

HAUSFELD LLP FIRM SUMMARY

Hausfeld LLP ranks among the world's top claimants' firms. Renowned for our skillful prosecution of complex and class-action litigation, we represent individuals, businesses, and organizations—domestically and internationally—in the areas of antitrust/competition law, human and civil rights, mass torts, environmental threats, securities fraud, and consumer protection. For decades Hausfeld LLP attorneys have vigorously advocated for aggrieved claimants, achieving noteworthy trial victories and settlements while contributing to the development of law in the United States and abroad. The firm has offices in Washington, D.C., Philadelphia, San Francisco, and London, with affiliated offices throughout Europe, Asia, Latin America, Canada, Africa and Australia.

Hausfeld LLP was founded by Michael D. Hausfeld, who is widely recognized as one of the country's top civil litigators and a leading expert in the fields of private antitrust/competition enforcement and international human rights. The *New York Times* has described Mr. Hausfeld as one of the nation's "most prominent antitrust lawyers" while *Washingtonian Magazine* characterizes him as a lawyer who is "determined to change the world—and succeeding," noting that he "consistently brings in the biggest judgments in the history of law."

Under Mr. Hausfeld's leadership, Hausfeld LLP attorneys have studied the recent global integration of markets—and responded with innovative legal theories and a creative approach to claims in new and emerging markets. The firm's pursuit of global justice has also yielded a diverse array of clients, including Native Alaskans, Holocaust survivors, and apartheid victims in South Africa.

LEADERSHIP IN LANDMARK LITIGATION

Courts have appointed Hausfeld LLP and its attorneys as lead class counsel, co-lead class counsel, or managerial counsel in over 30 class-action antitrust, consumer-protection, mass-tort, and sports and entertainment cases, with leadership positions in numerous other cases:

Antitrust

- *Ace Delivery & Moving, Inc. v. Horizon Lines, LLC*, No. 08-cv-00207 (D. Alaska)
- *In re Air Cargo Shipping Services Antitrust Litig.*, No. 06-md-1775 (E.D.N.Y.)
- *In re Automotive Aftermarket Lighting Products Antitrust Litig.*, No. 09-ML-2007-GW (PJW) (C.D. Cal.)
- *Bruce Foods Corp. v. SK Foods, LP*, No. 2:09-cv-00027-MCE-EFB (E.D. Cal.)
- *In re Chocolate Confectionary Antitrust Litig.*, No. 08-mdl-1935 (M.D. Pa.)
- *In re Endosurgical Products Direct Purchaser Antitrust Litig.*, No. SACV 05-8809 JVS (MLGx) (C.D. Cal.)
- *In re Flat Glass Antitrust Litig.*, No. 2:08-mc-00180 (W.D. Pa.)
- *In re Florida Cement and Concrete Antitrust Litig.*, No. 09-23187-CIV-ALTONAGA/Brown (S.D. Florida)

- *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, 13 Civ. 07789 (LGS) (S.D.N.Y.)
- *In re Fresh and Process Potatoes Antitrust Litig.*, No. 4:10-MD-2186-BLW (D. Id.) (Executive Committee)
- *In re Hydrogen Peroxide Antitrust Litig.*, No. 05-cv-666 (E.D. Pa.)
- *In re International Air Passenger Surcharge Antitrust Litig.*, No. M:06-md-01793 (N.D. Cal.)
- *Kohlder Manufacturing Co., Inc. v. Kason Industries, Inc. et al*, No. 1:10-cv-01875-WSD (N.D. Ga.)
- *In re Methyl Methacrylate Antitrust Litig.* (“MMA”), No. 06-md-1768 (E.D. Pa.)
- *In re Municipal Derivatives Antitrust Litig.*, No. 08-cv-2516 (S.D.N.Y.)
- *In re New Jersey Tax Sales Certificates Antitrust Litig.*, No. 12-1893 (D.N.J.)
- *In re NCAA Student-Athlete Name & Likeness Licensing Litig.*, No. C09-1967 CW (N.D. Cal.)
- *In re Optical Disk Drive Antitrust Litig.*, No. 3:10-md-02143-VRW (N.D. Cal.) (Executive Committee)
- *In re OSB Antitrust Litig.*, No. 06-cv-826 (E.D. Pa.)
- *In re Polyurethane Foam Antitrust Litig.*, No. 1:10-md-02196-JZ (N.D. Ohio)
- *In re Pressure Sensitive Labelstock Antitrust Litig.*, MDL No. 1556 (M.D. Pa.)
- *In re Processed Egg Products Antitrust Litig.*, No. 2:08-cv-04653 (E.D. Pa.)
- *In re Rail Freight Fuel Surcharge Antitrust Litig.*, No. 1:07-mc-00489-PLF-JMF (D.D.C.)
- *In re Transpacific Passenger Air Transport Antitrust Litig.*, No. 3:07-cv-05634 (N.D. Cal.)
- *In re Vitamins Antitrust Litig.*, MDL No. 1285 (D.D.C.)
- *In re Vitamin C Antitrust Litig.*, No. 1:06-md-01738-DGT-JO (E.D.N.Y.)
- *In re LIBOR-Based Financial Instruments Antitrust Litig.*, No. 11-MD-2262 (S.D.N.Y.)

