

EXHIBIT D

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STEVEN LEVENTHAL, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

CHEGG, INC., DANIEL L. ROSENSWEIG,
ANDREW J. BROWN, and NATHAN
SCHULTZ,

Defendants.

Case No.: 5:21-cv-09953-PCP

CLASS ACTION

**DECLARATION OF CHRISTOPHER
F. MORIARTY IN SUPPORT OF
LEAD COUNSEL’S MOTION FOR
AN AWARD OF ATTORNEYS’ FEES
AND REIMBURSEMENT OF
LITIGATION EXPENSES**

Date: April 24, 2025
Time: 10:00 A.M.
Dept: Courtroom 8
Judge: Hon. P. Casey Pitts

1 I, Christopher F. Moriarty, declare as follows:

2 1. I am a Member of the law firm Motley Rice LLC (“Motley Rice” or the “Firm”).
3 I submit this declaration in support of Lead Counsel’s application for an award of attorneys’ fees
4 and expenses in connection with services rendered in the above-captioned action (the “Action” or
5 the “Litigation”).¹

6 2. My Firm, as Lead Counsel for Court-appointed Lead Plaintiff KBC Asset
7 Management NV (“KBC”), was involved in all aspects of the prosecution and resolution of the
8 Action, as set forth in (1) the Joint Declaration of David R. Kaplan and Christopher F. Moriarty
9 in Support of Lead Plaintiffs’ Motion for Final Approval of Settlement and Plan of Allocation;
10 and (2) Lead Counsel’s Motion for an Award of Attorneys’ Fees and Reimbursement of Litigation
11 Expenses.

12 3. The information in this declaration regarding Motley Rice’s time and expenses is
13 taken from time and expense reports and supporting documentation prepared and/or maintained
14 by the Firm in the ordinary course of business. I am one of the Members who oversaw and/or
15 conducted the day-to-day activities in the Litigation and I reviewed the Firm’s time records in
16 connection with the preparation of this declaration. The purpose of this review was to confirm
17 both the accuracy of the entries as well as the necessity for, and reasonableness of, the time and
18 expenses committed to the Litigation. Only time that inured to the benefit of Lead Plaintiffs and
19 the Settlement Class, and that advanced the claims resolved by the Settlement, is reflected herein.
20 Accordingly, some reductions were made to time. Time expended in preparing the application
21 for fees and expenses has not been included, and time for timekeepers who had worked less than
22 ten hours on the matter was also removed. Based on this review, I believe that the time reflected
23 and the expenses for which reimbursement is sought are reasonable and were necessary for the
24 effective and efficient prosecution and resolution of the Litigation.

25 _____
26 ¹ All capitalized terms used herein, unless otherwise defined, have the same meanings as
27 set forth in the Stipulation and Agreement of Settlement (the “Stipulation”), dated November 5,
28 2024 (ECF No. 189-2).

1 4. After the reductions noted above, the number of hours spent on the Litigation by
2 the Firm from inception through February 21, 2025 is 3,502.75. The Firm maintains detailed,
3 contemporaneous billing records reflecting the foregoing. Attached hereto as Exhibit 1 is a chart
4 summarizing my Firm’s lodestar calculation from the inception of the Action through February
5 21, 2025. Attached hereto as Exhibit 2 is a chart reflecting the hours spent by each timekeeper
6 on various task categories during the course of the Action:

7 5. My Firm seeks an award of \$164,418.85 in expenses in connection with the
8 prosecution of this Action. Those expenses and charges are summarized by category in Exhibit 3.

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

10 a. **Litigation Fund Contributions: \$93,894.50.** Motley Rice, along with
11 Co-Lead Counsel Saxena White PA, maintained a litigation expense fund for certain common
12 expenses in connection with the prosecution of this case. Exhibit 4 is a chart summarizing these
13 expenses and charges by category. The litigation fund was used to pay:

14 (i) **Online Factual Research:** The Capitol Forum, for investigative
15 news, analysis, and research reports on Chegg and related information associated with the drafting
16 of the Complaint.

17 (ii) **Experts/Consultants:** Christian Moriarty, JD, MA, Esq. (no
18 relation), for consultation regarding Chegg’s online platform, standards and practices in the field
19 of academic integrity, and facilitating surveys, interviews, and other communications with
20 university faculty regarding their experiences with Chegg and student usage of its online platform.

21 (iii) **Experts/Consultants:** Cleveland Analytics, LLC, to analyze
22 market efficiency and damages issues.

23 (iv) **Experts/Consultants:** Peregrine Economics LLC, to analyze
24 market efficiency and damages issues.

25 (v) **Experts/Consultants:** Quest Research & Investigations, LLC, for
26 investigative services associated with the drafting of the Complaint.

1 (vi) **Mediation Fees:** Lead Counsel's share of the fees of the mediator,
2 Hon. Layn Phillips (Ret.) of Phillips ADR Enterprises, P.C., who facilitated settlement
3 negotiations over the course of many discussions, written submissions, and a mediation session,
4 ultimately leading to settlement of this Litigation.

5 b. **Online Legal and Factual Research:** \$25,300.90. This category includes
6 vendors such as LexisNexis, PACER, Thomson Reuters, Bloomberg BNA, and Westlaw. These
7 resources were used to obtain access to SEC filings and factual databases and to conduct legal
8 research and citation verification. This expense represents the expenses incurred by Motley Rice
9 for use of these services in connection with this Litigation. The charges for these vendors vary
10 depending upon the type of services requested. The expenses pertaining to this case are reflected
11 in the books and records of Motley Rice, which are regularly prepared and maintained in the
12 ordinary course of business. These books and records are prepared from receipts, expense
13 vouchers, check records, and other documents, and are an accurate record of these expenses.

14 c. **Transcripts:** \$393.30. There were a total of three court hearings in this
15 Action: the lead plaintiff hearing, the motion to dismiss hearing, and the preliminary approval
16 hearing. Motley Rice has not sought costs for the preliminary approval hearing transcript and
17 will not seek reimbursement for the costs associated with the transcript of the final approval
18 hearing.

19 d. **Transportation, Meals, and Lodging:** \$22,253.79. In connection with
20 the prosecution of this Action, Motley Rice paid for travel expenses to attend court hearings and
21 mediation. The date, destination, and purpose of each trip is set forth in the attached Exhibit 5.

22 e. **Court admission costs:** \$1,304.00. In connection with the prosecution of
23 the Action, four Motley Rice attorneys were admitted *pro hac vice*.

24 f. **In-House Printing and photocopies:** \$2,272.05. Each time an in-house
25 copy machine is used to print ten or more black and white pages (or any color pages), the Firm's
26 billing system requires that a case or administrative billing code be entered, so as to identify the
27 number of in-house copies related to the Litigation.

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1 g. **Outside Printing and photocopies:** \$51.23 related to printing of
2 documents in connection with the lead plaintiff hearing and motion to dismiss hearing when Lead
3 Counsel were in San Jose, California.

4 h. **Experts/Consultants Not Covered by Litigation Fund:** \$29,318.75.

5 (i) **Camilla J. Roberts.** Assisting Lead Counsel with its investigation,
6 including consultation regarding Chegg's online platform, standards and practices in the field of
7 academic integrity, and facilitating surveys, interviews, and other communications with
8 university faculty regarding their experiences with Chegg and student usage of its online platform.

9 (ii) **Christian Moriarty, JD, MA, Esq.** Assisting Lead Counsel with
10 its investigation, including consultation regarding Chegg's online platform, standards and
11 practices in the field of academic integrity, and facilitating surveys, interviews, and other
12 communications with university faculty regarding their experiences with Chegg and student usage
13 of its online platform. The sum here is in addition to the portion of Mr. Moriarty's fees that was
14 paid by the litigation fund.

15 (iii) **Matthias Storme.** Drafting declaration regarding standing of KBC
16 to represent its funds in connection with contested lead plaintiff motion (ECF No. 89-3).

17 (iv) **Pehl LLC.** Translation services associated with communications
18 with German-speaking class member for potential class representative role to assert Securities
19 Act claims.

20 (v) **Quest Research & Investigations, LLC.** Investigative services
21 associated with the drafting of the Complaint.

22 i. **Litigation Support:** \$3,758.31. The primary expense incurred in this
23 category were recurring payments for electronic document hosting services in the Action.

24 j. **Service of Subpoenas:** \$5,775.50. These expenses have been paid to firms
25 who served process of subpoenas.

26 k. **Postage / Overnight Delivery Services:** \$304.75.

1 7. Motley Rice has extensive experience in prosecuting and resolving complex
2 securities class actions in the Ninth Circuit and throughout the nation, as reflected by Motley
3 Rice's Shareholder and Securities Fraud Resume, which is attached hereto as Exhibit 6.

4 I declare under penalty of perjury that the foregoing is true and correct.

5

6 Executed this 27th day of February, 2025.

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/s/ Christopher F. Moriarty
Christopher F. Moriarty

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EXHIBIT 1**LODESTAR REPORT**

FIRM: MOTLEY RICE LLC

REPORTING PERIOD: CASE INCEPTION THROUGH FEBRUARY 21, 2025

NAME	TITLE	CURRENT RATE	HOURS	LODESTAR
Gruetzmacher, Max	M	\$1,300.00	710.25	\$923,325.00
Levin, Gregg	M	\$1,500.00	286.50	\$429,750.00
Moriarty, Christopher	M	\$1,150.00	426.50	\$490,475.00
Narwold, Bill	M	\$1,500.00	67.00	\$100,500.00
Oliver, Lance	M	\$1,450.00	26.00	\$37,700.00
Hines, Neli	A	\$660.00	587.65	\$387,849.00
Loper, Charlotte	A	\$800.00	142.00	\$113,600.00
Mazingo, Ridge	A	\$660.00	314.25	\$207,405.00
Saunders, Raneë	A	\$1,150.00	127.80	\$146,970.00
Weatherby, Meredith	A	\$900.00	41.75	\$37,575.00
Wolf, Courtney	A	\$800.00	523.50	\$418,800.00
Richards, Evelyn	LC	\$400.00	48.00	\$19,200.00
Shippy, Destiny	LC	\$325.00	22.00	\$7,150.00
Brown, Dominique E.	PL	\$275.00	24.25	\$6,668.75
McLaughlin, Lora L.	PL	\$425.00	13.30	\$5,652.50
Weil, Katherine M	PL	\$375.00	81.25	\$30,468.75
Quinlan, Li	LT	\$300.00	60.75	\$18,225.00
TOTALS			3,502.75	\$3,381,314.00

Associate (A)
Law Clerk (LC)
Litigation Technology Specialist (LT)
Member (M)
Paralegal (PL)

EXHIBIT 2

CATEGORY LODESTAR BY TIMEKEEPER

FIRM: MOTLEY RICE LLC

REPORTING PERIOD: CASE INCEPTION THROUGH FEBRUARY 21, 2025

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EXHIBIT 2**CATEGORY LODESTAR BY TIMEKEEPER**

FIRM: MOTLEY RICE LLC

REPORTING PERIOD: CASE INCEPTION THROUGH FEBRUARY 21, 2025

Category Codes:

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|--|---|
| 1. Factual Investigation | 7. Litigation Strategy & Analysis |
| 2. Discovery (Fact & Expert) | 8. Settlement Negotiations, Stipulation, Plan of Allocation |
| 3. Briefs, Pretrial Motions & Legal Research | 9. Appeal |
| 4. Court Appearances | 10. Trial Preparation |
| 5. Initial or Amended Complaint | 11. Case Management |
| 6. Client / Shareholder Communications | |

