from the Firm in 2012.

Mr. Milstein is the author of numerous articles on topics involving class action litigations and the Federal securities laws. He recently authored an article on current issues involving federal securities laws. He also wrote a separate article in the book entitled *The Burger Years*. He is the author of a monograph on the attorney-client privilege.

As an adjunct Professor of Law at Georgetown University Law Center from 1980-1987, he taught complex litigation and continues to lecture on securities litigation and class actions at law schools and seminars sponsored by the American Bar Association, state bar associations, and continuing legal education organizations. In 1985, he received a Silver Gavel award from the American Bar Association for his distinguished example of public service.

Mr. Milstein formerly served on the staff of the Securities and Exchange Commission for five and one-half years, and last held the position of Chief Enforcement Attorney, Division of Corporate Regulation. From 1976-1980, Mr. Milstein served as Equity Receiver for National American Life Insurance Company, appointed by Judge Charles R. Richey, in *SEC v. National Pacific Corp.* For that work, the Chairman of the SEC said Mr. Milstein and the Firm served “with distinction.”

Formerly the President of the National Association of Securities and Commercial Law Attorneys (NASCAT), he also served as Treasurer of that organization for six years. He is a member of the American Law Institute, and a member and former Chairman of the Executive Council of the Securities Law Committee of the Federal Bar Association.

Mr. Milstein is currently on the Board of Directors of several organizations, including The Studio Theatre of Washington, DC.

Mr. Milstein graduated from Harvard College (*cum laude*, 1958) and Columbia University School of Law (LL.B., 1961).

Mr. Milstein is admitted to practice in the District of Columbia and Massachusetts.

Attorney Profiles – Of Counsel & Associates

Laura Alexander

Laura Alexander joined Cohen Milstein in 2012 and is a member of the Antitrust Practice Group. Ms. Alexander has extensive experience in complex antitrust litigation, class actions, and appeals.

Ms. Alexander represents businesses and individuals in federal and state civil actions with a focus on multi-district class actions. She has worked on antitrust issues in many industries, including pharmaceuticals, telecommunications, cable television, wireless networking, welding, industrial fans, automotive parts, air transport, finance, enterprise software, and consumer credit, among others. Her practice encompasses a broad variety of antitrust claims, including monopoly, monopsony, and restraint of trade claims, as well as sham litigation and pay-for-delay claims related to patents and other intellectual property.

Prior to joining Cohen Milstein, Ms. Alexander practiced at Kirkland & Ellis LLP in its Washington, D.C. office, where she focused on antitrust litigation.

Ms. Alexander also has significant experience in other complex civil and criminal litigation. She has successfully represented several clients before the United States Supreme Court, including the House of Representatives of the State of Arizona in a federal action related to Arizona's administration of ESL education and securing the reversal of a conviction of a criminal defendant for violation of his rights under the Speedy Trial Act. Ms. Alexander was part of the team litigating what was, at the time, the largest bankruptcy ever filed, at both the trial and appellate levels. She has also successfully represented clients in employment discrimination lawsuits, under federal and state law, and in federal disability lawsuits. Ms. Alexander has argued before federal appellate courts and agencies.

Ms. Alexander obtained a B.A. in Mathematics from Reed College in 2002. She graduated *magna cum laude* from Georgetown University Law Center in 2007. After law school, Ms. Alexander served as a law clerk to the Honorable M. Margaret McKeown on the United States Court of Appeals for the Ninth Circuit.

Ms. Alexander is admitted to practice in the District of Columbia and California, as well as the U.S. District Court for the District of Columbia. She is a member of the ABA Section on Antitrust Law.

Elizabeth Aniskevich

Elizabeth Aniskevich, an Associate at the Firm, joined Cohen Milstein in 2012 and is a member of the Securities Fraud/Investor Protection practice group.

Prior to joining the firm, Ms. Aniskevich served as the Pro Se Clerk at the United States District Court for the Eastern District of Virginia in Alexandria, where she managed the pro se prisoner dockets of the seven district court judges. She also previously worked at Cohen Milstein as a law clerk from May 2010 to April 2011.

Ms. Aniskevich graduated from the University of Florida in 2008 with a Bachelor of Arts and double major in Sociology and Criminology, where she was the Valedictorian for the College of Liberal Arts and Sciences. Ms. Aniskevich received her J.D., *magna cum laude*, *Order of the Coif*, from American

University's Washington College of Law in 2011. During law school, Ms. Aniskevich was a Senior Staff Member of the *American University Law Review* and served as a Research Assistant to her criminal law professor, Professor Ira P. Robbins. She was also the recipient of the Clair A. Cripe award for outstanding performance in correctional law.

Ms. Aniskevich is admitted to practice in Virginia.

Luke Bierman

Luke Bierman joined Cohen Milstein in 2011 as Of Counsel in the Securities Fraud/Investor Protection Practice Group, where he counsels pension funds on fiduciary, ethics, governance and compliance issues. Mr. Bierman's role is to assist public pension funds at critical and challenging times for those funds, and to provide collaborative and creative solutions.

Mr. Bierman is also the Dean and Professor of Law at Elon University School of Law in Greensboro, North Carolina. As the leader of a law school recognized as one of the most innovative, Dean Bierman envisions a law school that blends the most important traditional elements of legal education with the demands of modern society and serves as a hub where the public, private and academic communities come together.

Previously, Dean Bierman was the Associate Dean for Experiential Education and Distinguished Professor of Practice of Law at Northeastern University School of Law in Boston where he was responsible for Northeastern's distinctive Cooperative Legal Education Program. Dean Bierman also convened the Alliance for Experiential Learning in Law, a group of legal educators from over 100 law schools that is committed to innovative approaches in law school curriculums.

Previously, Mr. Bierman served for almost four years as General Counsel for the Office of the New York State Comptroller, the sole trustee of the state's \$140 billion pension fund and the state's chief fiscal officer for the state of New York's \$130 billion budget. In this role, Mr. Bierman managed a legal staff that included 55 attorneys, and was responsible for legal advice and counsel on all matters relating to the comptroller's constitutional and statutory responsibilities, including fiduciary, governance, ethics, litigation, investment, pension benefits, state and municipal finance and legislative matters. He also managed the 35 outside law firms that represented the Comptroller in litigation and transactional matters.

Earlier in his career, Mr. Bierman served as a Fellow in Government Law and Policy at Albany Law School. He also has served as Director of the Institute for Emerging Issues at North Carolina State University, where he held the rank of Associate Professor of Political Science; as Founding Director of the Justice Center and Special Assistant to the President of the American Bar Association; as Visiting Specialist in Constitutional Law with the rank of Associate Professor at The Richard Stockton College of New Jersey; and as law clerk to Justices and as Chief Attorney of the New York Supreme Court, Appellate Division, Third Department. Mr. Bierman also has taught at Albany Law School, Northwestern University School of Law, the University at Albany and Trinity College in Hartford.

Mr. Bierman is a frequent lecturer and commentator about corporate governance reform, fiduciary responsibility and ethics, and justice reform. He was a member of the board of directors of the Council of Institutional Investors, where he co-chaired the policies committee. He is an elected member of the American Law Institute. Mr. Bierman's most recent speaking engagements include:

- Moderator, “Corporate Governance Roundtable”, Active-Passive Investor Summit, New York City, April 2012
- Panelist, “Corporate Governance, Due Diligence and Securities Litigation”, Public Funds Summit, San Diego, CA, March 2012
- Panelist, “Legal Developments,” Public Funds Summit, Scottsdale, AZ, January 2012
- Panelist, “Dodd-Frank: Panacea or Poison?”, American Bar Association Annual Meeting, August 2011
- Panelist, “What *Morrison* Means,” National Summit on the Future of Fiduciary Responsibility, June 2011
- Panelist, “Fiduciary Update–Scandals”, Stanford Law School Fiduciary College, March 2011
- Panelist, “The Rights and Responsibilities of Institutional Investors”, Institutional Investor Conference, March 2011
- Moderator, “Fiduciary Duty”, Council of Institutional Investors Annual Meeting, September 2010
- Speaker, “SEC Pay to Play Reforms,” American Bar Association Business Law Section Fall Meeting, November, 2010
- Panelist, “Access to Justice: *Morrison v. National Australia Bank*,” American Constitution Society, October 2010
- Keynote, “Politics and the Market: How Policy Affects Investment Decisions,” De-Risking Strategies for Pension Funds, Foundations and Endowments, International Quality and Productivity Center, October 2010
- Panelist, “Challenges Facing Public Pension Funds,” Governance for Owners Conference, October 2010
- Speaker, “Public Pension Reform in a Time of Turmoil,” Emerging Issues Forum, Massachusetts Public Employee Retirement Administration Commission, September 2010
- Moderator, “Fiduciary Duty,” Council of Institutional Investors Annual Meeting, September 2010
- Speaker, “*Morrison v. National Australia Bank*: Implications for Investors,” Council of Institutional Investors teleconference, August 2010
- Panelist, “Regulation of Placement Agents for Public Pension Funds,” National Association of Pension Plan Attorneys, June 2010
- Panelist, “The SEC’s Investor Protection Mission,” DC Bar Association, April 2010
- Speaker, “Dealing With Placement Agents,” Stanford Law School Fiduciary College, March 2010
- Panelist, “Credit Rating Agencies’ Liability,” DC Bar Association, February 2010
- Speaker, “Evolving Fiduciary Obligations of Pension Plans,” Institutional Investor Conference, February 2010
- Speaker, “Updates on Pension Fund Reform in New York State – Views from the General Counsel,” National Association of Pension Plan Attorneys, June 2009
- Panelist, “Governance Changes as Part of Class Action Settlements,” Institutional Investor Educational Foundation’s Global Shareholder Activism Conference, December, 2008
- Moderator, Panels on Pension Plan Fiduciary Responsibility, Governance, and Ethics, U.S. Pensions Summit, October 2008
- Keynote Speaker, Jefferson B. Fordham Awards Luncheon, Annual Meeting of ABA Section of State and Local Government Law, August 2008
- Panelist, “Governance and Pension Plans,” U.S. Pensions Summit, April 2008
- Panelist, “Fiduciary and Accounting Responsibilities in Non Profit Management,” New York State Bar Association, November 2007

- Panelist, “Governance - Best Practices for Fiduciary,” U.S. Pensions Summit, September 2007

Mr. Bierman earned his Ph.D. and M.A. in Political Science from the University at Albany; his J.D. from the Marshall Wythe School of Law of the College of William and Mary, where he was a member of the Law Review; and his B.A. in American Political History *magna cum laude* with High Honors from Colgate University, where he was elected to Phi Beta Kappa.