Consumer Protection

- *Kairoff v. Dropbox, Inc.*, No. 4:11-cv-02508-PJH (N.D. Cal.)
- *Lambert et al v. Lumber Liquidators Holdings, Inc.*, No. 1:14-cv-00035-GBL-TCB (E.D. Va.)
- *In re Monsanto Company Genetically-Engineered Wheat Litig.*, No. 2:13-md-02473-KHV-KMH (D. Kan.)
- *Radosti, et al. v. Envision EMI, LLC*, No. 1:09-CV-00887-CKK (D.D.C.)
- *Ross v. Trex Co., Inc.*, No. 5:09-CV-00670 (N.D. Cal.)
- *In re Sony PS3 “Other OS” Litig.*, No. CV-10-1811-RS (N.D. Cal.)
- *In re Tyson Foods, Inc., Chicken Raised without Antibiotics Consumer Litig.*, No. 1:08-md-01982-RDB (D. Md.)
- *Wolph v. Acer America Corp.*, No. CV-09-01314-VRW (N.D. Cal.)

Mass Tort

- *In re Chinese-Manufactured Drywall Products Liability Litig.*, MDL No. 2047 (E.D. La.) (Of Counsel to Plaintiffs’ Steering Committee)
- *In re National Football League Players’ Concussion Injury Litig.*, No. 2:12-md-02323-AB (E.D. Pa.) (Plaintiffs’ Executive Committee and Liaison Counsel)
- *In re Prempro Products Liability Litigation*, No. 4:03-cv-01507-WRW (E.D. Ark.) (Plaintiffs’ Steering Committee)

Financial Services

- *In re Commodity Exchange, Inc. Silver Futures and Options Trading Litig.*, No. 1:11-md-02213-RPP (S.D.N.Y.) (Interim Plaintiffs' Steering Committee).
- *MTB Investment Partners LP v. Siemens Hearing Instruments Inc.*, No. 2:12-cv-00340 (D. N. J.)

Sports & Entertainment

- *Dryer v. Nat'l Football League*, No. 0:09-cv-02182-PAM-AJB (D. Minn.)
- *Eller v. Nat'l Football League*, No. 11-CV-639 (D. Minn.)
- *James v. UMG Recordings, Inc.*, No. 11-CV-1613-SI (N.D. Cal.)
- *Sister Sledge v. Warner Music Group*, 3:12-cv-00559-RS (N.D. Cal.)

RECENT ACCOLADES AND ACHIEVEMENTS

- For the second year in a row, *The National Law Journal* named Hausfeld LLP as part of the esteemed "Plaintiffs' Hot List" in October 2013. The editorial summarized the firm by stating:

"Michael Hausfeld's self-titled law firm has stacked up the successes since its start in 2008. From June 2012 to July 2013, it had a hand in more than \$1 billion in verdicts and settlements, more than all three previous years combined, coming largely from two cases: antitrust litigation involving the air cargo industry and a high-profile football concussions case."

- In early of October 2013, Hausfeld won the *Financial Times* Innovative Lawyer Dispute Resolution Award. The FT states that Hausfeld has:

"Pioneered a unique and market-changing litigation funding structure that improved accessibility and enabled victims to pursue actions with little or no risk."

- In October 2012, for the second time since its inception four years ago, Hausfeld LLP was named by the *National Law Journal* in its prestigious "Plaintiffs' Hot List" as one of the premier plaintiffs' firms in the country. The editorial highlighted the Air Cargo litigation stating:

"Michael Hausfeld's law firm helped to oversee the extraction of an additional \$200 million during the last 12 months from air carriers accused of a massive conspiracy to fix prices for hauling air cargo, bringing the total take from 17 settlements during the past three years to \$485 million."