TIMEKEEPER	1	2	3	4	5	6	7	8	9	10	11	TOTAL HOURS	LODESTAR
Brown, Dominique E. - Paralegal		5.75	8.00		3.50			5.75			1.25	24.25	\$6,668.75
Gruetzmacher, Max - Member	0.25	249.75	153.25	62.25	83.00		6.50	152.50			2.75	710.25	\$923,325.00
Hines, Neli - Associate	10.50	196.50	124.00		153.30	0.75	7.00	94.35			1.25	587.65	\$387,849.00
Levin, Gregg - Member	0.25	51.25	155.25		14.50	0.25	6.00	56.50			2.50	286.50	\$429,750.00
Loper, Charlotte - Associate		4.50	48.00		69.50		7.00	12.25			0.75	142.00	\$113,600.00
Mazingo, Ridge - Associate			184.50		129.75							314.25	\$207,405.00
McLaughlin, Lora L. - Paralegal											13.30	13.30	\$5,652.50
Moriarty, Christopher - Member	1.00	21.00	182.25	91.50	27.50	6.00	6.25	90.00			1.00	426.50	\$490,475.00
Narwold, Bill - Member		0.75	12.25		2.50		1.50	48.25			1.75	67.00	\$100,500.00
Oliver, Lance - Member		3.75	11.25		4.25		0.50	5.00			1.25	26.00	\$37,700.00
Quinlan, Li - Litigation Technology Specialist		60.75										60.75	\$18,225.00
Richards, Evelyn - Law Clerk		4.25	43.00					0.50			0.25	48.00	\$19,200.00
Saunders, Rane - Associate		13.60	42.10			0.50	6.75	64.85				127.80	\$146,970.00
Shippy, Destiny - Law Clerk			22.00									22.00	\$7,150.00
Weatherby, Meredith - Associate		18.25	16.75		2.25		4.50					41.75	\$37,575.00
Weil, Katherine M - Paralegal		14.75	37.00		2.00						27.50	81.25	\$30,468.75
Wolf, Courtney - Associate	0.75	256.25	102.00		112.50	0.25	7.25	44.25			0.25	523.50	\$418,800.00
GRAND TOTAL	12.75	901.10	1,141.60	153.75	604.55	7.75	53.25	574.20	0.00	0.00	53.80	3,502.75	\$3,381,314.00

EXHIBIT 3**EXPENSE REPORT**

FIRM: MOTLEY RICE LLC

REPORTING PERIOD: CASE INCEPTION THROUGH FEBRUARY 21, 2025

CATEGORY		TOTAL AMOUNT
Litigation Fund Contributions		\$93,894.50
Balance Remaining in Litigation Fund		-\$20,210.23.00
Online Legal and Factual Research		\$25,300.90
Transcripts		\$393.30
Transportation, Meals, and Lodging (including estimated expenses in conjunction with travel to the forthcoming Settlement Hearing)		\$22,253.79
Court Admission Costs		\$1,304.00
In-House Printing and Photocopies		\$2,272.05
Outside Printing		\$51.23
Experts/Consultants		\$29,318.75
Camilla J. Roberts	\$1,210.94	
Christian Moriarty, JD, MA, Esq.	\$2,382.81	
Matthias Storme	\$1,000.00	
Pehl LLC	\$225.00	
Quest Research & Investigations, LLC	\$24,500.00	
Litigation Support		\$3,758.31
Service of Subpoenas		\$5,777.50
Postage / Overnight Delivery Services		\$304.75
TOTAL		\$164,418.85

EXHIBIT 4**LITIGATION FUND BREAKDOWN**

FIRM: MOTLEY RICE LLC

REPORTING PERIOD: CASE INCEPTION THROUGH FEBRUARY 21, 2025

DEPOSITS		AMOUNT
Motley Rice LLC		\$93,894.50
Saxena White P.A.		\$24,375.00
Interest		\$766.48
TOTAL DEPOSITS		\$119,035.98
EXPENSES		AMOUNT
Online Factual Research		\$20,000.00
The Capital Forum	\$20,000.00	
Experts/Consultants		\$46,325.75
Christian Moriarty, JD MA, Esq.	\$2,500.00	
Cleveland Analytics, LLC	\$34,407.50	
Peregrine Economics LLC	\$4,751.25	
Quest Research & Investigations, LLC	\$4,667.00	
Mediation Fees		\$32,500.00
Phillips ADR Enterprises PC	\$32,500.00	
TOTAL EXPENSES		\$98,825.75
BALANCE REMAINING		\$20,210.23

EXHIBIT 5**DATE, DESTINATION, AND PURPOSE OF TRIPS**

FIRM: MOTLEY RICE LLC

REPORTING PERIOD: CASE INCEPTION THROUGH FEBRUARY 21, 2025

<i>NAME</i>	<i>DATE</i>	<i>DESTINATION</i>	<i>PURPOSE</i>
Gruetzmacher, Max	08/28/2022 - 08/30/2022	San Jose, CA	Lead Plaintiff Hearing
Moriarty, Christopher	08/28/2022 - 08/30/2022	San Jose, CA	Lead Plaintiff Hearing
Gruetzmacher, Max	12/05/2023 - 12/08/2023	San Jose, CA	Motion to Dismiss Hearing
Moriarty, Christopher	12/05/2023 - 12/08/2023	San Jose, CA	Motion to Dismiss Hearing
Gruetzmacher, Max	09/25/2023 - 09/27/2023	San Francisco, CA	Mediation
Moriarty, Christopher	09/25/2023 - 09/27/2023	San Francisco, CA	Mediation
Narwold, William	09/25/2023 - 09/27/2023	San Francisco, CA	Mediation
Moriarty, Christopher	12/18/2024 - 12/19/2024	San Jose, CA	Preliminary Approval Hearing
Gruetzmacher, Max	04/23/2025 - 04/25/2025	San Jose, CA	Final Approval Hearing

EXHIBIT 6

MOTLEY RICE SHAREHOLDER AND SECURITIES FRAUD RESUME

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SHAREHOLDER AND SECURITIES FRAUD RESUME



MotleyRice[®]
ATTORNEYS AT LAW LLC

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.



OUR BACKGROUND IN COMPLEX LITIGATION

Motley Rice attorneys have been at the forefront of some of the most significant and monumental civil actions over the last 30 years. Our experience in complex trial litigation includes class actions and individual cases involving securities and consumer fraud, occupational disease and toxic tort, medical drugs and devices, environmental damage, terrorist attacks and human rights abuses.

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. 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.

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, and 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.

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 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.

Our attorneys also initiated the *In re September 11 Litigation* and negotiated settlements for 56 families that opted out of the Victim Compensation Fund that far exceeded existing precedents at the time for wrongful death cases against the airline industry.

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

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. In addition, Rice led negotiations in the \$1.028 billion settlement between the PSC and Halliburton Energy Services for its alleged role in the oil spill. Motley Rice attorneys continue to hold leadership roles in the litigation and are currently working to ensure that all qualifying oil spill victims are fairly compensated.

Volkswagen 'Clean Diesel' Litigation

In 2015, Volkswagen Group's admission that it had programmed more than 11 million vehicles to cheat emissions tests and bypass standards sparked worldwide outrage. Motley Rice co-founder Joe Rice served as one of the lead negotiators in the nearly \$15 billion settlement deal reached in 2016 for U.S. owners and lessees of 2.0-liter TDI vehicles, the largest auto-related consumer class action settlement in U.S. history. Rice and other Motley Rice attorneys also helped recover up to \$4.4 billion with regards to affected 3.0-liter vehicles.

Transvaginal Mesh Litigation

Motley Rice attorneys represent thousands of women and have played a leading role in litigation alleging debilitating and life-altering complications caused by defective transvaginal mesh devices. In 2014, Joe Rice, with co-counsel, negotiated the original settlement deal reached in *In re American Medical Systems, Inc., Pelvic Repair Systems Products Liability Litigation* that numerous subsequent settlements with the manufacturer were modeled after.

Opioid Litigation

At the forefront of litigation targeting the alleged overprescribing and deceptive marketing of addictive opioid painkillers, Motley Rice, led by attorney Linda Singer, the former Attorney General for the District of Columbia, serves as lead counsel for the first jurisdictions to file complaints in the most recent wave of litigation against pharmaceutical companies regarding the opioid crisis—the City of Chicago and Santa Clara County. In addition, the firm's co-founder Joe Rice serves as co-lead counsel in the *National Prescription Opiate Litigation* coordinated in the Northern District of Ohio. The firm represents 40 jurisdictions.

CASES

Securities Fraud Class Actions

In re Twitter Inc. Securities Litigation, No. 3:16-cv-05314 (N.D.Cal.) Motley Rice, as lead counsel, negotiated a preliminary \$809.5 million settlement in September 2021 for Twitter Inc. shareholders who allege they were misled about the social media network's daily user growth during 2015. Twitter executives announced toward the end of 2014 that they expected the company's number of active users would grow to more than half a billion in the intermediate term, and would reach heights of more than a billion long term. When the public, however, later learned that actual user growth was slower than anticipated, the company's price per share drastically declined.

Boston Retirement System v. Alexion Pharmaceuticals, Inc., No. 3:16-cv-02127-AWT (D. Conn.). Motley Rice, as co-lead counsel, negotiated a \$125 million settlement to resolve securities class action claims brought on behalf of certain investors in Alexion Pharmaceuticals, Inc. This action was commenced in late 2016 in the U. S. District Court for the District of Connecticut and alleged Alexion and several of its executives made materially false and misleading statements and omissions with respect to the source of Alexion's reported revenues and Alexion's sales and marketing practices for its flagship drug, Soliris® (eculizumab).

In re Qualcomm Incorporated Securities Litigation, No. 3:17-cv-00121-JO-MSB (S.D. Cal.). Motley Rice served as co-lead counsel in this securities fraud class action alleging that Qualcomm and several of its senior executives made material misrepresentations and omissions during the Class Period (February 1, 2012 through January 20, 2017) regarding the company's licensing and business practices—including Qualcomm's alleged bundling of the negotiations and terms of its patent licenses and chipset agreements—which artificially inflated the price of the company's common stock during the Class Period. After seven years of litigation—including extensive fact and expert discovery, surviving multiple motions to dismiss, obtaining class certification, and briefing summary judgment—the parties reached an agreement in principle to resolve the action for \$75 million. On June 27, 2024, the U. S. District Court for the Southern District of California granted preliminary approval to this settlement. A final settlement approval hearing is scheduled for September 27, 2024.

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.

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.

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.

In re Barrick Gold Securities Litigation, No. 1:13-cv-03851-RMB (S.D.N.Y.). As sole lead counsel, Motley Rice represented Co-Lead Plaintiffs Union Asset Management Holding AG and LRI Invest S.A. in a class action on behalf of investors who purchased shares of Barrick Gold Corporation, the world's largest gold mining company. The suit alleged that Barrick Gold had fraudulently underreported the cost and the time to develop its Pascua-Lama gold mine on the border between Argentina and Chile, and misrepresented its compliance with applicable environmental regulations and the sufficiency of its internal controls. Barrick Gold eventually abandoned its development of the Pascua-Lama mine after an injunction was issued by a Chilean court following the company's failure to comply with environmental regulations, and causing Barrick Gold to take an impairment charge of over \$5 billion. A \$140 million settlement was reached, and received final approval in December 2016.

CASES

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.

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.

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. On August 24, 2016, the court approved a final settlement of \$62 million.

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.

Hill v. State Street Corporation, No. 09-cv-12146-NG (D. Mass.). Motley Rice represented institutional investors as co-lead counsel against State Street. The action alleged 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. On January 8, 2015, the court approved a \$60 million settlement.

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.

KBC Asset Management NV v. 3D Systems Corp., No. 0:15-cv-02393-MGL (D.S.C.). Motley Rice served as co-lead counsel on behalf of Co-Lead Plaintiff KBC Asset Management NV in a securities fraud class action on behalf of investors who purchased the common stock of 3D Systems Corporation between October 29, 2013 and May 5, 2015. The suit alleged that 3D and its senior executives concealed material operating, manufacturing, and product quality problems resulting from the company's aggressive acquisition and product growth strategies while touting the company's ability to meet high demand for its direct metal 3D printers. The court denied defendants' motion to dismiss on July 25, 2016, and denied defendants' motion for reconsideration on February 24, 2017. Following discovery, the parties reached an agreement to settle the action for \$50 million, which received final approval on June 25, 2018.