Mary J. Bortscheller

Mary Bortscheller, an Associate at the Firm, joined Cohen Milstein in 2013 and is a member of the Consumer Protection and Unsafe Products practice group.

Prior to joining Cohen Milstein, Ms. Bortscheller practiced at Williams Montgomery & John in Chicago, IL. Ms. Bortscheller also was a volunteer for the Chicago Legal Clinic, Inc.'s Foreclosure Defense Project. Before attending law school, Ms. Bortscheller served in the United States Peace Corps as a TEFL Volunteer in Sichuan Province, China.

Ms. Bortscheller graduated from Gustavus Adolphus College in 2004 with a B.A., *cum laude*, in Political Science and received her J.D., *cum laude*, from American University, Washington College of Law in 2010. During law school, she served as Features Editor and Senior Editor of *Sustainable Development Law & Policy* and was a staff member of the *American University International Law Review*. Ms. Bortscheller interned with the United States District Court for the District of Minnesota.

Ms. Bortscheller is admitted to practice in Illinois and the District of Columbia.

Brian Bowcut

Brian Bowcut joined Cohen Milstein in 2015 as Of Counsel in the firm's Public Client Practice Group. Mr. Bowcut represents state Attorneys General and other public-sector clients as outside counsel in investigations and lawsuits involving fraudulent and deceptive trade practices.

Mr. Bowcut formerly was a Trial Attorney in the Civil Division of the U.S. Department of Justice for nine years. Most recently, as a member of the Fraud Section, he investigated and litigated health care, mortgage origination and financial fraud matters under the federal False Claims Act. Before that, as a member of the Environmental Torts Section, he defended the United States as lead counsel in several large toxic tort matters. Prior to joining DOJ, Mr. Bowcut was an associate at Arnold & Porter LLP, where he specialized in pharmaceutical product liability and commercial litigation.

Mr. Bowcut graduated *summa cum laude* with a Bachelor of Arts from Utah State University in 1996. He received his J.D. (*cum laude* and Order of the Coif) from Duke Law School, and a Master of Arts in Public Policy from Duke, in 2000. During law school, Mr. Bowcut was an Articles Editor for the *Duke Law Journal*. After law school, he clerked for the Honorable Stanley S. Brotman of the United States District Court for the District of New Jersey.

Mr. Bowcut is admitted to practice in the District of Columbia, the United States Court of Appeals for the Fourth Circuit, and the United States District Courts for the District of Columbia and District of Maryland.

Robert Braun

Robert Braun joined Cohen Milstein as an Associate in 2014 and is a member of the Antitrust Practice Group.

Mr. Braun represents individuals and businesses in federal civil actions with a focus on multi-district class actions and antitrust litigation.

Prior to joining Cohen Milstein, Mr. Braun served as a law clerk for the Honorable Carolyn Dineen King of the U.S. Court of Appeals for the Fifth Circuit and for the Honorable Lee H. Rosenthal of the U.S. District Court for the Southern District of Texas. He was also an Arthur Liman Fellow at Southeast Louisiana Legal Services, where he worked on public interest housing litigation in New Orleans. Before attending law school, Mr. Braun was a visiting lecturer at the China Foreign Affairs University in Beijing, China.

Mr. Braun graduated from Princeton University in 2007 with a B.A. in Sociology (*summa cum laude*, *Phi Beta Kappa*), and was the Chair of the Editorial Board for the *Daily Princetonian*. Mr. Braun received his J.D. from Yale Law School in 2011. During law school, he was a member of the “9/11 Clinic,” where he assisted in representing in federal habeas litigation a Yemeni citizen detained by U.S. forces in Bagram, Afghanistan. Mr. Braun was also a member of the mock trial team and an editor of the Yale Journal of International Law.

Mr. Braun is admitted to practice in Louisiana only and his practice in the District is supervised directly by principals of the firm.

Monya M. Bunch

Monya M. Bunch joined Cohen Milstein as an Associate in 2009 and is a member of the Employee Benefits practice group.

At Cohen Milstein, Ms. Bunch serves as plaintiffs’ counsel in ERISA class action litigation matters. She is currently involved in litigation involving a broad range of employee benefits issues including claims concerning church plans, COBRA, ESOPs, and benefit terminations. Ms. Bunch has achieved favorable results at the pre-trial and trial levels on a wide range of key issues, including class certification, motions to dismiss, summary judgment and ultimate liability, and in 2014, she was recognized as a “Rising Star” by Washington, D.C. Super Lawyers.

Ms. Bunch shares the Firm’s commitment to pro bono work, and has represented pro bono clients in actions concerning discrimination and workers’ compensation claims.

Ms. Bunch currently serves on the Firm’s Diversity Committee, and the Summer Associate Committee.

Prior to joining Cohen Milstein, Ms. Bunch was a litigation associate at WilmerHale LLP, where she focused on litigation in federal court, and federal criminal and regulatory investigations. While there, Ms. Bunch was part of a team that successfully represented the relator in a rare and complex False Claims Act trial in the United States District Court for the District of Columbia. Ms. Bunch then clerked for the Honorable Damon J. Keith of the United States Court of Appeals for the Sixth Circuit.

Prior to law school, Ms. Bunch dedicated her career to community activism and development as a local planner for the Agenda for Children Tomorrow (A.C.T.), in New York City. While working for A.C.T., she supported a neighborhood-planning coalition as a liaison between government and local communities, responsible for linking and obtaining funding for community projects related to child welfare, family planning and youth services.

Ms. Bunch graduated from Hampton University where she received a B.S. in Marketing, and the University of Hartford where she received a graduate degree in Public Administration (M.P.A.). She received her law degree from the Howard University School of Law in 2004, where she served as editor-in-chief of the *Howard Law Journal*'s commemorative *Brown@50* volume.

Ms. Bunch has authored several published articles, including Comment, *Juvenile Transfer Proceedings: A Place for Restorative Justice Values*, 47 How. L.J. 909 (2004), for which she received the Burton Award for Excellence in Legal Writing, and *Evaluating ERISA Retaliation Claims*, TRIAL, January 2014.

Ms. Bunch is admitted to practice in the State of New York and the District of Columbia, the federal district courts for Colorado, the Southern District of New York, the Eastern District of Michigan, and the United States Court of Appeals for the Third Circuit, the United States Court of Appeals for the Sixth Circuit, as well as pro hac before other federal courts throughout the country

Robert W. Cobbs

Robert W. Cobbs is an Associate at Cohen Milstein, and a member of the Antitrust Practice Group.

Prior to joining Cohen Milstein, Mr. Cobbs clerked for the Hon. Pierre N. Leval, United States Court of Appeals for the Second Circuit; and for the Hon. J. Rodney Gilstrap, United States District Court for the Eastern District of Texas.

Mr. Cobbs graduated from Amherst College with a B.A. in English and Russian, *magna cum laude* with distinction, and received his J.D. from Yale Law School. During law school, he served as a Notes Editor of the *Yale Law Journal* and as a Submissions Editor of the *Yale Journal on Regulation*.

Shaylyn Cochran

Shaylyn Cochran, an Associate at the Firm, joined Cohen Milstein in 2012 and is a member of the Civil Rights & Employment practice group.

Prior to joining the firm, Ms. Cochran was a Civil Rights Fellow at Relman, Dane & Colfax, where she assisted in federal fair housing and employment discrimination litigation. Ms. Cochran previously served as a Litigation Intern at the NAACP Legal Defense and Educational Fund and a Litigation Intern in the Disability Rights Section of the United States Department of Justice Civil Rights Division.

Ms. Cochran graduated from Ohio University in 2007 with a B.S. in Journalism and a B.A. in Political Science (*summa cum laude*, Phi Beta Kappa). She received her J.D. from Harvard Law School in 2011. During law school, Ms. Cochran was a Line Editor and member of the Article Selection Committee for the *Journal on Legislation*, and the President of the Harvard Black Law Students

Association. She was also a Student Attorney and Communications Director for the Harvard Legal Aid Bureau. Ms. Cochran is a 2008 NAACP Legal Defense Fund/Shearman & Sterling Scholar and she is the recipient of the 2011 Dean's Award for Community Leadership.

Ms. Cochran is admitted to practice in New York State and the District of Columbia.

Brian Corman

Brian Corman, an Associate at the Firm, joined Cohen Milstein in 2015 and is a member of the Civil Rights & Employment practice group.

Prior to joining Cohen Milstein, Brian was an associate in the Litigation group at Sidley Austin LLP.

Mr. Corman clerked for the Honorable Harry Pregerson of the Ninth Circuit Court of Appeals. Brian then participated in a D.C. Bar Association Pro Bono Fellowship at the Lawyers' Committee for Civil Rights Under Law, working on education, voting rights and fair housing cases.

Brian earned his law degree from the University of California, Berkeley, School of Law, where he was an editor of the *California Law Review*, a member of the Jessup International Law Moot Court Team, co-chaired the Berkeley Law Expulsion Clinic, and externed for the Honorable William Alsup of the U.S. District Court for the Northern District of California. Brian received his B.A., *summa cum laude*, *Phi Beta Kappa*, in Political Science from Columbia University School of General Studies.

Mr. Corman is admitted to the practice in the District of Columbia, California, and the United States Court of Appeals for the Ninth Circuit.

Michael Dolce

Michael Dolce, Of Counsel, joined Cohen Milstein in 2015 and is a member of the firm's Catastrophic Injury practice group. He is based in the firm's Florida office. Michael is a well-regarded trial lawyer and former Senate aide, and has dedicated his career to helping victims secure justice.

Michael is a champion of children, the abused and the injured. Having been victimized himself as a youth, he emerged from this trauma to become a voice for others victimized by violent crime. He brings to his work as a lawyer and political activist the insight of a survivor who is determined to use for the best his understanding and ability to communicate exactly what crime and injury victims go through and what they need in their healing processes. Before joining Cohen Milstein he was a partner at Mager Dolce & Paruas.

His work has gained him national recognition with awards from both fellow attorneys and crime victim advocates, including the National Center for Victims of Crime, the Florida Council Against Sexual Violence and the Florida Justice Association. In 2008, he was named in *Florida Trend* magazine's "Legal Elite," resulting from a survey of lawyers asked to name the peers they hold in the "highest regard." Michael is a sought-after speaker, having addressed conferences of the largest child abuse survivor organization in the world, the Survivors Network for those Abused by Priests (SNAP), as well as the National Association of Legal Investigators, the National Crime Victims Bar Association, the Palm Beach County Victims Rights Coalition, Voice of the Faithful (VOTF), the Paralegal Association of Florida, the Florida Muslim Bar Association, and the annual South Florida "Turn on the Light"

Conference on Child Abuse and Neglect. Recently, Michael was invited to join the Sexual Violence Focus Group of the Office of the Florida State Courts Administrator (OSCA). The group will work over the next year on several sexual violence projects, including updating the Florida Sexual Violence Bench Book and developing a strategic plan for sexual violence projects to be conducted by OSCA.