- *The Legal 500*, May 2012, placed Hausfeld LLP in Tier 1 for the antitrust category of Mass Tort and Class Action Plaintiffs Representation. The publication also listed Michael Hausfeld, Megan Jones and Brian Ratner as "Leading Lawyers" stating that:

"Hausfeld LLP has 'a deep and strong knowledge of the antitrust practice', and is recognized as 'among the very top' firms in the space. Its 13-partner group is based in Washington DC, San Francisco, Philadelphia and also internationally in London. Recent highlights include acting as

one of four co-lead counsel for the class in the cartel case, *In re Air Cargo Antitrust Shipping Litigation*, and securing \$241m in related settlements during 2011 to add to the \$128m secured in 2010, and \$85m in 2009. It acted as one of the co-lead counsel in *In re Vitamin C Litigation* in which allegations of collusion and price-fixing were brought against Chinese manufacturers of vitamin C, which admitted the charge but brought an interesting defense by invoking the foreign sovereign compulsion doctrine. The US District Court for the Eastern District of New York denied defendants' motions for summary judgment, rejecting the notion that the Chinese government was responsible for their conduct. The group has carved a niche in sports-related antitrust class action, with two currently pending, including *In re NCAA Student-Athlete Name & Likeness Litigation*. Brian Ratner '*thinks strategically, is an excellent negotiator and has a solid foundation of substantive law*'. Andrew Bullion, '*powerhouse*' Michael Hausfeld and Megan Jones are also recommended."

- *Lawdragon* named Michael Hausfeld as one of the 500 Leading Lawyers in America for 2011 and 2012.

- In February 2012, The Global Competition Review cited Hausfeld LLP as "...one of—if not the—top antitrust plaintiffs' firms in the US." They also recognized that, "The team's sister practice in London, Hausfeld & Co, has been at the forefront of private antitrust litigation in Europe."

- *Law360* selected three partners, Megan Jones, Brian Ratner, and James Pizzirusso as "Rising Stars Under 40" in 2012.

- The 2011 and 2012 Benchmark Plaintiff Guide to America's Leading Plaintiff Firms and Attorneys identified Hausfeld LLP as one of the top "Tier 1" Antitrust firms in the country, naming several Hausfeld LLP partners as "Antitrust Litigation Stars"—more than any other firm in both years. Further, the Guide listed Hausfeld LLP as one of the "Highly Recommended" Plaintiff firms in Washington, DC for both years, naming four of its partners as "Local Litigation Stars" as well. The 2011 Guide noted:

"Michael Hausfeld, the founder and chairman of the firm, is a Goliath in the plaintiffs' bar having earned his esteemed reputation as a leading litigator with record-breaking decisions won by advancing unconventional legal theories. Known for success in human rights, antitrust and complex commercial litigation, he is also considered one of the country's best negotiators. William Butterfield, Hilary Scherrer and James Pizzirusso bring decades of invaluable expertise and experience to the firm's practice."

- The US *Legal 500* publication identified Hausfeld LLP as one of the top three antitrust plaintiffs' firms nationwide in 2011:

"Led by the renowned Michael Hausfeld, Hausfeld LLP has rapidly established itself at the plaintiff's bar since its inception in 2008, bringing to bear its '*crucial experience of the tactics which may be employed by both sides in litigation*'. The group has a dedicated focus on complex antitrust litigation and class actions, and 'provides creative advice to resolve issues'. In June 2010, the firm reached a \$25m settlement with defendants Land O'Lakes, Moark and Norco Ranch in *In re Processed Egg Products Antitrust Litigation*. The firm had filed the first case in this action alleging a national conspiracy of supply reduction and price fixing in the egg industry. The firm also saw *In re Ethylene Propylene Diene Monomer (EPDM) Antitrust Litigation* through to successful settlement in 2010 after seven years, winning class certification on

summary judgment in 2009 and the subsequent Second Circuit appeal in 2010. The case was finally settled six months before the trial began. The firm also has a London office through which it is pursuing action against an alleged global cartel. Andrew Bullion and Megan Jones are recommended for having a ‘*good understanding of business and operational environments*’.”