CASES

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.

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.

Freedman v. St. Jude Medical, Inc., No. 12-3070 (RHK/JJG) (D. Minn.). Motley Rice served as co-lead counsel representing co-lead plaintiff Första AP-fonden, a Swedish pension fund, in this securities fraud class action against St. Jude Medical, Inc., a manufacturer of medical devices for cardiac rhythm management and the treatment of atrial fibrillation. This action alleged that defendants made false and misleading statements and concealed material information relating to the safety, durability, and manufacturing processes of the company's new generation of cardiac rhythm management devices marketed under the name "Durata." A \$39.5 million settlement was approved in November 2016.

Hatamian v. Advanced Micro Devices, Inc., No. 4:14-cv-00226-YGR (N.D. Cal.). Motley Rice served as co-lead counsel representing Lead Plaintiffs KBC Asset Management NV and Arkansas Teacher Retirement System in this securities fraud class action on behalf of investors that purchased AMD common stock between April 4, 2011, and October 18, 2012. AMD, a multinational semiconductor manufacturer, allegedly misrepresented and concealed problems affecting the production, launch, demand, and sales of its new "Llano" microprocessor. These problems allegedly led AMD to miss the critical sales period for Llano-based computers and ultimately take a \$100 million write-down of by-then obsolete Llano inventory, causing AMD's stock price to fall, and damaging the company's investors. The court granted class certification on March 16, 2016. For the next two years, Class Counsel obtained and reviewed approximately 2.5 million pages of documents; participated in 34 depositions of fact, expert, and confidential witnesses; retained industry and financial experts; briefed competing motions for summary judgment; and engaged in multiple mediations with defendants. On March 6, 2018, the court approved a \$29.5 million settlement.

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.

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.

Bodner v. Aegerion Pharmaceuticals, Inc., et al., 14-cv-10105 (D.Mass.) Motley Rice served as co-lead counsel on behalf of investors who purchased Aegerion common stock. The suit alleged that Aegerion issued false and misleading statements and failed to disclose, among other things, that (i) the Company illegally marketed the drug JUXTAPID beyond its FDA-approved label, and (ii) the Company was experiencing a higher than expected drop-out rate of patients taking JUXTAPID. A \$22.25 million settlement was approved on November 30, 2017.

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.

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.

CASES

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.

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.

CASES

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 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.

CASES

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

Kellerman v. Marion Bass Securities Corp., No. 01-L 000457 (III. 3d Jud. Cir. Madison Cty.) Motley Rice represented a class of municipal bondholders in a state law class action concerning tax-free revenue bonds that were sold during 1996-1998 to build nursing homes in Indiana, Wisconsin and Michigan. The plaintiffs alleged that the funds raised from bondholders were funneled to a Ponzi scheme, causing the bonds to default. Motley Rice reached settlements with the trustee banks, accountants, and lawyers involved in the bond offerings, resulting in a \$7.8 million recovery for bondholders.

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. In re Merck & Co., Inc., Securities Derivative & "ERISA" Litigation***, MDL No. 1658 (SRC) (D.N.J.). Motley Rice and co-counsel represented several foreign institutional investors who opted out of the federal securities fraud class action against Merck & Co., Inc., related to misrepresentations and omissions about the company's blockbuster drug, Vioxx. Private settlements were reached in these cases in 2016.

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SECURITIES TEAM BIOS



JOSEPH F. RICE

843.216.9000 jrice@motleyrice.com

FOUNDING MEMBER ATTORNEY

Motley Rice co-founder Joe Rice 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 30 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." 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." His alma mater, the University of South Carolina School of Law, rebranded in his honor in November 2023, and is now known as the Joseph F. Rice School of Law.

Joe was recognized by some of the nation's best-regarded defense lawyers as being "the smartest dealmaker they ever sat across the table from," *Thomson Reuters* has reported. Professor Samuel Issacharoff of the New York University School of Law, a well-known professor and expert in class actions and complex litigation, has commented that he is "the best strategic thinker on the end stages of litigation that I've ever seen."

Since beginning to practice law in 1979, Joe has continued to reinforce his reputation as a skillful negotiator, including through his involvement structuring some of the most significant resolutions of asbestos liabilities on behalf of those injured by asbestos-related products. He negotiates for the firm's clients at all levels, including in securities and consumer fraud, anti-terrorism, human rights, environmental, and medical drug and device cases, as well as catastrophic injury and wrongful death cases. He is recognized as an AV Preeminent® rated attorney in Martindale-Hubbell®.

National Prescription Opiate MDL:

Joe is co-lead counsel in the National Prescription Opiate MDL aimed at combatting the alleged over-distribution and deceptive marketing of prescription opioids. Joe, as Chair of the opioid Negotiating Committee, worked with the committee and the Attorney General Committee to reach over \$51 billion in settlements for communities nationwide with defendants in the opioid supply chain. He was a member of the opiates PEC who was awarded the 2024 Steven J. Sharp Public Service Award by the American Association for Justice. Motley Rice continues to represent dozens of governmental entities, including the first jurisdictions to file cases in the current wave of litigation.

AFFF MDL:

Joe was added in August 2023 as a co-lead counsel in *In re Aqueous Film-Forming Foams Products Liability Litigation*, MDL No. 2873 in U.S. District Court for the District of South Carolina, where he litigates for public water systems and other plaintiffs who allege toxic AFFF contamination of drinking water in hundreds of water providers' water supply, as well as groundwater near military bases, airports, and other sites where firefighting foams were used. Communities near these sites have allegedly suffered a heightened need for medical monitoring, personal

LICENSED IN:

District of Columbia
South Carolina

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. Court of Appeals for the 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 (The Joseph F. Rice School of Law as of 2023)

B.S., University of South Carolina, 1976

ASSOCIATIONS:

American Association for Justice
American Bar Association
American Inns of Court
American Constitution Society for Law and Policy
South Carolina Association for Justice

* Although they endorse this lawyer, neither *The Legal 500* United States nor Professor Samuel Issacharoff are Motley Rice clients. Any result this endorsed lawyer may achieve on behalf of one client in one matter does not necessarily indicate similar results can be obtained for other clients.

Continued...

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injuries, property damage, and economic losses due to the discharge of toxic AFFF chemicals into the environment.

Marine Corps Base Camp Lejeune:

Joe serves on a court-appointed Resolution Committee that will help keep victim concerns and interests front and center in a multipronged effort to resolve claims filed through the VA and the Department of the Navy, as well as cases pending in the court system. Victims include service members, their families and civilians who lived and worked at Camp Lejeune between Aug. 1, 1953 and Dec. 31, 1987 and were exposed to toxic water sources that are believed to cause birth defects, cancer and other life-altering diseases.

Vehicle Recalls:

Joe served as a lead negotiator in the \$15 billion Volkswagen Diesel Emissions Fraud class action settlement for 2.0-liter vehicles, the largest auto-related consumer class action settlement in U.S. history, as well as for the 3.0-liter settlement. Under his leadership, MotleyRice also helped negotiate a pair of Takata bankruptcy resolutions that secured funds for victims harmed by the company's deadly, explosive airbags. Joe also serves as a member of the Plaintiffs' Executive Committee for *In re General Motors LLC Ignition Switch Litigation*, and was appointed to the Plaintiffs' Steering Committee for *In re Chrysler-Dodge-Jeep Ecodiesel Marketing, Sales Practices, and Products Liability Litigation*.

Medical Drugs and Devices:

Joe led negotiations on behalf of thousands of women alleging complications and severe health effects caused by transvaginal mesh and sling products, including litigation in five MDLs in West Virginia. He also served as a member of the Plaintiffs' Steering Committee for the Lipitor[®] MDL, filed for patients who alleged the cholesterol drug caused their Type 2 diabetes.

BP Oil Spill:

Joe served as a co-lead negotiator for the Plaintiffs' Steering Committee in 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 crafting and negotiating the landmark Master

Continued...

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 victims injured by asbestos-related products. Joe has served as co-chair of Perrin Conferences' Asbestos Litigation Conference, the largest national asbestos-focused conference.

Securities and Consumer Fraud:

Investment funds often seek Joe's 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.

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 has 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 his co-founding Motley Rice member and friend, Ron Motley.

AWARDS AND ACCOLADES:

Forbes

2024 America's Top 200 Lawyers– Personal Injury

Chambers USA

2019–2023 Product Liability: Plaintiffs – Nationwide, Band 1

2016, 2018 Product Liability: Plaintiffs – Nationwide, Band 2

Best Lawyers®

2013 “Lawyer of the Year” Charleston, SC: Mass tort litigation/class actions – plaintiffs

2007–2025 Mass tort litigation/class actions – plaintiffs; Personal injury litigation – plaintiffs

2024–2025 Corporate Governance Law; Government Relations Practice; Product Liability Litigation

South Carolina Super Lawyers® list

2008–2021 Class action/mass torts; Securities litigation; General litigation

Lawdragon

2016, 2018–2022 Lawdragon 500

2019–2024 Lawdragon 500 Plaintiff Consumer Lawyers

2019–2023 Lawdragon 500 Plaintiff Financial Lawyers

South Carolina Association for Justice

2018 Founders' Award

Law360

2015 “Product Liability MVP”

Continued...

Benchmark Litigation

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

2012–2017 South Carolina “Litigation Star”: environmental, mass tort/product liability

The Legal 500 United States

2011–2012, 2014–2021 Legal 500 Leading Lawyer list Dispute resolution – product liability, mass tort and class action – toxic tort – plaintiff

The National Trial Lawyers

2020 Elite Trial Lawyers Lifetime Achievement Award

2014 Litigation Trailblazers

2010 Top 100 Trial Lawyers™ – South Carolina

SC Lawyers Weekly

2024 Personal Injury Power List

2018 Hall of Fame honoree

2012 Leadership in Law Award

National Association of Attorneys General

1998 President’s Award

University of South Carolina School of Law Alumni Association

2011 Platinum Compleat Lawyer 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

American Heart Association of the Lowcountry, 2018 Heart Walk Chair



ANDREW P. ARNOLD

843.216.9229 aarnold@motleyrice.com

MEMBER ATTORNEY

Andrew Arnold represents individuals, governments, and institutional investors harmed by corporate fraud and other wrongdoing in complex litigation, including multidistrict litigation and class actions. His practice spans several areas, including consumer protection, securities fraud, and technology and media.

Since 2017, Andrew has represented state and local governments in litigation against pharmaceutical companies alleged to have contributed to the creation of a national opioid crisis through deceptive marketing and over-distribution of highly addictive opioid drugs. In numerous cases, he has been the primary liaison to expert witnesses responsible for formulating and costing plans to ameliorate the effects of the crisis. He has served on several trial teams that collectively have recovered more than \$1 billion.

In the Volkswagen Diesel Emissions Fraud class action, Andrew joined Motley Rice co-founder Joe Rice in settlement negotiations on behalf of consumers whose vehicles were allegedly designed to bypass environmental regulations. The resulting \$15 billion* settlement for 2.0-liter vehicles is the largest consumer auto-related consumer class action settlement in U.S. history. Andrew was also a part of the Motley Rice team that negotiated a mechanism for major U.S. auto manufacturers to compensate individuals injured or killed by their vehicles' exploding Takata airbags.

Andrew is a member of Motley Rice's securities fraud practice group. He oversees the firm's Market Monitor portfolio monitoring service offered to public pension funds, unions, and other institutional investors. Market Monitor helps trustees fulfill their fiduciary duties by cross-referencing newly filed securities actions, ongoing litigation, and recent settlements with each client's portfolio to identify opportunities to recover funds lost to fraud.