Michael's work inside and outside the courtroom has impacted many for the better. Among his noted work, in 2009, he achieved a jury verdict on behalf of a child abuse victim, totaling over \$19.2 million, that was named by "Verdict Search" one of the top 100 verdicts nationwide that year. In 2010, his six-year crusade in Florida's legislature culminated in the passage of sweeping legislation that repealed all statutes of limitation for civil and criminal prosecution of child sexual battery, overcoming a powerful and well-financed opposition. That victory was fueled by Michael's testimony numerous times before legislative committees, which one major newspaper reported left Senators "captivated" and "spellbound." Michael's effort was supported by a grassroots organization that he led as the chair of the political committee, Protect Our Kids First, Inc., a campaign he formed to amend the state's Constitution on Election Day, while simultaneously challenging the Legislature to "beat him to the ballot box." His precedent-setting strategy worked to compel the Legislature to ensure that never again will a child in Florida be turned away from any civil or criminal court due to the passage of time. And no predator can ever again take comfort in the ticking of a clock after threatening a child into silence.

Michael graduated with a Bachelor of Arts from Lynn University and received his Juris Doctor from Stetson University. He is admitted to practice in the Florida Bar, the U.S. District Court for the Southern District of Florida, the U.S. District Court for the Middle District of Florida, and the U.S. District Court of Appeals for the 11th Circuit.

AWARDS & HONORS

- Our Hero Award, Trees of Hope, 2015
- 2010 Survivor Activist Award, Florida Council Against Sexual Violence, June 2010
- Distinguished Service Award, National Center for Victims of Crime, June 2010
- Award for Special Contribution to the Advancement of the Civil Justice System, Florida Justice Association, June 2010
- Top 100 Verdicts of 2009, The National Law Journal/Verdict Search
- Featured Alumnus in "Breaking the Silence," Lynn Magazine(Winter 2010)
- Florida Trend magazine – Legal Elite 2008
- Walter Mann Award for Leadership – Stetson University College of Law
- Victor O. Wehle Trial Advocacy Award – Stetson University College of Law
- Alfred Oussani Award – Lynn University
- Public Service Fellow – Florida Bar Foundation
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DOCUMENTARY FILM APPEARANCE

Appeared as a featured expert in the documentary film *Pursuit of Truth: Adult Survivors of Child Sexual Abuse Seeking Justice*, which was released nationally to critical acclaim and numerous awards in 2013. See, www.pursuitoftruthfilm.com

PUBLICATIONS

- “Monsters Walk the Earth: How Child Sex Predators Get Their Prey and Fool Adults,” white paper presented to attendees at the National Crime Victim Bar Association 2015 National Conference (September 2015)
- “Combatting Insult on Top of Injury: Protecting Employment-Related Rights of Sexual and Domestic Violence Crime Victims,” white paper presented at FCASV Conference on Meeting the Civil Legal Needs of Sexual and Domestic Violence Survivors in Florida, Orlando, Florida (January 2015) *Approved for Florida Bar CLE Credits
- “Mere Formalities ... Or Are They? Substance Triumphs Over Form in Two Recent Insurance-Related Appeals,” 547 FJA Journal (August 2010)
- “Enough Already! Recent Insurance Coverage Cases Highlight When Timing, Language and Notice Are Enough and When They Are Not,” 543 Florida Justice Association Journal (February 2010)
- “Pairs of Insureds ... Apples and Oranges Revisited: A Recent Case Reminds of Coverage Pitfalls That Joint Insureds May Face,” 539 Florida Justice Association Journal 20 (August 2009)
- “The Power of Creativity ... Or Not: Guidance for Insurance Practitioners From Recent Appellate Decisions,” 535 Florida Justice Association Journal 21 (February 2009)
- “Uh Oh ... Unintended Consequences in Uninsured Motorist Claims,” 531 Florida Justice Association Journal (August 2008)
- “Pope Offers Hope, But Church Has to Act,” Palm Beach Post (May 11, 2008)
- “Wait! Not So Fast! Recent Insurance Coverage Decisions Underscore Key Matters of Timing,” 527 Florida Justice Association Journal 25 (February 2008)
- “A Better Day for Children: A Study of Florida's Dependency System with Legislative Recommendations,” 25 Nova Law Review 547 (Spring 2001)
- “Searching for Wisdom of Solomon: A Commentary on the Responsibilities and Challenges Facing Public Policy Makers in Balancing the Interests of the Adoption Triad,” Commentator, Family Law Section, The Florida Bar (April 1999)
- “Confronting Bias in the Legal Profession,” 16 Florida General Practice J. 2 (1994)
- “Injustice in the Justice System: An Argument for Proactive Prevention of Ethnic and Gender Bias in the Legal Profession,” 5 Stetson L. Forum 34 (1993)

SPEECHES AND PRESENTATIONS

- “Roles of Mental Health Practitioners in Litigation,” presentations to graduate counseling programs at Palm Beach Atlantic University, West Palm Beach, Florida, Fall 2015
- Keynote Speaker, “The Important Role of Community Organizations in Preventing Child Sex Abuse,” Trees of Hope, Annual Luncheon, Fort Lauderdale, Florida, April 2015
- “Combatting Insult on Top of Injury: Protecting Employment-Related Rights of Sexual and Domestic Violence Crime Victims,” FCASV Conference on Meeting the Civil Legal Needs of Sexual and Domestic Violence Survivors in Florida, Orlando, Florida, January 2015
- Closing Remarks, “Through the Eyes of a Child,” Domestic Violence Awareness Month, Opening Ceremony, Domestic Violence Council of Palm Beach County, West Palm Beach, Florida, October 6, 2014
- Keynote Speaker, “The Importance of Making Enemies,” Criminal Justice and the Law, Lynn University, Boca Raton, Florida, November 5, 2013
- Keynote Speaker, The Children’s Healing Institute Third Annual Child Abuse Prevention Luncheon, Palm Beach County, Florida, April 18, 2012.

- Panelist, “Abuse Through the Child’s Eye,” 8th Annual “Turn on the Light” South Florida Conference on Child Abuse and Neglect, West Palm Beach, Florida, October 20, 2011.
- Presenter, “Child Advocacy Law,” Paralegal Association of Florida Annual Meeting, Fort Lauderdale, Florida, May 14, 2011.
- Panelist, “Legal & Financial Education Seminar for 501(c)(3) Nonprofits and Mosques,” Fort Lauderdale, Florida, April 16, 2011.
- Presenter, “Investigating Child Abuse Cases,” National Association of Legal Investigators Mid-Winter Conference, Miami Beach, Florida, February 2011.
- Presenter, “The Power of Civil Relief for Crime Victims,” Florida Coalition Against Domestic Violence and The Domestic Violence Council, West Palm Beach, Florida, October 14, 2010.
- Presenter, Annual National Conference, Survivors Network for those Abused by Priests, Chicago, Illinois, August 2010.
- Keynote Address: 30th Annual Awards Luncheon, Palm Beach County Victims’ Rights Coalition, April 23, 2010.
- Presenter, “Understanding Mental Health and Pain and Suffering Damages,” Paralegal Association of Florida, Ft. Lauderdale, Florida, January 2010.

REPORTED CASES AND CITATIONS

In the Interest of A.T.H., a child Reschin Moore, f/k/a Reschin Hash Mother, and Mark T. Hash, Father, ___ So. 3d 414 ___ (Fla. 1st DCA Dec. 14, 2015)

Gutierrez v. Yochim, 23 So. 3d 1221 (Fla. 3rd DCA 2009) (appellate counsel for the prevailing party)

“A Better Day for Children: A Study of Florida’s Dependency System with Legislative Recommendations,” *surpa*, has been cited extensively across the United States, including:

- *In the Matter of THT*, 665 S.E.2d 54 (North Carolina Supreme Court 2008)
- Lucy Johnston-Walsh, et al., “Assessing the Quality of Child Advocacy in Dependency Proceedings in Pennsylvania,” Juvenile Law Center, Philadelphia, Pennsylvania (2010)
- Miriam C. Meyer-Thompson, “Wanted: Forever Home – Achieving Permanent Outcomes for Nevada’s Foster Children,” 14 Nev. L. J. 268 (2013)
- Konrad S. Lee and Matthew I. Thew, “Unpacking the Package Theory: Why California’s Statutory Scheme for Terminating Parental Rights in Dependent Child Proceedings Violates the Due Process Rights of Parents . . .,” 13 U.C. Davis J. Juv. L. & Policy 143 (2009)
- Judge Leonard P. Edwards, “Achieving Timely Permanency in Child Protection Courts,” 58 Juvenile and Family Court Journal 1 (2007)
- Mark R. Brown, “Closing the Crusade: A Brief Response to Professor Woodhouse,” 34 Cap. U. L. Rev. 331 (2005)
- Christina A. Zawista, “Taking Hold of the Elephant in Child Dependency and Neglect Cases,” 17 St. Thomas L. Rev. 532 (2004)
- Mark R. Brown, “Rescuing Children from Abusive Parents: the Constitutional Value of Pre-Deprivation Process,” 65 Ohio State L. J. 913 (2004)

Quoted in, “Will Rubio Stance on Domestic Violence Law Hurt GOP Fence-Mending with Women?” *Palm Beach Post* (Feb. 8, 2013)

Contributor (on the topic of legal challenges to websites' invocations of immunity under the Communications Decency Act) to Melissa Farley, et al., "Online Prostitution and Trafficking," Albany L. Rev. 77, no. 3, 1039 - 1094 (Oct. 8, 2014)

COMMUNITY ASSOCIATIONS AND LEADERSHIP ACTIVITIES

- Florida Council Against Sexual Violence, Board of Directors (2011 -); Public Policy Committee, Chair (2012 -)
- The Florida Bar, Legal Needs of Children Committee Member (2010 - 2012 term)
- Founder and Chairperson of Political Committee, Protect Our Kids First, Inc. (2010)
- Florida's Children First, Advisory Board Member (2005 - present)
- Presidential Alumni Advisory Council, Lynn University (2014 - present)
- Holy Trinity Episcopal Church, Vestry Member (2010 - 2012)

SELECT LEGISLATIVE ACCOMPLISHMENTS

- Drafted the base legislation that became Florida's Money Transmitter's Code (industry regulation and consumer protection for "pay day" loans).
- Oversaw comprehensive rewriting of Florida Statutes chapter 63 regarding adoption.
- Proposed and helped pass sales tax exemption for nonprofit fund raising organizations.
- Proposed and helped pass an amendment to Florida's Fair Housing Act for housing older persons to preserve those communities following adverse appellate decisions.
- Promoted a proposal for \$1.25 million in funding to create a model dependency court pilot project that was later added to recurring appropriations.
- Proposed and passed key portions of legislation to expedite judicial administration of foster care cases.
- Proposed and helped pass the first state-wide legislation in Florida to regulate household movers.
- Prepared an investigative white paper on the adverse effects of proposed legislation to privatize water resources in Florida, which contributed to the defeat of the efforts of an Enron subsidiary, Azurix.
- Testified before multiple Florida House of Representatives and Florida Senate committees regarding the medical and legal needs of adult survivors of child abuse.