- The *National Law Journal* named Hausfeld LLP to the 2010 Plaintiffs’ Hot List, as well:

“Since its inception in 2008, 23-attorney Hausfeld has quickly positioned itself as a leader in antitrust and class action litigation. Washington-based Chairman Michael Hausfeld’s firm has established new frontiers for plaintiffs’ legal recovery, while pursuing global cartels and representing victims of apartheid. That case resulted in a groundbreaking ruling by the U.S. Court of Appeals for the 2d Circuit that aiding and abetting violations of international law are actionable under the Alien Tort Claims Act. The firm claims recoveries worth \$300 million during the past 12 months.”

- In 2010, the *US Legal 500* publication also listed Hausfeld LLP among the top three antitrust plaintiffs’ firms in the country:

“Hausfeld LLP brands as a global plaintiff representation firm, targeted at providing justice to both individuals and businesses, and antitrust litigation is one of five key areas of expertise....[T]he firm has been appointed co-lead counsel in over 20 significant cases. The firm is headquartered in Washington DC, and also has offices in New York, Philadelphia, San Francisco and London. One client ranks the firm as ‘*the best I have ever worked with*’... Recommended lawyers include the firm’s founder, Washington DC-based Michael Hausfeld, an experienced veteran who is ‘*inventive and determined*’. Also in Washington DC, Brian Ratner is an ‘*engaging, highly competent professional who can simplify complex antitrust matters and make them comprehensible to a non-antitrust attorney*’, and Andrew Bullion, ‘*experienced, knowledgeable and easy to communicate with*’. In Philadelphia, Brent Landau is ‘*very professional and personable*’.”

- The *US Legal 500* publication honored Hausfeld LLP as one of the top antitrust plaintiffs’ firms in the country in 2009.

- In March 2009, the firm finalized a historic global-settlement agreement with Parker ITR concerning the company’s involvement in an international marine hose cartel. The settlement agreement was the first private resolution of a company’s global-cartel liability without any arbitration, mediation, or litigation. It thus signaled opportunities never before possible for dispute resolution, and it provides a new model for global-cartel settlements going forward. Major oil company purchasers and other significant marine-hose purchasers have signed or agreed to sign the settlement agreement.

- Hausfeld LLP is court-appointed lead counsel (with special responsibility for stewardship of non-US claims) in the *Air Cargo Antitrust Litigation* on behalf of air-freight customers opposing a group of international airlines who allegedly fixed prices on air-freight shipping. This case has already resulted in settlements worth over \$485 million. Michael Hausfeld is one of the lead settlement negotiators for the claimants.

- Hausfeld LLP is also court-appointed co-lead counsel in the *Air Passenger Antitrust Litigation* representing thousands of air travelers worldwide opposing British Airways and Virgin Atlantic Airways for allegedly fixing prices of air-passenger transportation from the UK to all long-haul destinations in the world (as well as the opposite routes). Hausfeld LLP lawyers secured in this action the

first recovery for foreign citizens based on foreign antitrust law in a US antitrust case. European citizens and businesses have benefited significantly from this settlement, which provided equal compensation for domestic and foreign air passengers.

- Hausfeld LLP lawyers also successfully litigated and settled foreign claims in *Kruman v. Christie's International PLC. et al.*, marking the first time that non-US claimants received, as a class, compensation for violation of competition laws (the fixing of auction commissions)—a milestone in both US antitrust jurisprudence and European recovery.

STERLING REPRESENTATION

Given Hausfeld LLP's depth of experienced lawyers, history, profile, and recent successes, the firm is widely considered to be a leader in the antitrust bar. Hausfeld LLP lawyers have an exemplary record of:

- Leading or participating in the world's most significant plaintiffs' private antitrust-enforcement actions;
- Cutting-edge innovation in private antitrust enforcement in the US and abroad; and
- Building one of the largest and most talented plaintiffs' private antitrust enforcement teams in the US, the UK, and Europe.

As international cartels invade the marketplace—and global enforcement bodies struggle to keep up—Hausfeld LLP is able to provide unparalleled legal advice and superior representation for claimants anywhere on the planet. Hausfeld LLP's unique position and skill sets are frequently acknowledged by leading defense firms as well, who commend Hausfeld LLP attorneys (in public and in private) while seeking global “peace” for their cartel clients.