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. Before entering the legal field, he worked as a software developer for eight years, primarily in the health care industry.

AWARDS AND ACCOLADES:

Best Lawyers® Charleston, SC

2021–2025 Ones to Watch list: Litigation – Securities

LICENSED IN:

New York
South Carolina

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Southern District of New York

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

*Prior results do not guarantee a similar outcome.



FREDERICK C. BAKER

843.216.9186 fbaker@motleyrice.com

MEMBER ATTORNEY

A veteran litigator with strong roots in complex litigation, Fred Baker works 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.

Fred leads the firm's tobacco litigation and was 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.

In addition to his tobacco casework, Fred is part of the opioid litigation team which represents dozens of governmental entities, including states, cities, towns, counties and townships in litigation targeting the alleged misrepresentation and fraudulent distribution of harmful and addictive opioids by manufacturers and distributors.

Fred was also a key member of 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. In addition, his environmental experience also includes representing a state government in a case against poultry integrators that alleged poultry waste polluted natural resources.

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 was also closely involved in the 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:

Best Lawyers® Charleston, SC

2020–2025 Mass tort litigation / class actions – plaintiffs

2024–2025 Personal injury litigation – plaintiffs

Lawdragon

2019 Lawdragon 500 Plaintiff Financial Lawyers

South Carolina Lawyers Weekly

2016 Leadership in Law Honoree

LICENSED IN:

New York

South Carolina

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



EBONY WILLIAMS BOBBITT

843.216.9327 ebobbitt@motleyrice.com

ASSOCIATE ATTORNEY

Ebony Williams Bobbitt represents institutional investors and individuals in complex securities and consumer protection class actions that aspire to hold corporations accountable for alleged misconduct.

Ebony's casework includes litigating for U.S. tax return preparers who allege they were charged unlawful fees by the IRS to obtain their Preparer Tax Identification Numbers (PTIN) in *Adam Steele, et al. v. United States of America*, Case No. 1:14-cv-01523-RCL. She also represents a class of patients who allege Cigna Health and Life Insurance Co. fraudulently inflated copayments and coinsurance by overcharging for medical services and products, *Neufeld v. Cigna Health and Life Insurance Company et al.*, Case No. 3:17-cv-01693.

Ebony has a background in criminal justice and worked for several years as a legal assistant for the New Hanover District Attorney's Office and as a deputy clerk for the New Hanover County Board of Commissioners prior to pursuing her law degree. She gained additional legal experience while interning with the North Carolina Department of Justice during the summer of 2018 and is a former Motley Rice law clerk.

LICENSED IN:

North Carolina
South Carolina

EDUCATION:

J.D. *magna cum laude*, North Carolina Central University School of Law 2020

B.S., North Carolina Agricultural and Technical State University, 2012

ASSOCIATIONS:

Law360 Product Liability Editorial Advisory Board, 2019, 2021
American Association for Justice, Board of Governors; former Executive Committee member
American Bar Association
Rhode Island Association for Justice, former President
The Fellows of the American Bar Foundation

*Prior results do not guarantee a similar outcome.



LOUIS M. BOGRAD

202.386.9623 lbograd@motleyrice.com

MEMBER ATTORNEY

Louis Bograd is a nationally recognized authority on issues of federal preemption, drug and device litigation, and jurisdiction. He has devoted much of his professional career to litigating appeals on complex issues involving products liability, Medicaid lien reimbursements, constitutional rights, and civil liberties. At Motley Rice, Lou continues his focus on appellate issues and mass torts, further enhancing the firm's active and growing complex litigation practice. Lou serves as co-chair of the Law & Briefing Committee for the *National Prescription Opiate* MDL, which is focused on combatting the alleged deceptive marketing and over-distribution of opioids.

Prior to joining Motley Rice, Lou served as an appellate advocate and Chief Litigation Counsel for the Center for Constitutional Litigation where he led work in mass torts, the Class Action Fairness Act, and dispositive motions concerning consumer protection and products liability. Lou argued for plaintiffs before the U.S. Supreme Court regarding federal preemption of claims against generic drug manufacturers in *Pliva, Inc. v. Mensing* and has also participated in numerous other Supreme Court cases as counsel for petitioners, respondents, and amici curiae.

Lou has spoken on various legal topics at many seminars, CLE programs, and legal conferences across the country sponsored by, among others, the American Association for Justice, state trial lawyers associations, and Mass Torts Made Perfect. Lou has also presented at judicial education programs sponsored by the Pound Institute, the Brookings Institution, the American Enterprise Institute, the Northwestern University School of Law, and the George Mason University School of Law.

Lou's legal career began at Arnold & Porter LLP in Washington, D.C., where he managed and directed work on transfusion-associated HIV/AIDS cases on behalf of the American Red Cross. He subsequently served on the American Civil Liberties Union Foundation's national legal staff and as the legal director of the Alliance for Justice. Lou has also taught advanced torts and products liability law as an Adjunct Professor at the University of Kentucky College of Law.

SELECTED PUBLICATIONS:

- Louis M. Bograd & Andre M. Mura, *Buckman Stops Here! Limits on Preemption of State Tort Claims Involving Allegations of Fraud on the PTO or the FDA*, 41 Rutgers L. J. 309 (2009)
- Louis M. Bograd, *Be Careful What You Wish For: Drugmakers, the First Amendment, and Preemption*, 51 TRIAL 24 (Nov. 2015)
- Louis M. Bograd, *Preemption's Uncertain Path*, 47 TRIAL 20 (Nov. 2011)
- Louis M. Bograd, *W(h)ither Preemption?*, 45 TRIAL 24 (Nov. 2009)
- Louis M. Bograd, *Taking on Big Pharma- and the FDA*, 43 TRIAL 30 (Mar. 2007)

AWARDS AND ACCOLADES:

Best Lawyers® Washington, DC

2025 "Lawyer of the Year" Mass tort litigation/class actions – plaintiffs

2024-2025 Mass tort litigation / class actions – plaintiffs

2025 Product liability litigation - plaintiffs

LICENSED IN:

District of Columbia
Kentucky

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. Court of Appeals for the First, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, and D.C. Circuits

U.S. District Court for the District of Columbia

EDUCATION:

J.D., Yale Law School, 1984

A.B., Princeton University, 1981

ASSOCIATIONS:

American Association for Justice
Chair, Preemption Litigation Group; Member, Legal Affairs Committee

*Prior results do not guarantee a similar outcome.



JESSICA C. COLOMBO

860.218.2739 jcolombo@motleyrice.com

ASSOCIATE ATTORNEY

Jessica Colombo represents consumers, businesses, and governmental entities in class action and complex cases involving consumer protection, unfair trade practices, and commercial litigation. She is a part of the firm's team that represents children and families coping with mental health challenges allegedly caused by social media platforms. Jessica's practice also includes representing whistleblowers in cases involving the False Claims Act, and she contributes to the firm's appellate practice.

Jessica's litigation experience includes all aspects of trial work, from case investigation to appeal. She has prior experience as part of the firm's team that represented dozens of governmental entities, including states, cities, towns, counties and townships in litigation against several pharmaceutical drug manufacturers and distributors for the alleged deceptive marketing and distribution of highly addictive prescription opioids. She has also represented personal injury clients, including people allegedly harmed by prescription drugs and dangerous medical devices.

Prior to joining Motley Rice, Jessica served as a law clerk to the Honorable Bethany J. Alvord of the Connecticut Appellate Court. She gained additional experience in complex consumer fraud and product liability litigation while serving as a Motley Rice law clerk in 2016. She also interned with the U.S. Attorney's Office for the District of Connecticut.

While completing her legal studies, Jessica served as Executive Editor of the Connecticut Law Review, a member of the Public Interest Law Group, and a volunteer with the International Refugee Assistance Project. She also represented criminal defendants in the University of Connecticut School of Law Criminal Trial Clinic.

Jessica previously worked as a toll collector for the New York State Thruway Authority, where she was a member of the International Brotherhood of Teamsters, Local 72.

AWARDS AND ACCOLADES:

Super Lawyers®

2023-2024 Connecticut Super Lawyers Rising Stars list
Class action/mass torts

LICENSED IN:

Connecticut
New York

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Second Circuit

U.S. District Court for the District of Connecticut

EDUCATION:

J.D. *with high honors*, University of Connecticut School of Law, 2017

B.A. *cum laude*, State University of New York at New Paltz, 2014

ASSOCIATIONS:

American Bar Association
Connecticut Bar Association
Connecticut Italian American Bar Association
New York State Bar Association



VANESSA A. DAVIS

843.216.9062 vdavis@motleyrice.com

ASSOCIATE ATTORNEY

Vanessa Davis protects the rights of individual shareholders and institutional investors by litigating complex securities fraud class actions, in addition to her work advocating for state and local governments that seek to advance public health and safety interests.

Vanessa's practice includes representing Twitter shareholders in litigation that alleged the social media giant misrepresented its daily user growth in 2015 in order to inflate its stock price. The suit resulted in an \$809.5 million proposed settlement in 2021 days before trial.

- Vanessa has additional experience in securities cases including:
- *Forsta AP-Fonden et al v. St. Jude Medical Inc et al* (\$39.25 million settlement in 2016*)
- *Hatamian v. Advanced Micro Devices, Inc.* (\$29.5 million settlement in 2017*)
- *KBC Asset Mgmt. v. 3D Systems Corp.* (\$50 million settlement in 2018*)
- *In re CenturyLink Sales Practices & Securities Litigation* (\$55 million settlement in 2021*)

Vanessa's work for state and local municipalities includes representing the City of Chicago in litigation alleging e-cigarette maker JUUL misled the public on the safety of its products while marketing to children. She is a part of Motley Rice's team of attorneys who represent dozens of governmental entities, including states, cities, towns, counties and townships in litigation against several pharmaceutical drug manufacturers and distributors for the alleged deceptive marketing of highly addictive opioids.

Prior to her work with Motley Rice, Vanessa represented clients in family court and clerked for an estate planning firm in Charleston, S.C. Vanessa also worked as a paralegal for a personal injury firm while completing her legal studies.

LICENSED IN: South Carolina

EDUCATION:

J.D., Charleston School of Law, 2013

B.A., College of Charleston, 2008

ASSOCIATIONS:

American Bar Association

Charleston County Bar Association

Association

South Carolina Bar Association

*Prior results do not guarantee a similar outcome.



MAX N. GRUETZMACHER

843.216.9623 mgruetzmacher@motleyrice.com

MEMBER ATTORNEY

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, as well as consumers, businesses, and governmental entities in other types of complex civil litigation.

Max also brings substantial experience counseling the firm's attorneys and clients with respect to e-discovery strategy throughout the various stages of litigation, from pre-filing through trial.

Prior to joining the firm, Max gained experience in a variety of legal practice areas, including defense of pharmaceutical mass torts cases, of banks in mortgage-backed securities cases, and in appellate criminal defense.

AWARDS AND ACCOLADES:

The National Trial Lawyers

2022 *Rising Stars of the Plaintiffs Bar* list

Charleston Regional Business Journal

2022 Forty Under 40

LICENSED IN:

South Carolina

ADMITTED TO PRACTICE

BEFORE:

U.S. Court of Appeals for the Ninth Circuit

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

EDUCATION:

J.D., Marquette University Law School, 2008

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

ASSOCIATIONS:

South Carolina Bar Association
Charleston County Bar Association



SERENA P. HALLOWELL

212.577.0043 shallowell@motleyrice.com

MEMBER ATTORNEY

With more than 20 years of complex litigation and securities experience, Serena Hallowell has been recognized by her peers as a leader in the plaintiffs' securities bar and a Plaintiffs' Lawyer "Trailblazer" in 2019 by *National Law Journal* for her work in securities opt-out litigation.