Jeffrey Dubner

Mr. Dubner represents individuals, businesses, and unions in civil litigation, with a focus on multi-district class actions and antitrust litigation. He has represented both plaintiffs and defendants in antitrust matters, dealing with the application of the Sherman Act in industries from health care and financial services to professional sports and publishing. He has also litigated claims under the Stored Communications Act, the Commodities Exchange Act, the Americans with Disabilities Act, and other state and federal statutes. National Law Journal named him a "Rising Star" in 2015, one of only 40 attorneys in Washington D.C. so honored. SuperLawyers Magazine also named him a Rising Star in 2014 and 2015.

Mr. Dubner's recent antitrust matters include:

- *In re Electronic Books Antitrust Litigation* (S.D.N.Y.), representing a class of ebook purchasers alleging that Apple Inc. and five of the “Big Six” publishing companies conspired to raise the retail price of ebooks. Along with a group of State Attorneys General, Plaintiffs settled with the five Publisher Defendants for more than \$166 million, and a \$450 million settlement with Apple was approved pending an appeal before the Second Circuit. All told, consumers are expected to recover twice the amount of damages caused by the conspiracy.
- *Garber v. Major League Baseball and Laumann v. National Hockey League* (S.D.N.Y.), representing purchasers of out-of-market baseball and hockey packages against the MLB, NHL, Comcast, DirecTV, and affiliated companies. Plaintiffs allege that the system of geographical broadcasting territories employed by each league amounts to unlawful market allocation under Section 1 of the Sherman Act. The court denied Defendants’ summary judgment motion and certified a Rule 23(b)(2) class. Plaintiffs settled with the NHL, requiring the NHL to offer individual teams’ games nationwide, a first among major American sports leagues. Trial in Garber is set to begin in January 2016.
- *Prime Healthcare Services, Inc. v. Service Employees International Union* (S.D. Cal.), representing the Service Employees International Union (“SEIU”) in defending against a claim that it conspired with a local union and Kaiser Permanente entities to eliminate competing hospitals from Southern California in violation of Section 1 of the Sherman Act. The court has twice dismissed the complaint for failure to state a claim.
- *Cason-Merenda v. Detroit Medical Center* (E.D. Mich.), representing hospital nurses alleging that Detroit hospitals suppressed wages through anti-competitive information exchanges. All eight defendants settled, creating a common fund of more than \$90 million for Detroit’s nurses. The last settlement is pending final approval.

Mr. Dubner is also co-lead counsel in *Lewis v. Cain* (M.D. La.), a pro bono class action on behalf of inmates of Louisiana State Penitentiary at Angola. The suit alleges that Angola’s inadequate provision of health care violates the Eighth Amendment’s prohibition of Cruel and Unusual Punishment, the Americans with Disabilities Act, and the Rehabilitation Act.

Prior to joining the firm, Mr. Dubner was a law clerk for the Honorable Guido Calabresi of the U.S. Court of Appeals for the Second Circuit and the Honorable John G. Koeltl of the U.S. District Court for the Southern District of New York.

Mr. Dubner graduated *magna cum laude* from Harvard Law School in 2009 and *cum laude* from Harvard University in 2003 with a B.A. in Psychology. During law school, Mr. Dubner served as a Notes Editor for the Harvard Law Review. Mr. Dubner is admitted to practice in New York, the District of Columbia, and the Southern District of New York. He is also a New York Times–published crossword constructor.

Suzanne Dugan

Suzanne M. Dugan leads the firm’s Ethics and Fiduciary Counseling practice, which provides guidance to pension funds and other public, private and nonprofit entities on ethics, fiduciary, governance and compliance issues. With more than 20 years of legal experience, including service as ethics counsel for the third largest public pension fund in the country and as general counsel for a state ethics commission, Ms. Dugan offers the broad perspective of a regulator and the understanding of an in house counsel.

With this unique vantage, she employs a collaborative approach to advising on ethical duties, fiduciary responsibility, strategic governance, compliance and related organizational mandates. Ms. Dugan's experience and knowledge also allow her to assist in conducting internal investigations and structuring recommendations for improved policies and procedures. She also draws on the expertise of Cohen Milstein's other practice groups, such as ERISA, Qui Tam, Antitrust and Consumer Protection, to counsel clients on the full range of matters implicated when considering ethics and fiduciary issues.

At Cohen Milstein, Ms. Dugan provides ethics counsel to one of the largest public pension funds, and serves as compliance counsel to another major fund. She has also conducted ethics and fiduciary training for the boards of directors of some of the country's largest public pension funds. When counseling and training pension funds, she draws upon the experience gained from having served as in-house ethics counsel during an unprecedented time of challenge for pension funds.

Ms. Dugan has also provided expert legal and consulting services on ethics issues to counsel retained to conduct an investigation, reviewing a draft report and providing input on proposed recommendations for remedial action. As outside experts, CMST's Ethics and Fiduciary Counseling practice provides an additional layer of oversight and accountability to the primary investigation, utilizing the unique expertise of Ms. Dugan and her colleagues to provide independent observations and expert opinion.

In addition, Ms. Dugan also serves as the independent ethics officer for a large county, where she is responsible for evaluating and investigating complaints of unethical conduct, and providing objective and independent analysis to county leadership regarding the interpretation and application of the county's code of ethics. She works to help ensure that county officers and employees refrain from conduct that may even be perceived as unethical and adopt a culture of public servant leadership that earns and preserves trust and support from citizens.

Ms. Dugan previously served as Special Counsel for Ethics for the Office of the New York State Comptroller, where she counseled the state's chief fiscal officer and sole trustee of the third largest public pension fund in the country on ethics and fiduciary issues. She provided fiduciary and ethics training to the State Comptroller, as well as senior management and the advisory committees appointed to assist the Comptroller in managing the pension fund. Ms. Dugan implemented a vigorous and dynamic ethics program for the agency's 2,500 employees, initiating and managing a program that provided specific ethics training to each division of the Agency, focusing on the particular challenges faced in the course of doing business. Ms. Dugan and her staff provided individual advice and counsel on all aspects of ethics and fiduciary issues. These programmatic initiatives were designed to promote a culture of ethics and public integrity with continual improvement at all levels of the agency.

Ms. Dugan also served as the Acting Executive Director and General Counsel to the New York State Ethics Commission. During her tenure at the Commission, she oversaw the agency and its programs, including the issuance of formal and informal advisory opinions as well as investigative reports and notices of civil assessment in enforcement proceedings. She implemented the Commission's financial disclosure process and its regulations governing honoraria and travel reimbursement, and assisted the Office of the Attorney General in preparing the Commission's defense in litigation.

A frequent lecturer at conferences and forums addressing ethics and fiduciary issues in the public and nonprofit sectors, including pension funds, Ms. Dugan's upcoming and most recent speaking engagements include:

- Panelist, “Managing Relationships: Recent Developments in Fund Governance”, 2016 Winter Seminar, National Association of Public Pension Attorneys, Washington, DC, February 2016.
- Panelist, “Requests, Responses & Retention: Exploring the Ethics of FOI”, 2015 Annual Conference, Council on Government Ethics Laws, Boston, MA, December 2015.
- Speaker, “Trustee Master Program – Ethics”, 61st Annual Employee Benefits Conference, International Foundation of Employee Benefit Plans, Honolulu, HI, November 2015.
- Presenter, “Ethics in Employee Benefits”, 2015 Trustees & Administrators Institute, International Foundation of Employee Benefit Plans, San Francisco, CA, June 2015.
- Panelist, “Welcome to the Board Room: Fiduciary Education for New Board Members”, Trustee Education Seminar, National Conference on Public Employee Retirement Systems, New Orleans, LA, May 2015.
- Panelist, “Look Who’s Not Talking: Women, Lawyers and Communication”, Women’s Bar Association of the State of New York, Bolton Landing, NY, May 2015.
- Moderator, “Oversight Challenges Posed by Alternative Investments: What Issues do Alternative Investments Pose to Trustees/Board Members?”, National Association of Public Pension Attorneys, Tempe, AZ, February 2015.
- Presenter, “Ethics in Employee Benefits”, 2015 Trustees & Administrators Institute, International Foundation of Employee Benefit Plans, Orlando, FL, February 2015.
- Panelist, “What Public Safety Plans Should Know About the SEC Enforcement of Its Pay-to-Play Rule”, Public Safety Employees Pension & Benefits Conference, New Orleans, LA, October 2014.
- Presenter, “Trustees Master Program: Ethics Parts 1 and 2”, International Foundation of Employee Benefit Plans, Boston, MA, October 2014.
- Panelist, “Creating a Culture of Ethics in Turbulent Waters: Best Practices in Ethics and Fiduciary Responsibility”, National Conference on Public Employee Retirement Systems, April 2014
- Presenter, “Ethics and Fiduciary Issues in a Changing Environment”, 59th Annual Employee Benefits Conference, International Foundation of Employee Benefit Plans, October 2013.
- Presenter, “Ethics and Fiduciary Issues for Public Pension Plans: Lessons Learned”, Bloomberg BNA, Continuing Legal Education Webinar, August 22, 2013.
- Panelist, “Legal Ethics for Public Pension Attorneys”, 2013 Legal Education Conference, National Association of Public Pension Attorneys, Santa Fe, NM, June 2013.
- Panelist, “Fiduciary and Ethics Issues for Public Pension Plans”, Public Funds Summit, Huntington Beach, CA, March 2013

- Moderator, “Creation, Composition and Operation of Audit Committees”, Fiduciary & Plan Governance Section, National Association of Public Pension Attorneys,, Washington, DC, February 2013
- Panelist, “Legal Issues Facing Public Pension Funds”, Public Funds Summit, Scottsdale, AZ, January 2013
- Panelist, “Keeping Public Safety Pensions Safe: Ethics & Fiduciary Issues”, National Conference on Public Employee Retirement Systems, New Orleans, Louisiana, October 2012
- Panelist, “Trustee Education: Fiduciary Responsibility”, Public Funds Summit East, Newport, RI, July 2012.
- Panelist, “Trustee Education: Fiduciary Responsibility”, Public Funds Summit, Scottsdale, AZ, January 2012.
- Panelist, "Are Pension Benefits Really Vested? Latest Developments in Fiduciary Duty", SACRS Fall Conference, Costa Mesa, CA, November 2011.