As lead of Motley Rice's direct-action litigation efforts, and a leader of the firm's securities fraud team, Serena litigates for some of the world's largest institutional investors, including pension funds, hedge funds, mutual funds, family offices, and other large institutional investors. She also regularly advises institutional investors and public entities regarding recovery opportunities in connection with fraud-related conduct.

Serena is litigating a securities class action as co-lead counsel against Sotera Health Company, a global sterilization and lab-testing company related to its misstatements concerning emissions control systems, exposure to liability from lawsuits alleging that the Company failed to limit harmful emissions, and the veracity of the allegations against it. She also represents a state pension fund in a shareholder derivative action against certain Meta executives and board members alleged to have neglected their fiduciary duties in connection with rampant sex trafficking on its platforms and its failure to protect teens and children on its social media platforms. Serena is litigating a securities class action against Abbott Laboratories related to its alleged misleading statements regarding the safety of its baby formula.

Prior to her time at Motley Rice, Serena was the head of a direct-action practice and member of the securities class action group as a partner of a large securities law firm in New York. In that capacity, she was a key member of several litigation teams that achieved multi-million dollar settlements for clients, aggregating close to \$500 million*. Notable cases in which Serena was a leading/key member prior to joining Motley Rice include:

- *In re Barrick Gold Securities Litigation* (\$140 million settlement*)
- *In re Computer Sciences Corp. Securities Litigation* (\$97.5 million settlement*) ("rocket docket" jurisdiction and estimated to be the third largest all cash settlement in the Fourth Circuit)
- *Public Employees' Retirement System of Mississippi v. Endo* (\$50 million settlement*) (state court Section 11 action believed to be the largest class settlement obtained pursuant to the Securities Act of 1933 in connection with a secondary public offering)
- *In re Intuitive Surgical Securities Litigation* (\$42.5 million settlement* for the class, including the Employees' Retirement System of the State of Hawaii)
- *In re NII Holdings, Inc. Securities Litigation* (\$41.5 million settlement*) ("rocket docket" jurisdiction where settlement was obtained even after company filed bankruptcy)

LICENSED IN:

New York

ADMITTED TO PRACTICE BEFORE:

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

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

EDUCATION:

J.D., Boston University School of Law, 2003

B.A., Occidental College, 1999

ASSOCIATIONS:

Law360 Securities Editorial Advisory Board, 2022
Law360 Diversity & Inclusion Editorial Board, 2024
New York City Bar Association, Securities Litigation Committee
Federal Bar Council
South Asian Bar Association
National Association of Public Pension Attorneys, Securities Litigation Committee and Fiduciary & Governance Committee
National Association of Women Lawyers

*Prior results do not guarantee a similar outcome.

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SERENA P. HALLOWELL

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Serena has also led opt-out cases against companies, including Valeant Pharmaceuticals, Perrigo Company, and Teva Pharmaceuticals, for a variety of institutional investors seeking to recoup losses stemming from alleged fraud-related conduct. With respect to Valeant, Serena and her team pursued claims under the New Jersey RICO statute and was the first opt-out plaintiff to successfully defeat a motion to dismiss those claims. Certain Valeant actions have since been resolved and Serena continues to prosecute matters on behalf of others, including two opt out actions in federal court and one related state court action.

Serena is a frequent speaker in legal circles throughout the country on matters related to securities litigation.

SELECTED PUBLICATIONS:

- *'Justices Should Acknowledge ESG's Importance to Investors,' Law360 (June 2021)*
- *'Don't Forget the "E" and the "S" in ESG: Securities Lawsuits Are No Longer Only About Corporate Governance,' NAPPA Report (October 2021)*
- *'Mutual Funds Should Consider Shareholder Litigation,' Law360 (Oct. 8, 2019)*
- *'Around the World in a Decade: The Evolving Landscape of Securities Litigation Post-Morrison,' NAPPA (Nov. 26, 2019)*
- *'Emulex Highlights Greater Scrutiny of Issues at High Court,' Law360 (April 25, 2019)*
- *'China Agritech's Positive Implications for Plaintiffs,' Law360 (July 3, 2018)*
- *'Direct Actions: A Path to Recovery for Foreign Purchases of Securities,' The NAPPA Report (Oct. 31, 2017)*
- *'Investor Recovery Strategies Following ANZ Securities,' Law360 (July 12, 2017)*
- *'Does "Dukes" Require Full "Daubert" Scrutiny at Class Certification?' New York Law Journal (Nov. 25, 2011)*

AWARDS AND ACCOLADES:

Super Lawyers

2022-2024 *New York Metro Super Lawyers* list – Securities

Chambers USA

2024 Securities: Plaintiffs – New York, Band 3

2020-2023 Securities: Plaintiffs – New York, Up and Coming

Continued...

SERENA P. HALLOWELL

Continued...



Benchmark Litigation

2020–2021 Future Star

National Law Journal

2020 Elite Women of the Plaintiffs' Bar

2019 Plaintiffs' Lawyers Trailblazers

Lawdragon

2019–2024 Lawdragon 500 Plaintiff Financial Lawyers

2019–2020 Lawdragon 500

Law360

2019 Securities MVP

2016 Rising Star

The Legal 500 United States

2016–2017 Securities Litigation



NELI TRAYKOVA HINES

843.216.9395 nhines@motleyrice.com

ASSOCIATE ATTORNEY

Neli Traykova Hines pursues complex securities fraud class actions for institutional investors and individual shareholders who seek to recover losses caused by alleged corporate misconduct.

Neli contributed to the litigation and final approval of the \$809.5 million settlement with Twitter Inc. in 2021. She litigates for investors who allege medical drug manufacturer AbbVie engaged in illegal kickbacks and other misconduct to boost sales for its immunosuppressant drug Humira. Neli's casework also includes representing investors in securities fraud actions against Chegg, Inc. and Upstart Holdings.

While completing her legal studies, Neli worked as an honors legal intern at the U.S. Securities and Exchange Commission where she assisted with enforcement actions. She was also a student attorney with the Entrepreneurship Law Clinic at American University, counseling small businesses on corporate structuring, taxation, financing and growth and succession planning. Neli was a member of the Business Law Review and competed internationally in mediation and negotiation competitions as a member of the Alternative Dispute Resolution Honor Society.

She acquired additional experience as a FOIA government information specialist and a contracts specialist for the U.S. government prior to law school.

Neli serves her community as a volunteer mediator through the Mediation and Meeting Center of Charleston.

LICENSED IN:

District of Columbia
Illinois
Maryland
South Carolina

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Northern District of Illinois

EDUCATION:

J.D., American University
Washington College of Law, 2021

B.S., American University, 2016

ASSOCIATIONS:

Washington D.C. Bar Association
South Carolina Bar Association
Charleston County Bar Association

*Prior results do not guarantee a similar outcome.



MATHEW P. JASINSKI

860.218.2725 mjasinski@motleyrice.com

MEMBER ATTORNEY

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. He also represents whistleblowers in *qui tam* cases under the False Claims Act.

Mathew's litigation experience includes all aspects of trial work, from case investigation to appeal. He has represented plaintiffs in 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 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 also serves the firm's appellate group, having argued cases in the U.S. Courts of Appeals for the First and Second Circuits, the Connecticut Appellate Court, and the Connecticut Supreme Court. He also has worked on numerous appeals before other state and federal appellate courts across 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 vice chairman of the board of directors for the Hartford Symphony Orchestra, a deacon of the Asylum Hill Congregational Church, and 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.

LICENSED IN:

Connecticut
New York

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

U.S. Court of Appeals for the First, Second, Third, and Federal 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

ASSOCIATIONS:

American Association for Justice
American Bar Association
Connecticut Bar Association
Oliver Ellsworth Inn of Court
Phi Beta Kappa

*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.

Continued...

MATHEW P. JASINSKI

Continued...



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:

Super Lawyers®

2013–2021 *Connecticut Super Lawyers Rising Stars* list
Business litigation; Class action/mass torts; Appellate

Lawdragon

2019–2023 Lawdragon 500 Plaintiff Financial Lawyers

Connecticut Law Tribune

2018 “New Leaders in Law”

Hartford Business Journal

2009 “Forty Under 40”

** For full Super Lawyers selection methodology visit:*

www.superlawyers.com/about/selection_process.html

For current year CT data visit:

www.superlawyers.com/connecticut/selection_details.html



MARLON E. KIMPSON

843.216.9180 mkimpson@motleyrice.com

MEMBER ATTORNEY

Marlon Kimpson represents victims of corporate malfeasance, from investors in securities fraud cases to consumers harmed by large data and privacy breaches, as well as 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 in mergers and acquisition cases, seeking asset recovery and improved corporate governance. Marlon's advocacy and leadership extends beyond the courtroom, including his appointment by President Biden in 2023 to serve on the White House Advisory Committee for Trade Policy and Negotiations.

Marlon litigated securities cases including: *In re Atheros Communications, Inc., Shareholder Litigation*; *In re Celera Corporation Shareholder Litigation*; *In re RehabCare Group, Inc. Shareholders Litigation*; *In re Coventry Healthcare, Inc., Shareholder Litigation*; and *In re Big Lots, Inc., Shareholder Litigation*. In 2020, Marlon, as local counsel, helped negotiate a \$192 million settlement* for institutional investors in *In re SCANA Corporation Securities Litigation*, a complex securities fraud matter related to alleged misrepresentations and omissions concerning the design, construction, and abandonment of SCANA's nuclear construction project in South Carolina. It is the largest securities class action recovery ever obtained in the District of South Carolina, the fifth largest securities class action recovery in the history of the Fourth Circuit, and among the top 100 securities class action recoveries nationwide. In 2017, he helped secure a \$16 million settlement* to resolve shareholders' claims in *Epstein v. World Acceptance Corp. et al.*, which alleged that World Acceptance misled investors about its lending practices and compliance with federal law. Marlon now represents shareholders as co-lead counsel in a federal derivative suit that alleges Wells Fargo and a number of the bank's executives breached their fiduciary duty by failing to address alleged discriminatory lending and hiring practices that negatively affected minority borrowers and employees.

Outside of his securities work, Marlon is co-lead counsel and a member of the Plaintiffs' Steering Committee for multidistrict litigation, *In re: Blackbaud Inc. Customer Data Security Breach Litigation*, filed in the District of South Carolina for consumers affected by a 2020 ransomware attack and resulting data breach that targeted software company Blackbaud. Marlon has been retained by Charleston County School District to represent it against social media platforms such as Meta, Instagram, Snapchat, and Tik Tok, which allegedly designed defective products that encourage addictive behavior in adolescents and result in emotional and physical harms, including death.

Marlon also represents dozens of governmental entities, including states, counties, cities, towns, and townships in litigation targeting the alleged deceptive marketing and over-distribution of highly addictive opioid drugs, a contended cause of the nationwide opioid crisis. His work includes helping to secure over \$500 million* for opioid abatement in the State of South Carolina.

LICENSED IN:

South Carolina

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

ASSOCIATIONS:

American Association for Justice
South Carolina Association for Justice
National Association of Public Pension Attorneys
American Bar Association
National Bar Association

*Prior results do not guarantee a similar outcome.

Continued...

**MARLON E. KIMPSON***Continued...*

Marlon started his legal career litigating cases on behalf of worker's harmed by asbestos exposures across the country. He has also represented victims of catastrophic personal injury, wrongful death and aviation disasters, including commercial and charter aviation cases with clients, defendants and accidents involving multiple countries. He was also instrumental in the Deepwater Horizon BP oil spill settlements claims programs on behalf of people and businesses.

Marlon is a former South Carolina State Senator for District 42 and represented citizens of Charleston and Dorchester Counties for nearly a decade. 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 in 1999.