Ms. Dugan previously was appointed to the adjunct faculty at Albany Law School, where she taught a class in government ethics.

Ms. Dugan graduated *magna cum laude* from Siena College, and earned a Juris Doctor *cum laude* from Albany Law School. Ms. Dugan began her career as a judicial clerk with the Appellate Division, Third Department, of the New York State Supreme Court. She also served as an administrator at Albany Law School, as well as the pro bono Legal Director of an Albany, New York, area not-for-profit. She currently is a member of the Board of Directors of her local Planned Parenthood affiliate. She is an elected member of the American Law Institute.

Genevieve Odile Fontan

Genevieve Fontan, an Associate at the Firm, joined Cohen Milstein in 2012 and is a member of the Securities Fraud/Investor Protection practice group.

Prior to joining the firm, Ms. Fontan was a litigation fellow for two years at the American Civil Liberties Union of Northern California, where she worked on First Amendment litigation and educational equity matters.

Ms. Fontan received her undergraduate degree from the University of California, Berkeley in Interdisciplinary Field Studies and French Literature, with highest honors and high honors, respectively (B.A., 2003). She also completed a two-year master’s program at the Université Paris-Sorbonne where she received a degree in geography, *Mention Culture, Politique, Patrimoine*, after defending her thesis on socio-geographic trends in legalized household winemaking during Prohibition years in California (M. 2, 2010). Ms. Fontan received her law degree from Stanford Law School (J.D., 2010). While there, she provided supervised representation through the Stanford Community Law Clinic in the successful defense against an eviction lawsuit. She received an Equal Justice America fellowship for public interest work involving the Violence Against Women Act and also Stanford Law School’s pro bono distinction for externships at Housing and Economic Rights Advocates, Public Advocates, and the ACLU of Northern California.

Ms. Fontan is admitted to practice in New York State.

Hiba Hafiz

Hiba Hafiz joined Cohen Milstein as an Associate in 2013 and is a member of the Antitrust Practice Group.

Ms. Hafiz represents individuals, businesses and unions in federal civil actions with a focus on multi-district class actions and antitrust litigation. Since joining the firm, she has represented plaintiffs in antitrust litigation in a number of industries from health care and pharmaceuticals to the publishing industry. She has also represented plaintiffs with claims under the Takings Clause of the U.S. Constitution.

Prior to joining the Firm, Ms. Hafiz was a David W. Leebron Human Rights Fellow at International Rights Advocates, where she worked to develop Alien Tort Statute and trafficking claims on behalf of undocumented farmworkers trafficked into the United States to work on farms across the country. She also served as a law clerk for the Honorable José L. Linares of the United States District Court for the District of New Jersey and for the Honorable Juan R. Torruella of the United States Court of Appeals for the First Circuit.

Ms. Hafiz received her J.D. from Columbia Law School in June 2010 (Harlan Fiske Stone Scholar, Parker School Recognition in International Law). During law school, she served as a Notes and Submissions Editor for the Columbia Human Rights Law Review, a Teaching Assistant in Columbia's Human Rights Clinic, and as a Research Coordinator for Rightslink, an organization assisting human rights attorneys abroad in researching human rights-based claims. She was awarded Best Petitioner Brief in the 2008 Northeast Regional Frederick Douglass Moot Court Competition. Ms. Hafiz has also served as a volunteer attorney for the American Civil Liberties Union – Puerto Rico Chapter and has interned at the Prosecutor's Office at the International Criminal Tribunal for the Former Yugoslavia, the Center for Constitutional Rights, Centro de los Derechos del Migrante and the Open Society Justice Initiative.

Ms. Hafiz graduated from Wellesley College in 1999 with a B.A. in Philosophy (*magna cum laude*). She received a Ph.D. in Comparative Literature at Yale University in June 2007. As a graduate student, she worked as a union organizer and coordinator for the Graduate Employees and Students Organization (GESO) in local and national campaigns to organize academic workers in private universities. With GESO's parent union, UNITE-HERE, she also worked on comprehensive campaigns with a network of local, national and international unions as well as grassroots organizations for better living and working conditions in the service sector.

Ms. Hafiz is admitted to practice in New York only and is currently practicing under the supervision of Daniel A. Small, a member of the D.C. Bar.

Sally M. Handmaker

Sally M. Handmaker, an Associate at the Firm, joined Cohen Milstein in 2014 and is a member of the Consumer Protection & Unsafe Products practice group.

Prior to joining Cohen Milstein, Ms. Handmaker was a Litigation Associate at Proskauer Rose LLP, working on complex commercial and general litigation matters in federal and state courts covering a variety of subject matters, including antitrust, securities litigation, sports, intellectual property, and employment. She was a recipient of Proskauer's Golden Gavel Award in 2012 in recognition of her pro bono work with the Lawyers Committee for Civil Rights Under Law's Voting Rights Project.

Ms. Handmaker graduated from the University of Southern California in 2007, *summa cum laude*, with a B.A. in Psychology and Political Science and received her J.D. from the University of Virginia School of Law in 2011. While in law school, Ms. Handmaker served as an intern at the U.S. Department of Justice's Criminal Division focusing on cases involving child exploitation and was a board member of The Virginia Innocence Project, the University of Virginia's arm of the national litigation and public policy organization dedicated to exonerating wrongfully convicted people through DNA testing and reforming the criminal justice system. She also participated in the University of Virginia School of Law's Moot Court program and served on the Editorial Board of the Journal of Law & Politics.

Ms. Handmaker's undergraduate honors thesis was published in the American Psychological Association journal Law and Human Behavior under the title "'How Did you Feel?': Increasing Child Sexual Abuse Witnesses' Production of Evaluative Information."

Ms. Handmaker is admitted to practice in California and the District of Columbia.

Kira L. Hettinger

Kira L. Hettinger, an Associate, joined Cohen Milstein in 2014 and is a member of the Employee Benefits Practice Group.

Prior to joining Cohen Milstein, Ms. Hettinger served as the Pro Se Law Clerk at the United States District Court for the Eastern District of Virginia, Alexandria Division. As the Pro Se Clerk, she worked with all seven district judges in Alexandria on pro se prisoner cases.

Ms. Hettinger graduated from the University of Florida in 2007, with a B.S. in Marketing, a B.S. in Psychology, and a minor in communications. Ms. Hettinger received her J.D., *magna cum laude*, *Order of the Coif*, from American University Washington College of Law in 2013. During law school, she was a Senior Staff Member of the *American University Law Review*, Features Editor of the Sustainable Development Law and Policy Publication, and member of the Society for Dispute Resolution Competition Team. Ms. Hettinger served as a Student Attorney at the United States Attorney's Office for the District of Columbia and served as an intern with the United States Department of Justice, Office of Immigration, Appellate Section. She also interned for the Honorable Gerald Bruce Lee. Ms. Hettinger is a recipient of the Clair A. Cripe award for outstanding performance in correctional law.

Ms. Hettinger has published commentary on employee benefits law.

- *ERISA in the Supreme Court 2014-2015: Tibble and Tackett*, Employee Benefits Committee Newsletter (ABA Section of Labor and Employment Law), Winter 2014 (with Matt Smith).

Ms. Hettinger is admitted to practice in Virginia, California, and the District of Columbia.

Johanna M. Hickman

Johanna M. Hickman, a Litigation Fellow at the Firm, joined Cohen Milstein in 2013 and is a member of the Public Client practice group. In this position, Ms. Hickman represents state Attorneys General and other public-sector clients in investigations and lawsuits involving healthcare fraud, consumer fraud in the mortgage industry, and other fraudulent and deceptive trade practices.

Ms. Hickman serves on the adjunct faculty of the Georgetown University Law Center, where she teaches a course in advanced legal writing and practice.

Before joining Cohen Milstein, Ms. Hickman was an Associate at Willkie Farr & Gallagher LLP, where she advised clients regarding environmental and toxic tort liability, negotiated the environmental aspects of corporate transactions, and represented clients in complex insurance coverage litigation. Prior to that, Ms. Hickman clerked for two years for the Honorable James I. Cohn of the United States District Court for the Southern District of Florida.

Ms. Hickman graduated with Highest Honors from the University of North Carolina at Chapel Hill in 2003, with a Bachelor of Arts in Journalism and Mass Communication. Ms. Hickman received her J.D., *cum laude*, from the Georgetown University Law Center in 2006. During law school, she served as a Staff Member and Symposium Editor of the Georgetown Journal of Legal Ethics and was a finalist in Georgetown's 35th Annual Leahy Moot Court Competition.

Ms. Hickman is admitted to practice in the District of Columbia and Florida, and in the United States District Court for the District of Columbia.

Anita F. Hill

Anita F. Hill joined Cohen Milstein in 2011 as Of Counsel in the Civil Rights and Employment Practice Group.

Ms. Hill brings three decades of legal and academic experience to the Civil Rights practice. She began her career as an associate with the Washington, D.C. law firm Wald, Harkrader & Ross. Ms. Hill then served as special counsel to the assistant secretary of the Department of Education's Office for Civil Rights and later as advisor to the chair of the Equal Employment Opportunity Commission (EEOC). She began her teaching career as an assistant professor at Oral Roberts University and later joined the faculty at the University of Oklahoma College of Law. She has also visited at the University of California, Berkeley. Ms. Hill is currently a professor of social policy, law and women's studies at The Heller School for Public Policy and Management at Brandeis University.

Ms. Hill is the author of numerous articles on international commercial law, bankruptcy, and civil rights -- all areas in which she has taught. She has given numerous presentations on commercial law as well as race and gender equality. In addition, she has appeared on several television programs, such as *Face the Nation* and *Meet the Press*, and her commentary has been published by *Newsweek*, the *New York Times*, and the *Boston Globe*. Ms. Hill is the author of *Speaking Truth to Power* and served as the co-editor of *Race, Gender, and Power in America: The Legacy of the Hill-Thomas Hearings*. She

is also the author of *Reimagining Equality: Stories of Gender, Race and Finding Home*, which will be released in October 2011.

Ms. Hill is a graduate of Oklahoma State University (B.A., 1977) and of the Yale University Law School (J.D., 1980).

Nicholas Johnson

Nicholas Johnson, an Associate, joined Cohen Milstein in May 2014. Mr. Johnson's work focuses on catastrophic injury, class action and product liability litigation.