Marlon is active in his community and 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. In 2017, the American Association of Justice Minority Caucus awarded Marlon with its Johnnie L. Cochran, Jr. Soaring Eagle Award reserved for lawyers of color who have made outstanding contributions to the legal profession and paved the way for others. In 2018, Marlon was chosen as a Leadership in Law Honoree by *South Carolina Lawyers Weekly*. He is a lifetime member of the NAACP and a member of Sigma Pi Phi Boulé and Omega Psi Phi Fraternity, Inc.

AWARDS AND ACCOLADES:**Best Lawyers® Charleston, SC****2015–2025** Mass tort litigation/class actions – plaintiffs**2025** Litigation - Securities**2025** Securities/Capital Markets Law**Lawdragon****2019–2024** Lawdragon 500 Plaintiff Consumer Lawyers**2019–2023** Lawdragon 500 Plaintiff Financial Lawyers**South Carolina Lawyers Weekly****2018** Leadership in Law Honoree**American Association for Justice****2017** Johnnie L. Cochran, Jr. Soaring Eagle Award**Benchmark Plaintiff****2012** National "Litigation Star": mass tort/product liability**2012–2014** South Carolina "Litigation Star": environmental, mass tort, securities**Coastal Conservation League****2016** Coastal Stewardship Award**United Food and Commercial Workers**



GREGG S. LEVIN

843.216.9512 glevin@motleyrice.com

MEMBER ATTORNEY

With more than three 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 actions, including cases involving HP, Avon, 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.

In 2019, Gregg was appointed as a Vice President of the Institute for Law and Economic Policy, a foundation whose goals include supplementing the resource-limited SEC by educating the public on the importance of private securities fraud litigation in maintaining corporate accountability. Since its inception in the 1990s, the institute has presented and published papers that have been cited in more than 60 federal cases, including several in the U.S. Supreme Court. 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)

LICENSED IN:

District of Columbia
Massachusetts
South Carolina

ADMITTED TO PRACTICE BEFORE:

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

U.S. District Court for the District of Colorado, Northern District of Illinois, District of Massachusetts, and the Eastern District of Michigan

EDUCATION:

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

B.A. *magna cum laude*, University of Rochester, 1984

ASSOCIATIONS:

Institute for Law and Economic Policy, Vice President

Continued...

GREGG S. LEVIN

Continued...



- “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)

AWARDS AND ACCOLADES:

Best Lawyers® Charleston, S.C.

2024-2025 Mass tort litigation / class actions – plaintiffs

Law360

2022 “Securities MVP”

South Carolina Lawyers Weekly

2022 Leadership in Law Honoree

Lawdragon

2019 Lawdragon 500 Plaintiff Financial Lawyers



JOSHUA LITTLEJOHN

843.216.9447 jlittlejohn@motleyrice.com

MEMBER ATTORNEY

With a broad base of experience in complex litigation—including securities fraud, corporate governance, whistleblower cases under Dodd-Frank and the False Claims Act, and catastrophic injury and death cases—Josh Littlejohn is one of several lawyers leading Motley Rice’s securities litigation team, particularly in cases involving healthcare and e-commerce.

Josh represents public pension funds, unions and other institutional investors in both federal and state courts. He also represents people with catastrophic personal injuries and corporate whistleblowers. Josh works directly with clients and has been involved in all aspects of the litigation process, including case evaluation, fact and expert discovery, resolution and trial.

Throughout his career Josh has been involved in numerous complex securities matters including serving as lead or co-lead counsel against Alexion Pharmaceuticals; Amazon; Discover Financial Services; Wells Fargo & Company; 3D Systems Corporation; St. Jude Medical, Inc.; Omnicare; and numerous others. Along with other Motley Rice lawyers, Josh was South Carolina liaison counsel in a securities fraud class action that settled in 2020 filed by investors against SCANA Corporation over its failed nuclear reactor project. Josh regularly reviews and analyzes new securities fraud, shareholder derivative, and SEC whistleblower matters on behalf of our clients and the firm. He is currently part of the Motley Rice team evaluating cases related to exposure to contaminated ground water in Camp Lejeune, North Carolina.

In addition to securities and personal injury matters, Josh is a member of the Motley Rice team that evaluates and litigates violations of the federal False Claims Act and Anti-kickback Statute on behalf of corporate whistleblowers.

Aside from various securities and whistleblower matters, Josh was a part of the Motley Rice negotiating team that helped secure a resolution with a major U.S. auto manufacturer on behalf of Takata airbag victims. Early in his career, Josh worked on discovery in mass tort litigation against large drug manufacturers.

AWARDS AND ACCOLADES:

Lawdragon

2019 Lawdragon 500 Plaintiff Financial Lawyers

Super Lawyers®

2013–2017 *South Carolina Super Lawyers Rising Star* list
Securities litigation; Class action/mass torts; General litigation

LICENSED IN:
South Carolina

ADMITTED TO PRACTICE BEFORE:

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

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 – Asheville, 1999

ASSOCIATIONS:

American Bar Association
South Carolina Association for Justice

*Prior results do not guarantee a similar outcome.



CHARLOTTE E. LOPER

843.216.9287 cloper@motleyrice.com

ASSOCIATE ATTORNEY

Charlotte Loper represents individuals and businesses in class actions and complex litigation involving consumer protection, general commercial issues, and securities fraud.

Her casework includes litigating on behalf of a class of more than a million tax return preparers who allege the IRS charged unauthorized user fees for the issuance and renewal of preparer tax identification numbers (*Steele v. United States*, Case No. 1:14-cv-1523-RCL). She also represents patients who allege their insurance provider engaged in a fraudulent scheme to overcharge for needed medical services and products while knowingly pocketing the difference.

Charlotte previously worked as an intern for South Carolina's 14th Circuit Solicitor's Office, assisting with trials and motions in General Sessions and Magistrate Court. While completing her legal studies, she worked as a research assistant for Wake Forest law professor Kami Chavis on topics including the intersection of technology and law, and racial bias in jury selection.

Charlotte served as the Executive Articles Editor for the Wake Forest Journal of Business and Intellectual Property Law and was a member of Moot Court, in addition to being a CALI Award recipient, and winner of the Dean Reynolds Award of Excellence, among other honors and recognitions.

LICENSED IN:

North Carolina
South Carolina
Texas

ADMITTED TO PRACTICE BEFORE:

U.S. District Court for the Northern District of Illinois

EDUCATION:

J.D. *cum laude*, Wake Forest School of Law, 2019

B.A. *magna cum laude*, University of South Carolina, 2016

ASSOCIATIONS:

American Bar Association
South Carolina Bar Association
Charleston County Bar Association



RIDGE MAZINGO

843.216.9620 rmazingo@motleyrice.com

ASSOCIATE ATTORNEY

Ridge Mazingo is a trial lawyer who litigates catastrophic injury and wrongful death cases. He also handles securities fraud class actions and complex mass torts.

Since joining Motley Rice, he has supported a cross section of litigations. He worked with the firm's securities litigation team on the judicial approval process of the \$809.5 million dollar settlement with social media company Twitter which resolved allegations of financial misrepresentation to shareholders.*

Ridge represents individuals with ovarian cancer as an alleged result of talcum powder usage. He has been a member of multiple trial teams and has experience with all phases of litigation from complaint filing to case resolution. Whether representing a client who lost a loved one to a defective product, or an institutional investor in a securities fraud matter, Ridge stands up for those who have been hurt by corporate misconduct.

Prior to law school, Ridge gained valuable experience in state government as a Legislative Aide in the North Carolina House of Representatives and worked with a state legislative-focused lobbying and consulting firm. While attending law school, Ridge was a member of the North Carolina Law Review, and held legal internships with the N.C. Department of Justice Consumer Protection Division and a mid-size regional firm focusing on civil defense and transactional matters.

Ridge was also a volunteer firefighter for the Snow Hill Fire Department, where he received the 2011 Rookie of the Year commendation. Still active in his community, Ridge volunteers with Young Life Capernaum, an organization that creates community and belonging for youth with special needs and is active in his church community.

LICENSED IN:

South Carolina

EDUCATION:

J.D., University of North Carolina School of Law, 2022

B.A. *summa cum laude*, North Carolina State University, 2018

ASSOCIATIONS:

American Association for Justice
South Carolina Association for Justice

*Prior results do not guarantee a similar outcome.



DONALD A. MIGLIORI

843.216.9241 dmigliori@motleyrice.com

MEMBER ATTORNEY

Building upon his experience in complex asbestos cases, the historic tobacco lawsuits and the September 11, 2001 terrorist attacks litigation, Don Migliori is a multifaceted litigator who can navigate both the courtroom and the negotiating table. He represents victims of defective medical devices and drugs, occupational diseases, terrorism, aviation disasters, antitrust, and securities and consumer fraud in mass torts and other cutting-edge litigation that spans the country.

Don serves in leadership roles for a number of multidistrict litigations, including being a key member of Motley Rice's team that represents dozens of cities, towns, counties and townships in the *National Prescription Opiate* MDL against opioid manufacturers and distributors. He also represents states in similarly filed litigation. He played a significant role in negotiations on behalf of tens of thousands of women allegedly harmed by pelvic mesh/sling products and served as co-liaison counsel in the N.J. Bard pelvic mesh litigation in Atlantic County. Hundreds of cases have been filed in federal and state courts against multiple defendants.

He is also co-lead counsel for *In re Ethicon Physiomesher Flexible Composite Hernia Mesh Products Liability Litigation*, a member of the Plaintiffs' Steering Committee for *In re Bard IVC Filters Products Liability Litigation*, as well as the Depuy® Orthopaedics, Inc. ASR™ and Pinnacle® Hip Implant MDLs. Don has litigated against both Ethicon, a Johnson & Johnson subsidiary, and C.R. Bard previously in pelvic mesh litigation and also against C.R. Bard in the Composix® Kugel® hernia mesh multidistrict litigation, *In re Kugel Mesh Hernia Patch Products Liability Litigation*, the first MDL before the federal court of Rhode Island. Don also serves as co-lead plaintiffs' counsel and liaison counsel in the federal MDL, and as liaison counsel for the Composix® Kugel® Mesh lawsuits consolidated in Rhode Island state court on behalf of thousands of individuals alleging injury by the hernia repair patch.

As liaison counsel for all wrongful death and personal injury cases in the September 11th aviation security litigation, Don played a central role in the extensive discovery, mediations and settlements of more than 50 cases of aviation liability and damages against numerous defendants. He also represented families of the victims who opted out of the Victim Compensation Fund to seek greater answers, accountability and recourse. Additionally, he manages associated litigation as a lead attorney for *In re Terrorist Attacks on September 11, 2001*, MDL #1570, a groundbreaking case designed to bankrupt the financiers of al Qaeda.

LICENSED IN:

Massachusetts
Minnesota
New York
Rhode Island
South Carolina

ADMITTED TO PRACTICE BEFORE:

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

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

EDUCATION:

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

A.B., Brown University, 1988

ASSOCIATIONS:

Law360 Product Liability Editorial Advisory Board, 2019, 2021
American Association for Justice, Board of Governors; former Executive Committee member
American Bar Association
Rhode Island Association for Justice, former President
The Fellows of the American Bar Foundation

*Prior results do not guarantee a similar outcome.

Continued...



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, Don taught mass torts as an adjunct professor for more than 10 years. Don is an AV[®] rated attorney by Martindale-Hubbell[®].

AWARDS AND ACCOLADES:***Chambers USA***

2021–2023 Product Liability: Plaintiffs – Nationwide, Band 3

Best Lawyers[®]

2020, 2025 Charleston, SC "Lawyer of the Year" Mass tort litigation/class actions – plaintiffs

2011–2025 Mass tort litigation/class actions – plaintiffs

Super Lawyers[®]

2018–2021 *South Carolina Super Lawyers* list: Class action/mass torts; Personal Injury – products: plaintiff; Aviation and aerospace

2009–2017 *Rhode Island Super Lawyers* list

2012–2013 *Top 10 Rhode Island Super Lawyers* list

Continued...