Prior to joining Cohen Milstein, Mr. Johnson worked for two South Florida defense firms, gaining valuable experience representing Fortune 500 insurance companies in the defense of claims and lawsuits.

Upon his admission to the Florida Bar in 2007, Mr. Johnson worked as an Assistant Public Defender in Palm Beach County, where he represented indigent clients charged with misdemeanors and felonies, ranging from DUI to crimes punishable by life in prison. He was awarded the Best Advocate Award at the Florida Public Defender College in November, 2008. Mr. Johnson tried approximately 30 jury trials to verdict as an Assistant Public Defender.

Mr. Johnson has recently been selected to serve as a member of the 2015 class of The Florida Bar Leadership Academy and was elected to the Board of Directors for the Palm Beach County Bar Association North County Section. Additionally, he currently serves on the Board of the Florida Justice Association's Young Lawyer Section and the Membership Diversity Committee and is an active member of the the Palm Beach County Bar Personal Injury/Wrongful Death Committee and the Palm Beach County Justice Association.

Mr. Johnson was born and raised in Kingston, Jamaica. He represented Jamaica at several international swimming competitions, and went on to attend prep school at Choate Rosemary Hall in Wallingford, CT. Mr. Johnson graduated from Boston University with a B.A. in Economics, and completed his Master's in Sports Management at the University of Florida. He graduated cum laude from St. Thomas University School of Law in 2007.

Anthony R. Juzaitis

Anthony R. Juzaitis joined Cohen Milstein as an Associate in 2014 and is a member of the Public Client Practice Group. Mr. Juzaitis represents state Attorneys General and other public-sector clients as outside counsel in investigations and lawsuits involving fraudulent and deceptive trade practices.

Before joining Cohen Milstein, Mr. Juzaitis was a Litigation Associate at Willkie Farr & Gallagher LLP, where he focused on complex litigation, Foreign Corrupt Practices Act compliance, internal investigations, and securities enforcement.

Mr. Juzaitis graduated from the University of California, Irvine in 2004 with a B.A. in Political Science (Honors) and a B.A. in Philosophy (*cum laude*). Mr. Juzaitis received his J.D. from Duke University School of Law in 2008. During law school, he served as a Judicial Extern to the Honorable Bruce D. Black of the U.S. District Court for the District of New Mexico.

Mr. Juzaitis is admitted to practice in the District of Columbia and the State of California.

Eric Kafka

Eric Kafka joined Cohen Milstein in 2015 as an Associate in the Consumer Protection & Unsafe Products practice group.

Mr. Kafka earned his J.D. in 2014 from Columbia Law School, where he was a Harlan Fiske Stone Scholar. He received his B.A. from Yale University in 2008.

Mr. Kafka previously worked for a corporate law firm and for a federal district court judge. He has also worked for a large international management consulting firm, and on multiple political campaigns, including President Obama's 2008 campaign.

Mr. Kafka is admitted to practice in New York and Missouri, and his practice in the District of Columbia is supervised directly by principals of the firm.

Michele Keegan

Michele Keegan joined Cohen Milstein in 2013 and is an Associate in the Public Client Practice Group. In this position, Michele represents state Attorneys General and other public-sector clients in investigations, litigation, and enforcement actions aimed at protecting consumers and public resources.

Before joining Cohen Milstein, Michele served as a clerk to the Honorable Kathryn A. Oberly on the District of Columbia Court of Appeals and before that as an associate in the Litigation and Dispute Resolution Group at Mayer Brown in Washington, D.C. At Mayer Brown, Michele handled a wide variety of cases in federal and state courts where she managed early case assessment and discovery, drafted briefs and motions, interviewed witnesses, and counseled clients regarding litigation risks. One of the experiences of which she is most proud is arguing as the lead attorney in an asylum case, where she was successful in obtaining asylum for her client, a victim of domestic abuse in her native country.

Throughout her career, Michele has focused on promoting social justice. In the field human rights and civil rights, Michele has worked with the Lawyers Committee for Civil Rights Under Law to promote equality in public education, the American Civil Liberties Union of North Carolina on advancing students' rights, the United States Senate Judiciary Committee under the leadership of Senator Leahy, and the Public International Law and Policy Group consulting on the peace process and reconciliation in Sri Lanka. Additionally, for more than fifteen years, Michele has been an advocate for democracy and human rights in Burma. In that role she has worked in Bangkok, Thailand generating reports on the political and economic situation in Burma and providing strategic support to regional parliamentarians supportive of democratic change in Burma, served on the board of the U.S. Campaign for Burma, testified before Congress about the situation in Burma, and spoken before student and civic groups across the country. Michele has been recognized by the ACLU, United Nations Educational, Scientific, and Cultural Organization ("UNESCO"), and received the Seventeen/Covergirl Award for Extraordinary Commitment to Public Service for her efforts to promote human rights and democracy in Burma.

Originally from New Jersey, Michele graduated, with honors, from American University with a B.A. in psychology and sociology, and later earned a J.D. from American University's Washington College

of Law, with honors. At the Washington College of Law, Michele was a member of the American University Law Review and a Dean's Scholar.

Michele is admitted to practice in the District of Columbia, Maryland, and North Carolina.

Adam Langino

Adam J. Langino, an Associate, joined Cohen Milstein in January 2014. Mr. Langino is a 2006 graduate of the University of Minnesota School Of Law (*cum laude*) where he received an award for Best Oral Argument and participated in the Wagner Labor Law Moot Court program. He received his Bachelor's degree in Government and Politics and graduated from the University of Maryland in College Park, MD (with honors, *magna cum laude*). As a student at the University of Maryland he was selected to study at Exeter College at Oxford University, where he participated in an Honors Seminar in British Law and Society.

Prior to joining Cohen Milstein, Mr. Langino was an Associate at Leopold Law and also served for three years as an Assistant Public Defender in West Palm Beach, FL. As an Assistant Public Defender, Mr. Langino handled complex felony criminal cases, including first degree felonies and crimes punishable by life in prison. He gained valuable trial experience and secured freedom for the wrongly accused. Before his service as an Assistant Public Defender, Mr. Langino clerked for the Federal Public Defender located in Minneapolis, MN.

Mr. Langino is a member of the Florida Bar, the Minnesota Bar and the Federal Bar for the Southern District of Florida. He is also an active member in the Palm Beach County Bar Association, and Florida Justice Association. He was recently appointed to the Board of the Florida Justice Association's Young Lawyer Section. In 2010, he was named a Rising Star by the Florida Super Lawyers publication- a distinction bestowed on no more than 2.5% of Floridian attorneys.

Mr. Langino is also an active volunteer in his community. He currently volunteers as a boxing coach for local youths for the Police Athletic League located in Palm Beach Gardens. He also is an active member in Club 100 Charities. Club 100 is a local non-profit faith based organization dedicated to making the local community a better place by focusing on the needs of the community's youth and elderly.

Awards & Recognitions

- Martindale Hubbell AV Rating
- Super Lawyers - Rising Star (2010)
- The National Trial Lawyers Top 40 Under 40
- Florida Trend's Legal Elite Up & Comer (2014)

Stephan A. LeClainche

Stephan A. LeClainche, Of Counsel, joined Cohen Milstein in 2015 and is a member of the Medical Malpractice Practice Group.

With more than three decades of experience in civil litigation, Mr. LeClainche knows that skill in the courtroom is just part of the story. Topflight lawyers also know how to counsel and comfort clients –

and anticipate the other side's every move. The best lawyers are advisers and advocates, compassionate yet aggressive. These are the traits Mr. LeClainche brings to every case he handles.

A Florida board-certified civil trial lawyer since 1996, Mr. LeClainche focuses his practice in areas that include medical malpractice, automobile negligence, sexual abuse, medical device litigation, and other serious injury and negligence cases. The cases may be different, but the complexities, challenges, and consequences are always high, requiring attention to detail – and dedication to a client's needs and concerns. With every case, Mr. LeClainche is both veteran lawyer and seasoned investigator, investing the time necessary to unearth and analyze every potentially relevant facet of a case. But he is always a partner, making sure that clients are kept updated on the progress of a matter – and that they are always part of the team.

Mr. LeClainche's successes in the courtroom include a \$40 million dollar verdict recovered for a child in a wrongful death case; a \$2.3 million dollar verdict for personal injuries suffered during a fall at an amusement park; a \$2.8 million dollar verdict for a death and personal injuries suffered by husband and wife in a motor vehicle accident; verdicts of \$1.7 million and \$10 million in two separate cases involving sexual abuse of minors; and a \$5 million dollar settlement reached during trial in a medical malpractice case. Recently, Mr. LeClainche was part of a team of lawyers who, after years of costly litigation, successfully recovered \$27 million dollars on behalf of 10 victims of child abuse in a case brought in Federal Court in New York.

Mr. LeClainche's accomplishments over the years have enabled him to achieve an AV-Preeminent rating from Martindale-Hubbell, the highest rating available for ethics and legal ability from the nation's oldest guide to lawyers and law firms. He is also listed in The Best Lawyers in America and Florida Super Lawyers, publications based exclusively on peer selection.

Mr. LeClainche graduated from Florida International University with a B.A. in Political Science (Magna Cum Laude) in 1981 and received his J.D. from the University of Florida College of Law in 1984. Mr. LeClainche was born and raised in Kingston, Jamaica.

He is admitted to practice in Florida, the U.S. Supreme Court, and the U.S. District Court Southern District of Florida.

Certified Legal Specialties

Board Certified Civil Trial Lawyer, Florida Bar Board of Legal Specialization
Civil Trial Law, The Florida Bar
Civil Trial Advocate, National Board of Trial Advocacy

Professional Associations and Memberships

Palm Beach County Bar Association
Palm Beach County Trial Lawyers Association
The Florida Bar
American Association for Justice
The Florida Justice Association
American Board Trial Advocates

Emmy Levens

Emmy Levens joined Cohen Milstein as an Associate in 2009. She is a member of the Antitrust practice group.

Prior to joining the firm, Ms. Levens was a staff law clerk at the U.S. Court of Appeals for the Seventh Circuit, where she handled a variety of cases including employment discrimination, bankruptcy, immigration, criminal appeals, civil rights, and habeas corpus.

Ms. Levens graduated from the University of Kansas with a B.A. in Political Science (2004, with honors) and UCLA Law School (J.D., *order of the coif*, 2007). During law school, Ms. Levens served as the Managing Editor for the UCLA Journal of Environmental Law and Policy, the Director of the Downtown Legal Housing Clinic, and the president of Moot Court. She also worked as a summer associate for Morrison & Foerster, LLP in San Francisco.

Ms. Levens' admission to the Illinois Bar is pending and she is practicing under the supervision of Daniel S. Small, a member of the D.C. Bar.

Diana L. Martin

Diana L. Martin, Of Counsel, joined Cohen Milstein in January 2014. Ms. Martin handles appeals for the firm in a wide variety of practice areas, including tort liability, product liability, managed care liability, and consumer class actions. She also provides litigation support to the firm's attorneys by drafting and arguing complex and case dispositive motions and providing legal assistance at trial by handling motions for directed verdicts, complex evidentiary issues, and charge conferences.

Before joining the firm, Ms. Martin served for three years as Staff Attorney to the Honorable Martha C. Warner in the Fourth District Court of Appeal of Florida. She is a 2002 High Honors graduate from the University of Florida Levin College of Law, where she was inducted into the Order of the Coif. Ms. Martin received her Bachelor's Degree from Flagler College after graduating summa cum laude, being awarded Departmental Honors in Philosophy/Religion, and being inducted into the Alpha Chi and Omicron Delta Kappa honor societies.

Ms. Martin currently serves as President of Florida Legal Services and as a Board Member for The Florida Bar Foundation. She is also the author and co-author of several legal publications including Florida Insurance Law and Practice, an annual publication by Thomson/West.

Ms. Martin is admitted to practice in the Florida State Courts; the U.S. District Courts for the Northern, Middle, and Southern Districts of Florida; the U.S. Court of Appeals, 11th Circuit; and the United States Supreme Court.

Awards & Recognitions

- Florida Rising Stars list, Florida Super Lawyers Magazine (2012 - 2014)
- Up and Comer, South Florida Legal Guide (2012 and 2013)

Douglas J. McNamara

Douglas McNamara, Of Counsel at the Firm, joined Cohen Milstein in 2001 as a member of the Antitrust and Consumer Protection & Unsafe Products practice groups.

Mr. McNamara has worked on numerous cases involving dangerous pharmaceuticals and medical devices, light cigarettes, defective consumer products, and environmental torts.

Prior to joining Cohen Milstein, Mr. McNamara was a litigation associate at Arnold & Porter, specializing in pharmaceutical and product liability cases. He started his career at New York City's Legal Aid Society, defending indigent criminal defendants at trial and on appeal.

He has been the lead author on three law review articles: *Buckley, Imbler and Stare Decisis: The Present Predicament of Prosecutorial Immunity and An End to Its Absolute Means*, 59 Alb. L. Rev. 1135 (1996); *Sexual Discrimination and Sexual Misconduct: Applying New York's Gender-Specific Sexual Misconduct Law to Minors*, 14 Touro L. Rev. 477 (Winter 1998), and most recently, Douglas McNamara, et al, *Reexamining the Seventh Amendment Argument Against Issue Certification*, 34 Pace L. Rev. 1041 (2014). He is presently teaching a course on environmental and toxic torts as an adjunct at George Washington University School of Law.

Mr. McNamara graduated from SUNY Albany with a B.A. in Political Science (*summa cum laude*, 1992) and New York University School of Law (J.D., 1995).

Mr. McNamara is admitted to practice in New York and the District of Columbia.

Miriam Nemeth

Miriam R. Nemeth, an Associate at the Firm, joined Cohen Milstein in 2015 and is a member of the Civil Rights & Employment practice group.

Prior to joining Cohen Milstein, Ms. Nemeth was an Associate at Goodman & Hurwitz in Detroit, MI. She also served as a law clerk to the Honorable Ronald Lee Gilman on the Sixth Circuit Court of Appeals (2011-2012) and the Honorable David M. Lawson on the Eastern District of Michigan (2009-2011).

Ms. Nemeth graduated *summa cum laude* from the George Washington University's Honors Program with a B.A. in both English and Psychology in 2006. She received her law degree *cum laude* from the University of Pennsylvania Law School in 2009. While there, she served as a Comments Editor on the University of Pennsylvania Law Review and co-directed the Prisoners' Legal Education Project, a student-run clinic that worked with inmates in the Graterford Maximum Security Correctional Facility outside Philadelphia, PA. Ms. Nemeth also won the 2009 Benjamin R. Jones Memorial Award for Contributions to the Public Interest. During law school, Ms. Nemeth interned with the Capital Habeas Unit of the Federal Community Defender Office in the Eastern District of Pennsylvania, the Bazelon Center for Mental Health Law, Arnold & Porter LLP, and the D.C. Public Defender Service's Mental Health Division. She was also an active member of Penn's chapter of the American Constitution Society and has since been named a Next Generation Leader and a Public Interest Fellow (2009-2012).

Ms. Nemeth is admitted to practice in New York, Michigan, the Eastern District of Michigan, the Sixth

Circuit Court of Appeals, and is currently practicing under the supervision of Joseph M. Sellers, a member of the D.C. Bar.

Alysson Ford Ouoba

Alysson Ford Ouoba, an Associate at the Firm, joined Cohen Milstein in 2014 and is a member of the Human Rights Practice Group.

Prior to joining Cohen Milstein as an Associate, Ms. Ouoba was a Human Rights Attorney and a Human Rights Litigation Fellow at the Firm. In these roles, she conducted suit against KBR on behalf of families of Nepali laborers who were trafficked to Iraq to work on U.S. military bases, engaged in litigation against Exxon for its role in human rights abuses against communities in Aceh, Indonesia, and brought action against former Moroccan officials who trafficked a woman to the U.S. and forced her to work without pay. Ms. Ouoba also has years of experience working to improve human rights overseas, including positions documenting human rights violations in Nepal, promoting the right to education in Burkina Faso, and litigating illegal evictions in Nigeria.

Ms. Ouoba served as Law Clerk to the Honorable William F. Kuntz of the U.S. District Court for the Eastern District of New York and as Law Clerk to the Honorable John R. Fisher of the District of Columbia Court of Appeals.

Ms. Ouoba graduated, *magna cum laude*, from Harvard University in 2000 with a B.A. in Government. She received her J.D., *cum laude*, from Harvard Law School in 2011. Ms. Ouoba also received her MSc in Development Studies from the University of London in 2004. During law school, Ms. Ouoba was a Student Advocate in the International Human Rights Clinic, a Student Advocate with Advocates for Human Rights, and a Board Member of the *Civil Rights-Civil Liberties Law Review*. She also interned at the Center for Constitutional Rights. Ms. Ouoba is a co-author of *Economic, Social, and Cultural Rights in Zimbabwe: Options for Constitutional Protection* (Harvard Law School, International Human Rights Clinic, 2009).

Admitted only in New York. Practice in the District of Columbia is supervised by principals of the firm.

Casey M. Preston

Casey Preston, an Associate at Cohen Milstein, is a member of the Firm's Whistleblower/False Claims Act Practice.

Mr. Preston serves as counsel in *United States of America et al. ex rel. Lauren Kieff v. Wyeth*, the whistleblower case against pharmaceutical giant Wyeth (recently acquired by Pfizer). The lawsuit alleges that states were defrauded when Wyeth falsely inflated the price of the acid suppression drug Protonix Oral from 2001 through 2006. Thirty-six states and the District of Columbia have joined with the United States to intervene in the Wyeth case -- the most states that have ever intervened in any U.S. Qui Tam case.

In addition to helping and serving as counsel for whistleblowers, Mr. Preston has also represented and advised clients in various complex litigations, securities class actions, and commercial disputes.

Mr. Preston received his B.S. degree from The Citadel and his J.D. from Villanova University School of Law (J.D., 2000). He clerked for the Hon. William J. Nealon, U.S. District Court for the Middle District of Pennsylvania (2001-2002) and the Hon. Terrence R. Nealon, Court of Common Pleas Lackawanna County, Pennsylvania (2000-2001).

Mr. Preston is admitted to the Pennsylvania Bar, and to the United States Supreme Court, Eastern District of Pennsylvania and Middle District of Pennsylvania.

He is a member of Taxpayers Against Fraud (TAF) and the Villanova Law J. Willard O'Brien American Inn of Court. And he provides pro bono legal services to the Legal Clinic for the Disabled.

Kenneth M. Rehns

Kenneth M. Rehns joined Cohen Milstein as an Associate in April 2009 and is a member of the Securities Fraud/Investor Protection practice group. Prior to joining Cohen Milstein, Mr. Rehns was an Associate at Schoengold Sporn Laitman & Lometti, P.C. ("SSLL") where he practiced in the area of securities fraud.

Mr. Rehns earned his law degree from Syracuse University College of Law in 2008 graduating cum laude. While in law school, Mr. Rehns was an associate editor on two of the School's academic journals, *The Syracuse Journal of International Law and Commerce* and *The Digest*. Mr. Rehns was also a member of the Syracuse University Community Development Law Clinic where he assisted several not-for-profit organizations attain tax-exempt status and served as general counsel to both for-profit and not-for-profit businesses. During the summer of 2007, Mr. Rehns worked at Cohen Milstein in the firm's International Group.

Before law school, Mr. Rehns received a Bachelor of Business Administration from The George Washington University in 2005, graduating cum laude, with a concentration in Business, Economics and Public Policy and a minor in Economics.

Mr. Rehns is a resident of Cohen Milstein's New York office.

Admissions and Affiliations

- State of New York
- State of New Jersey
- United States District Court for the Southern District of New York
- United States District Court for the District of New Jersey
- New York State Bar Association
- New York County Lawyers Association

Raymond M. Sarola

Raymond M. Sarola, an Associate at Cohen Milstein, is a member of the Firm's Whistleblower/False Claims Act Practice and the Firm's Ethics and Fiduciary Counseling Practice.

Prior to joining the firm, Mr. Sarola served as Senior Policy Advisor & Counsel in the Mayor's Office of the City of New York. While there, he represented the Mayor and Commissioner of Finance on the

boards of the City's pension systems and deferred compensation plan and advised on legal issues regarding pension investments, benefit payments, securities litigation and corporate governance initiatives. Previously, Mr. Sarola was a Litigation Associate at Willkie Farr & Gallagher LLP, where he represented companies and individuals in securities and other complex commercial litigation, internal investigations, and antitrust matters.

Mr. Sarola received his B.A. degree from the University of North Carolina at Chapel Hill in 2002 and his J.D. from the University of Pennsylvania Law School in 2005, where he also earned a Certificate of Study in Business and Public Policy from the Wharton School. He was a Summer Intern for the Honorable Clarence Newcomer, United States District Court for the Eastern District of Pennsylvania in 2003.

He is a member of Taxpayers Against Fraud, a nonprofit, public interest organization dedicated to combating fraud against the Federal Government through the promotion and use of the Federal False Claims Act and its qui tam provisions.

Mr. Sarola is admitted to the New York Bar and to the United States District Court for the Southern District of New York.