The National Trial Lawyers

2010–present Top 100 Trial Lawyers™: Rhode Island

Lawdragon

2024 Lawdragon 500 Global Plaintiff Lawyers list: Anti-Terrorism, Aviation, Antitrust

2024 Lawdragon Legends list

2018–2024 Lawdragon 500

2019–2024 Lawdragon 500 Plaintiff Consumer Lawyers

2019–2023 Lawdragon 500 Plaintiff Financial Lawyers

2010 Lawdragon 3,000

Rhode Island Lawyers Weekly

2020 Leader in the Law

2011 Lawyer of the Year

Massachusetts Lawyers Weekly

2011 Lawyers of the Year

Benchmark Plaintiff

2012–2014 Rhode Island “Litigation Star”: human rights and product liability

Providence Business News

2005 Forty Under 40



CHRISTOPHER F. MORIARTY

843.216.9245 cmoriarty@motleyrice.com

MEMBER ATTORNEY

Christopher Moriarty litigates securities fraud and other complex litigation in the United States and consults institutional investors on opportunities to seek recovery in securities-related actions. His securities fraud class action practice encompasses every aspect of litigation, from case-starting to settlement. Notable securities fraud class actions in which he served as part of the lead counsel team include:

- *In re Twitter Inc. Securities Litigation*, No. 16-cv-05314-JST (N.D. Cal.) (\$809.5 million recovery*);
- *In re Barrick Gold Securities Litigation*, No. 13-cv-03851 (S.D.N.Y.) (\$140 million recovery*);
- *City of Brockton Retirement System v. Avon Products, Inc.*, 11 Civ. 4655 (PGG) (S.D.N.Y.) (\$62 million recovery*);
- *Hill v. State Street Corp.*, No. 09-cv-12136-GAO (D. Mass.) (\$60 million recovery*);
- *In re Hewlett-Packard Co. Securities Litigation*, No. 11-cv-1404 (RNBx) (C.D. Cal.) (\$57 million recovery*);
- *KBC Asset Management NV v. 3D Systems Corp.*, No. 15-cv-02393-MGL (D.S.C.) (\$50 million recovery*);
- *In re Medtronic, Inc. Securities Litigation*, No. 0:13-cv-0168 (D. Minn.) (\$43 million recovery*);
- *Första AP-Fonden and Danske Invest Management A/S v. St. Jude Medical, Inc.*, Civil No. 12-3070 (JNE/HB) (D. Minn.) (\$39.25 million recovery*);
- *Ross v. Career Education Corp.*, No. 12-cv-00276 (N.D. Ill.) (\$27.5 million recovery*); and
- *KBC Asset Management NV v. Aegerion Pharmaceuticals, Inc.*, No. 14-cv-10105-MLW (D. Mass.) (\$22.25 million recovery*).

Christopher has also represented investors in direct actions under federal securities laws, in shareholder derivative litigation, and in antitrust class actions; whistleblowers in proceedings before the U.S. Securities and Exchange Commission; and relators in qui tam litigation. In the international context, Christopher serves as U.S. counsel to the Stichting Petrobras Compensation Foundation in the Netherlands, which represents the interests of investors who traded in Petrobras securities outside the United States and who suffered losses as a result of an alleged long-running fraud and bribery scheme perpetrated by Petrobras and certain of its related entities and former executives.

Continued...

LICENSED IN:

South Carolina

ADMITTED TO PRACTICE BEFORE:

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

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

EDUCATION:

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

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

Bar Vocational Course (Very Competent), Inns of Court School of Law, 2006

Graduate Diploma in Law (Commendation), BPP Law School, London, 2005

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

ASSOCIATIONS:

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

*Prior results do not guarantee a similar outcome.

CHRISTOPHER F. MORIARTY

Continued...

In addition to his securities practice, Christopher represents dozens of governmental entities in litigation against several pharmaceutical drug manufacturers, distributors, and pharmacies in connection with the opioid epidemic. As part of that, he served as one of Washington State's litigation and trial counsel in its action against the "Big Three" distributors of prescription opioids that resulted in a \$518 million settlement after trial. He also successfully briefed and argued the oppositions to numerous motions to dismiss in the State of Alaska's action against numerous opioid manufacturers.*

As part of his pro bono practice, Christopher has drafted *amicus curiae* briefs in approximately 20 constitutional law cases before the U.S. Supreme Court (which has cited his work) and the federal courts of appeal. Outside of his legal practice, Christopher serves on the Board of Directors of Operation Sight, a non-profit that provides free cataract surgery and other services to those in need.

Christopher was called to the Bar in England and Wales by the Honourable Society of the Middle Temple in 2008.

SELECT PUBLICATIONS:

Christopher F. Moriarty, *Supreme Court Rules That Securities Act Time Bar Is Not Subject to American Pipe Tolling*, Class Action & Derivative Suits Newsletter, American Bar Association (Oct. 3, 2017)

SELECT PRESENTATIONS:

Panelist, Experts: Communicating Complex Ideas and Issues in Litigation Consistent with Messaging Trends, American Bar Association Litigation Section Annual Conference (May 6, 2022)

AWARDS AND ACCOLADES:

South Carolina Super Lawyers[®] Rising Stars list
2016–2021 Securities litigation



WILLIAM H. NARWOLD

860.882.1676 bnarwold@motleyrice.com

MEMBER ATTORNEY

Bill Narwold has advocated for corporate accountability and fiduciary responsibility for nearly 40 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 and whistleblower/qui tam claims.

Bill leads Motley Rice's securities and consumer fraud litigation teams and False Claim Act practice. He is also active in the firm's appellate practice. 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, securities, financial, and other complex 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, Lawyers for Children America, and as President of the Connecticut Bar Foundation. For more than twenty years, Bill served as a Director and Chairman of Protein Sciences Corporation, a biopharmaceutical company in Meriden, Connecticut.

Continued...

LICENSED IN:

Connecticut
District of Columbia
New York
South Carolina

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 Connecticut, Northern District of Illinois, Eastern District of Michigan, 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

ASSOCIATIONS:

American Bar Association
Connecticut Bar Foundation, Past President
Taxpayers Against Fraud
University of Connecticut Law School Foundation, past Board of Trustees member

*Prior results do *not* guarantee a similar outcome.

AWARDS AND ACCOLADES:

Connecticut Law Tribune

2022 Connecticut Legal Awards “Distinguished Leaders” list

Best Lawyers[®]

2013, 2015, 2017, 2019, 2023 Hartford, Conn. “Lawyer of the Year”: Litigation–Banking and Finance

2005–2025 Litigation–Banking and Finance; Mergers and acquisitions; Securities

2022–2025 Antitrust Law

Super Lawyers[®]

2009–2022 *Connecticut Super Lawyers and New England Super Lawyers[®]* lists
Securities litigation; Class action/mass torts

Lawdragon

2019–2023 Lawdragon 500 Plaintiff Financial Lawyers

Connecticut Bar Foundation

2008 Legal Services Leadership Award

** For full Super Lawyers selection methodology visit:*

www.superlawyers.com/about/selection_process.html

For current year CT data visit:

www.superlawyers.com/connecticut/selection_details.html



WILLIAM S. NORTON

843.216.9195 bnorton@motleyrice.com

MEMBER ATTORNEY

Bill Norton litigates securities fraud, corporate governance, False Claims Act, SEC whistleblower and other complex class action, consumer, and commercial matters. Bill has represented institutional and individual investors in securities fraud and shareholders actions before federal, state, and appellate courts throughout the country. He has also represented whistleblowers before the U.S. Securities and Exchange Commission through the Dodd-Frank Whistleblower Program and *qui tam* relators in actions under the False Claims Act.

Securities Fraud Litigation

Bill represents institutional investors as a member of the lead counsel teams in litigation involving Amazon.com, Inc., Intel Corporation, Qualcomm Inc., Seagate Technology Holdings plc, and Sotera Health Company. His previous securities fraud matters include:

- *In re SCANA Corporation Securities Litigation* (\$192.5 million recovery as Liaison Counsel*)
- *Bennett v. Sprint Nextel Corp.* (\$131 million recovery*)
- *Boston Retirement System v. Alexion Pharmaceuticals, Inc.* (\$125 million recovery*)
- *City of Brockton Retirement System v. Avon Products, Inc.* (\$62 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*)
- *In re Medtronic, Inc. Securities Litigation* (\$43 million recovery*)
- *Hatamian v. Advanced Micro Devices, Inc.* (\$29.5 million recovery*)
- *Ross v. Career Education Corporation* (\$27.5 million recovery*)

Shareholder Derivative Litigation

Bill has represented shareholders in derivative actions, including:

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

LICENSED IN:

Massachusetts
New York
South Carolina

ADMITTED TO PRACTICE BEFORE:

U.S. Supreme Court

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

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

ASSOCIATIONS:

Federal Bar Association
American Bar Association
American Association for Justice
New York State Bar Association
South Carolina Bar Association
Charleston County Bar Association

*Prior results do not guarantee a similar outcome.

Continued...



Merger and Acquisition Litigation

Bill has represented institutional shareholders in corporate M&A litigation, including:

- *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*)

Other Commercial, Consumer Fraud, and Whistleblower Matters

Bill has represented clients in a variety of commercial, consumer fraud, and whistleblower matters, including:

- Satellite retailers in class action against EchoStar Corporation (\$83 million recovery*)
- Municipal bondholders in class action concerning alleged Ponzi scheme (\$7.8 million recovery*)
- *A qui tam* whistleblower in appeal, resulting in reinstatement of claim for employment retaliation*
- Consumers in class action against DirecTV regarding early cancellation fees
- German bank in litigation concerning collateralized debt obligations
- Investors in actions concerning variable life insurance policies funneled to the Madoff Ponzi scheme

Before joining Motley Rice, Bill practiced securities and commercial litigation in the New York office of an international law firm. In law school, Bill served as an Editor of the *Boston University Law Review* and was a G. Joseph Tauro Distinguished Scholar. He worked 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. Before law school, Bill worked for the United States Attorney's Office for the District of South Carolina and volunteered with the Neighborhood Legal Assistance Program of Charleston. He 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:

Lawdragon

2019 Lawdragon 500 Plaintiff Financial Lawyers

Super Lawyers[®]

2013–2019 *South Carolina Super Lawyers Rising Stars* list
Securities litigation; Class action/mass torts; General litigation



LANCE OLIVER

843.216.9061 loliver@motleyrice.com

MEMBER ATTORNEY

Lance Oliver is a trial lawyer who litigates class actions, mass torts, and other complex matters. He has experience with all phases of litigation from complaint to verdict, to appeal. Lance has a special interest in the *voir dire* process (jury selection) and pretrial jury focus groups. He splits his practice between securities and consumer fraud class actions, and mass tort litigation involving defective products.

Lance has served as trial counsel in a variety of cases, including talcum powder cases, securities fraud class action cases, and tobacco cases. In 2021, Lance was also co-lead trial counsel in *In re Twitter Securities Fraud Litigation* in the Northern District of California. The case settled in 2022 for \$809.5 million* mere days before going to trial. Institutional Shareholder Services ranked this as a top 20 settlement in securities fraud cases since the enactment of the Private Securities Litigation Reform Act.

Lance also led a trial team that secured a verdict of more than \$1 million* for a smoker's widow in a wrongful death suit against tobacco giant Philip Morris, and successfully defended the verdict on appeal to the Fourth District Court of Appeals in Florida. In *Berger v. Philip Morris USA Inc.*, Lance and co-counsel secured a verdict of more than \$27 million* for a client who fell victim to the cigarette company's marketing campaigns targeting children at the age of 14. Lance and team defended this verdict through multiple rounds of appeals over a five-year period, finally securing full recovery for their client only after she had passed.