Daniel Silverman

Daniel Silverman, an Associate at the Firm, joined Cohen Milstein in 2012 as a member of the Antitrust Practice Group.

Prior to joining the firm, Mr. Silverman was an Associate at Spiegel & McDiarmid where he represented public sector clients in energy-related fields before the Federal Energy Regulatory Commission, state public utility commissions, and federal appellate courts. Mr. Silverman also served as the Executive Director of Legal Economics, LLC, a firm specializing in the analysis of complex economic issues related to legal issues that is based in Harvard Square, Cambridge, Massachusetts. At Legal Economics, he supported expert economic testimony in a variety of antitrust matters involving horizontal price-fixing, mergers, and loyalty discounts in industries ranging from healthcare and computer hardware to live music promotion.

Mr. Silverman graduated from Brown University in 2005 with a B.S. in Physics (*magna cum laude*, *Phi Beta Kappa*). Mr. Silverman received his J.D., *magna cum laude*, from Harvard Law School in June 2010. During law school, he served as a Managing Editor of the *Harvard Environmental Law Review* and the Alumni Chair of the Harvard Environmental Law Society. Mr. Silverman also served as a summer associate at the U.S. Department of Justice in the Environment and Natural Resources Division, Law and Policy Section.

Mr. Silverman is admitted to practice in New York only and his practice in the District is supervised directly by principals of the firm.

Richard A. Speirs

Richard A. Speirs joined Cohen Milstein as Of Counsel in 2010 and is a member of the Securities Fraud/Investor Protection practice group. For the past ten years, Mr. Speirs was a partner at Zwerling, Schachter & Zwerling, LLP.

At his former firm, Mr. Speirs served as lead or co-lead counsel in numerous securities fraud class actions throughout the United States. Mr. Speirs successfully litigated numerous national securities class actions as lead counsel, achieving significant recoveries for investors. Mr. Speirs was also lead or co-lead attorney in several cases where the court issued a seminal decision involving the following subjects: (i) the improper grouping of unaffiliated investors in a lead plaintiff motion; (ii) recommendation of default sanction against auditing firm for discovery misconduct involving electronic audit workpapers; and (iii) the liability under Section 10(b) of a non-issuer for disclosures made by the issuer. Among the successful cases litigated by Mr. Speirs are: *In re BP Prudhoe Bay Royalty Trust Securities Litigation*, (W.D. Wa.) (\$43.5 million recovery); *In re First BanCorp Securities Litigation*, (D.P.R.) (\$74.5 million recovery); *In re Telxon Corp. Securities Litigation*, (N.D. Ohio) (\$40 million recovery); and *Hayman v. PricewaterhouseCoopers, LLP*, (N.D. Ohio) (\$27.9 million recovery). Mr. Speirs has over twenty years of experience representing investors in cases involving complex financial, accounting and auditing issues. He has also represented investors who were victims of fraudulent Ponzi schemes and the sale of unregistered securities. Mr. Speirs also has substantial experience in stockholder litigation involving corporate takeovers and in derivative actions.

Mr. Speirs was admitted to the bar of the State of New York in 1986; he is admitted to the following federal courts: the United States District Court for the Southern and Eastern Districts of New York, and the United States Court of Appeals for the Second, Ninth and Tenth Circuits. He is a member of the New York State Bar Association. In January 2007 Mr. Speirs was a panelist at the Public Funds Summit and spoke on the topic of *Alternative Investments: Regulatory Landscape and Lessons from the Ashes*.

Education: Brooklyn College of the City University of New York in 1976 cum laude; Brooklyn Law School J.D. 1985 (Order of the Coif).

Catherine A. Torell

Catherine A. Torell is the Director of Securities Research and Analysis at Cohen Milstein. She joined the Firm in 2002 and is a member of the Securities Fraud/Investor Protection practice group.

Currently, Ms. Torell is involved in the *In re Parmalat Securities Litigation* (S.D.N.Y.) in which Cohen Milstein serves as co-lead Counsel. She also conducts investigations of securities fraud cases for the practice group, working with all of its litigators.

Prior to joining Cohen Milstein, Ms. Torell was associated with the firm of Entwistle & Cappucci LLP, where she served as one of co-lead counsel in *In re Providian Financial Securities Litigation* (\$38 million settlement). In approving the settlement, the Court remarked on the “extremely high quality” and “skill and efficiency” of plaintiffs’ counsel’s work throughout the litigation. Ms. Torell also was previously associated with Goodkind Labaton Rudoff & Sucharow LLP, where she served as counsel to the New York City Pension Funds in *In re Orbital Sciences Corp. Securities Litigation* (\$22.5 million settlement), and was a key member of the litigation team that successfully resisted defendants’ efforts to dismiss the case. Ms. Torell also served as counsel to the Florida State Board of Administration in *LaPerriere v. Vesta Insurance Group, et al.*, and as counsel to Amalgamated Bank of New York in *In re Bristol-Myers-Squibb Securities Litigation* (\$61 million settlement).

Ms. Torell received a B.A. in Political Science from Stony Brook University (1984) and her law degree from St. John's University School of Law (1990) where she was the recipient of the Federal Jurisprudence Award.

Ms. Torell is admitted to practice in New York.

Times Wang

Times Wang joined Cohen Milstein in 2014 and is an associate in the Securities Fraud practice group.

Before joining Cohen Milstein, Mr. Wang was a litigator with Irell & Manella LLP in Los Angeles, where he represented clients in matters ranging from patent infringement, trade secrets misappropriation, white-collar defense, bankruptcy litigation, and whistleblower claims. Mr. Wang also represented pro bono clients on matters relating to human rights and political asylum.

Mr. Wang earned his J.D., *cum laude*, from New York University School of Law in 2011, where he served as Articles Editor for the Annual Survey of American Law. During law school, Mr. Wang interned at Human Rights in China and served as Human Rights Chair of the Asia Law Society. Mr. Wang earned his B.A. in East Asian Studies, with Great Distinction, from McGill University in Montreal in 2007.

Publications

- "Targeted and Entrapped: Manufacturing the 'Homegrown Threat' in the United States," *NYU School of Law Center for Human Rights and Global Justice* (2011), co-author
- "Giving Hope to China's Activists," *The Huffington Post* (Dec. 10, 2010)
- "For Obama, A Dream From My Father," *The Washington Post* (Nov. 13, 2009)

Exhibit 15

In re NII Holdings, Inc. Sec. Litig.
(E.D.Va. No. 14-227)

SUMMARY TABLES

PLAINTIFFS' COUNSEL'S LODESTARS AND LITIGATION EXPENSES

FIRM	HOURS	LODESTAR	EXPENSES
Labaton Sucharow LLP	16,731.30	\$8,593,341.00	\$968,644.47
Kessler Topaz Meltzer & Check LLP	14,587.57	\$6,365,212.75	\$346,713.82
Bernstein Litowitz Berger & Grossmann LLP	6,480.00	\$2,928,763.75	\$143,187.77
Law Offices of Susan R. Podolsky	397.60	\$198,800.00	\$8,668.62
Lowenstein Sandler LLP	661.30	\$570,671.50	\$3,477.42
Motley Rice LLC	887.25	\$425,270.00	\$654.10
Cohen Milstein Sellers & Toll PLLC	84.75	\$67,526.25	\$1,862.26
Klausner Kaufman Jensen & Levinson	63.80	\$41,695.00	\$3,077.76
TOTALS	39,893.57	\$19,191,280.25	\$1,476,286.22

CLASS REPRESENTATIVES' REIMBURSEMENT REQUESTS

CLASS REPRESENTATIVE	REQUEST
Industriens Pensionsforsikring A/S	\$6,795.00
IBEW Local No. 58 / SMC NECA Funds	\$8,720.00
Jacksonville P&F	\$6,696.00
Danica Pension	\$15,150.00
TOTALS	\$37,361.00

Exhibit 16

	Count	Low	Percentile	Median	Percentile	High	
		Rate (%Diff.)	Rate (%Diff.)	Rate (%Diff.)	Rate (%Diff.)	Rate (%Diff.)	
All Partners							
	All Firms Sampled	206	\$675 (-12%)	\$876 (+8%)	\$975 (+15%)	\$1,102 (+19%)	\$1,400 (+44%)
	Labaton Sucharow LLP	23	\$765	\$813	\$850	\$925	\$975
Senior Partners							
	All Firms Sampled	141	\$700 (-8%)	\$900 (+9%)	\$975 (+5%)	\$1,125 (+22%)	\$1,400 (+44%)
	Labaton Sucharow LLP	19	\$765	\$825	\$925	\$925	\$975
Mid-Level Partners							
	All Firms Sampled	23	\$675 (-16%)	\$848 (+6%)	\$895 (+12%)	\$955 (+18%)	\$1,245 (+51%)
	Labaton Sucharow LLP	3	\$800	\$800	\$800	\$813	\$825
Junior Partners							
	All Firms Sampled	23	\$700 (-13%)	\$825 (+3%)	\$880 (+10%)	\$915 (+14%)	\$995 (+24%)
	Labaton Sucharow LLP	1	\$800	\$800	\$800	\$800	\$800
Of Counsel							
	All Firms Sampled	53	\$500 (+0%)	\$695 (+18%)	\$778 (+12%)	\$875 (+13%)	\$1,125 (+41%)
	Labaton Sucharow LLP	11	\$500	\$588	\$695	\$775	\$800

	Count	Low	Percentile	Median	Percentile	High
		Rate (%Diff.)	Rate (%Diff.)	Rate (%Diff.)	Rate (%Diff.)	Rate (%Diff.)
All Associates						
	All Firms Sampled	320	\$225 (-44%)	\$480 (+4%)	\$585 (+15%)	\$725 (+32%)
	Labaton Sucharow LLP	29	\$400	\$460	\$510	\$550
Senior Associates						
	All Firms Sampled	53	\$395 (-1%)	\$650 (+18%)	\$730 (+26%)	\$780 (+19%)
	Labaton Sucharow LLP	12	\$400	\$550	\$580	\$654
Mid-Level Associates						
	All Firms Sampled	104	\$325 (-26%)	\$508 (+9%)	\$635 (+34%)	\$710 (+39%)
	Labaton Sucharow LLP	14	\$440	\$464	\$475	\$510
Junior Associates						
	All Firms Sampled	88	\$225 (-44%)	\$449 (+9%)	\$480 (+13%)	\$531 (+25%)
	Labaton Sucharow LLP	3	\$400	\$413	\$425	\$425
Paralegals						
	All Firms Sampled	117	\$112 (-64%)	\$230 (-26%)	\$280 (-10%)	\$320 (+3%)
	Labaton Sucharow LLP	13	\$310	\$310	\$310	\$310