Lance is currently litigating securities fraud, products liability and consumer fraud cases. In particular, he is involved in the Social Media Addiction Litigation pending in the Northern District of California directed at holding social media giants responsible for alleged harms their products have caused children and schools.

After law school Lance served as the law clerk for the Honorable James Hughes Hancock (deceased) of the U.S. District Court, Northern District of Alabama, and prior to joining Motley Rice in 2007, Lance served as an associate in the Washington, D.C., office of a national law firm.

Lance is recognized as an AV Preeminent® rated attorney by Martindale-Hubbell®. He previously served as Chair of the Board of Directors of the Dee Norton Child Advocacy Center and the American Lung Association Local Leadership Board for the Charleston area. He is also a member of both the Motley Rice Hiring Committee and the Diversity, Equity and Inclusion Committee.

LICENSED IN:

Alabama
District of Columbia
Florida
South Carolina

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the District of Columbia, Fifth and the Eleventh Circuits; U.S. District Court for the District of Columbia, Middle and Southern Districts of Florida, and the Northern District of Illinois

EDUCATION:

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

B.A., Samford University, 2001

ASSOCIATIONS:

American Bar Association

*Prior results do not guarantee a similar outcome.

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LANCE OLIVER

Continued...



AWARDS AND ACCOLADES:

Benchmark Litigation

2022 Plaintiff Litigator of the Year

2022 Impact Case Award

South Carolina Lawyers Weekly

2021 Leadership in Law Honoree

Lawdragon

2019–2023 Lawdragon 500 Plaintiff Financial Lawyers

South Carolina Super Lawyers® Rising Stars list

2013–2018 Securities litigation; Class action/mass torts

The National Trial Lawyers

2016 Top 100 Trial Lawyers™ South Carolina:



MEGHAN S. B. OLIVER

843.216.9492 moliver@motleyrice.com

MEMBER ATTORNEY

Meghan Oliver's practice focuses on complex litigation and class actions, including work on securities fraud cases and general commercial litigation.

Meghan is actively involved in various class actions, including a securities fraud class action against Archer Daniels Midland alleging accounting fraud, and several against the federal government. Her cases against the federal government include *Nat'l Veterans Legal Services Program v. United States*, Case No. 16-745-PLF, which alleges that the Administrative Office of the U.S. Courts charges more for PACER services than is authorized by statute, and *Steele v. United States*, Case No. 1:14-cv-1523-RCL, which alleges that the IRS charged more than a million tax return preparers unauthorized user fees for the issuance and renewal of preparer tax identification numbers.

She has represented public pension funds and institutional investors in several securities fraud class actions, including *In re Twitter, Inc. Securities Litigation*, No. 3:16-cv-05315-JST-SK, which settled for \$809.5 million. *

Apart from her class action practice, Meghan has led or participated in a variety of matters, including representing SESAC in a rate-setting arbitration against the Radio Music License Committee, and representing a whistleblower in a False Claims Act case against a pharmaceutical manufacturer.

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.

AWARDS AND ACCOLADES:

National Law Journal
2022 Litigation Trailblazer

Lawdragon
2019-2024 Lawdragon 500 Plaintiff Financial Lawyers

ASSOCIATIONS:

American Bar Association

LICENSED IN:

District of Columbia
South Carolina
Virginia

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Federal Circuit

U.S. District Court for the Northern District of Illinois, District of South Carolina, and the Western District of Virginia

EDUCATION:

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

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

ASSOCIATIONS:

American Bar Association

*Prior results do not guarantee a similar outcome.



MICHAEL J. PENDELL

860.218.2722 mpendell@motleyrice.com

MEMBER ATTORNEY

Michael Pendell is a trial lawyer who represents people affected by corporate wrongdoing, including whistleblowers, people harmed by tobacco, prescription medications, dangerous medical devices, and victims of international terrorism. He also represents pension fund trustees and other institutional investors in securities, consumer fraud, and other complex class actions.

Michael served as trial counsel in a number of prescription opioid lawsuits representing dozens of governmental entities, including states, cities, and counties in litigation against several pharmaceutical drug manufacturers and distributors for the alleged deceptive marketing and distribution of highly addictive prescription opioids.

A former Naval Reservist who served in a security unit, Michael litigates on behalf of victims of foreign terrorism and international human rights abuses. Michael, along with other Motley Rice attorneys, is pursuing a civil action against the financiers and supporters of the September 11, 2001, terrorist attacks.

Michael represents personal injury clients, including people allegedly harmed by tobacco products and thousands alleging harm by dangerous medical devices. He served as trial counsel in the Engle-progeny litigation in Florida for smokers and families of deceased smokers against tobacco manufacturers. In transvaginal mesh litigation, he represented women implanted with Ethicon Gynecare Prolift transvaginal mesh devices claiming serious injuries and complications from the devices.

Michael represents institutional and individual investors in claims involving securities fraud. He 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 represents clients in complex commercial cases regarding claims of fraud, breach of contract, and tortious interference, as well as representing whistleblowers in multiple cases involving the False Claims Act, including litigation filed against Afognak Native Corp., alleging Small Business Administration regulatory violations.

Prior to joining Motley Rice, Michael was an associate with a Connecticut-based law firm, where he litigated in both federal and state courts in commercial and construction law, media and administrative law, personal injury defense and labor and employment matters. He previously taught business law to B.A. and MBA candidates as an adjunct professor at Albertus Magnus College.

LICENSED IN:

Connecticut
New York

ADMITTED TO PRACTICE BEFORE:

U.S. Court of Appeals for the Fourth Circuit

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

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 CT-specific methodology visit:
www.superlawyers.com/connecticut/selection_details.html

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MICHAEL J. PENDELL

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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.”

As of January 2023, Michael serves on the Board of Directors for the Special Olympics of Connecticut.

AWARDS AND ACCOLADES:

Lawdragon

2019–2023 Lawdragon 500 Plaintiff Financial Lawyers

Super Lawyers®

2013–2018 *Connecticut Super Lawyers Rising Stars* list

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



RANEE SAUNDERS

843.216.9511 rsaunders@motleyrice.com

ASSOCIATE ATTORNEY

Ranee Saunders advocates to protect the rights of the injured in complex class actions and institutional investors in securities fraud litigation.

Ranee is involved in a securities fraud class action filed against AbbVie Inc. that alleges the company engaged in illegal kickbacks and other misconduct to boost sales. She also represents Upstart Holdings, Inc. shareholders who allege the company made misleading statements with regards to its artificial intelligence technology. Her casework also includes class action work for individuals and businesses.

Prior to joining Motley Rice, Ranee practiced at a South Carolina firm in complex and class action litigation, including representing states and local governments in cases stemming from the opioid epidemic, and serving as class counsel in companion class action cases against the then-largest suppliers of electricity in South Carolina. Ranee also has extensive criminal appellate experience, having handled criminal appeals in private practice and serving as an Assistant Attorney General in South Carolina's Criminal Appeals Division. Ranee spent the first five years of her legal career as a law clerk for Justice Kaye G. Hearn (retired) on the Supreme Court of South Carolina.

LICENSED IN:

South Carolina

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., *cum laude*, University of South Carolina School of Law, 2011

B.A., *cum laude*, University of South Carolina, 2003



ERIN CASEY WILLIAMS

843.216.9067 ecwilliams@motleyrice.com

ASSOCIATE ATTORNEY

Erin Casey Williams protects the interests of institutional investors and consumers through complex securities litigation.

Erin is a part of Motley Rice's litigation teams representing investors in securities fraud class action cases throughout the country. She represents the firm's clients in matters against AbbVie Inc., Amazon.com, Inc., Abbott Laboratories, Upstart Holdings, Inc., and Qualcomm Incorporated.

Erin also represented financial advisors in litigation against Wells Fargo which resulted in a \$79 million settlement.* The financial advisors alleged Wells Fargo forfeited their deferred compensation in violation of the Employee Retirement Income Security Act (ERISA). Additionally, Erin is involved in the firm's qui tam practice, working with relators to bring claims on behalf of the government.

While pursuing her law degree, Erin interned for the Federal Defender Program in Chicago in addition to working as a judicial extern for the Honorable Michael T. Mason of the U.S. District Court for the Northern District of Illinois. She served as an associate editor of the *University of Illinois Law Review* and the Community Service Chair of the Women's Law Society.

AWARDS AND ACCOLADES:

Best Lawyers®

2024-2025 *Ones to Watch* list: Litigation – Securities

LICENSED IN:

South Carolina

ADMITTED TO PRACTICE

BEFORE:

U.S. Court of Appeals for the Second Circuit

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

EDUCATION:

J.D., University of Illinois College of Law, 2014

B.S. with high honors, University of Illinois at Urbana-Champaign, 2011

ASSOCIATIONS:

American Bar Association

South Carolina Bar Association

South Carolina Association for Justice

South Carolina Women Lawyers Association

Charleston County Bar Association

*Prior results do not guarantee a similar outcome.



COURTNEY R. WOLF

843.216.9619 cwolf@motleyrice.com

ASSOCIATE ATTORNEY

Courtney Wolf represents institutional investors and individuals in complex securities litigation aiming to hold corporations accountable for alleged misconduct.

She is currently involved in a class action litigation against biopharmaceutical company AbbVie, alleging misconduct by executives in terms of false and misleading statements related to the marketing and sale of Humira. Additionally, she is part of the team representing institutional investors in complex litigation against Upstart Holdings and Chegg.

Previously, Courtney contributed to Motley Rice's litigation filed for dozens of governmental entities, including states, cities, towns, counties and townships against opioid manufacturers and distributors alleged to have played a role in the opioid crisis. She also represented families and survivors in claims filed through the September 11th Victim Compensation Fund.

Prior to joining Motley Rice, Courtney completed a number of legal internships and clerkships, including a clerkship in Virginia where she observed hearings and trials, performed legal research and drafted memoranda for civil and criminal cases for the 18th Judicial Circuit of Alexandria Circuit Court. She also served as an intern for the South Carolina Applesseed Legal Justice Center where she translated documents to Spanish and assisted with fundraising efforts to promote legal and social services for Hispanic immigrants.

Courtney worked as a student attorney for the Immigrant Rights Clinic while pursuing her juris doctor, in addition to being a Lead Article Editor for the German Law Journal, and Vice President of the Pro Bono Club. As a research assistant, she contributed to research on international crimes and the International Court of Justice, as well as research on human rights law in Africa. She also traveled to law schools throughout Ukraine in partnership with USAID to assist with a presentation on anti-corruption in schools.

Courtney serves her community as a board member for Charleston Habitat for Humanity.

LICENSED IN:

District of Columbia
North Dakota
New York
South Carolina
Utah
Vermont

ADMITTED TO PRACTICE BEFORE:

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

EDUCATION:

J.D., Washington and Lee University School of Law, 2019
B.S., *magna cum laude*, University of South Carolina, 2016

ASSOCIATIONS:

South Carolina Association for Justice
Charleston Bar Association

SECURITIES LITIGATION PROFESSIONAL STAFF

Ellie Kimmel

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

A.S. *cum laude*, 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 25 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.

June Welch

M.B.A., The Citadel, 2017

B.S. with honors, The College of Charleston, 2015

As a Financial Analyst with the securities litigation team, June Welch is responsible for monitoring client portfolios, analyzing investor losses, and conducting research on companies facing allegations of securities fraud. She also assists in submitting claims for securities class action settlements.

June holds a Master of Business Administration degree from The Citadel, where she worked as a graduate assistant. As an undergraduate, she double-majored in Accounting and Business Administration.



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William H. Narwold (CT, DC, NY, SC) is the attorney responsible for this communication. Prior results do not guarantee a similar outcome. Motley Rice LLC, a South Carolina Limited Liability Company, is engaged in the New Jersey practice of law through Motley Rice New Jersey LLC. Esther Berezofsky attorney responsible for New Jersey practice.

PD: 01.22.2025