LEGAL INNOVATION

Hausfeld LLP lawyers have hosted, lectured at, and participated in numerous conferences throughout six continents. Among the topics addressed have been the pursuit of damages actions in the US and the EU on behalf of EU and other non-US plaintiffs; private civil enforcement of EU competition laws; the Supreme Court decision in *Empagran*; the principle of international comity; monopolization; and emerging issues in electronic discovery. Hausfeld LLP attorneys have presented before regulators, judges, business leaders, in-house counsel, private lawyers, public-interest advocates, and institutional investors. They have also written extensively on these subjects and many others, and they have led key competition-policy debates around the world.

INDIVIDUAL REPRESENTATION HIGHLIGHTS

- [FINRA Arbitration](#)

Hausfeld LLP attorneys recently represented a public technology company, recovering millions of dollars that its investment advisor had invested in auction rate securities (ARS).

The client's investment advisor was aware that with any auction rate security, there exists the possibility that there will not be a sufficient number of buyers to match the number of auction rate securities that holders want to sell in any given auction. If this happens, the auction "fails" and the holders will not be able to sell their auction rate securities at par value. In 2007, the ARS market failed when major financial institutions stopped supporting auctions.

On behalf of its client, Hausfeld LLP attorneys commenced an arbitration proceeding with the Financial Industry Regulatory Authority in November 2009. Discovery established that the investment advisor was clearly on notice of the vulnerability of the ARS market prior to the auction failures. Despite this awareness, it breached fiduciary obligations to the client to protect the liquidity of the investment portfolio. The matter was resolved in February 2011 through a settlement that restored liquidity to the client's investment portfolio.

Hausfeld was able to successfully and privately resolve this matter for its client in less than twenty-four months with very little disruption to the client's business operations.

NON-COMPETITION MATTERS

In addition to their cutting-edge work in the competition and antitrust fields, Hausfeld LLP lawyers have been at the forefront of leading human rights, civil rights, environmental, mass tort, consumer, and other complex matters litigated in the United States and abroad. Richard Lewis, for example, is presently lead counsel in an international environmental and human rights case involving drinking water contamination in Bhopal, India. Mr. Lewis is also a member of the Plaintiff's Steering Committee in the federal Hormone Replacement Therapy ("HRT") mass-tort litigation as well as the Chinese-Manufactured Drywall litigation and on the executive committee for the NFL concussions injury litigation.

Highlights:

- *Holocaust Litigation*

In the historic Swiss banking litigation, Michael Hausfeld served, pro bono, as co-lead counsel for Holocaust survivors against the Swiss banks that collaborated with the Nazi regime during World War II by laundering stolen funds, jewelry, and art treasures. Michael Hausfeld obtained a \$1.25 billion settlement. *In re Holocaust Victim Assets Litig.*, No. CV 96-4849 (ERK) (MDG) (E.D.N.Y.). He was also a lead counsel in litigation by survivors of World War II-era forced and slave labor against the German companies that profited from the labor of concentration camp inmates. This litigation, which resulted in an unprecedented settlement of \$5.2 billion for approximately two million claimants, was resolved through multinational negotiations that included both defendants and plaintiffs' counsel, and the governments of several countries.

- *In re Chinese-Manufactured Drywall Products Liability Litig.*, MDL No. 2047 (E.D. La.).

Richard Lewis helped try the *Germano v. Taishan* property damages and remediation matter on behalf of seven Virginia homeowners. The Court ordered plenary relief for the homeowners in the amount of \$2.6 million and determined the standard for remediation of a damaged Chinese drywall home.

Mr. Lewis was instrumental in the *Daubert* briefing and argument as well as the trial testimony of several experts, and was successful in excluding significant portions of the defense experts' opinions.

- *In re The Exxon Valdez Litig.*, No. A89-095 Civ. (D. Alaska).

Michael Hausfeld was selected from dozens of attorneys around the country by federal and state judges in Alaska to serve as co-lead counsel for plaintiffs in the largest environmental case in United States history, which resulted in a jury verdict of more than \$5 billion (reversed and remanded; further proceedings pending).

- *In re Diet Drug Litig.* (Fen-Phen), MDL No. 1203 (E.D. Pa.).

As a member of the Plaintiffs' Management Committee and Sub-Class Counsel, Richard Lewis played a major part in the success of the Fen-Phen diet drug litigation and settlement. Mr. Lewis and other plaintiffs' counsel achieved one of the largest settlements ever obtained in a mass tort case—\$3.75 billion—on behalf of millions of U.S. consumers who used diet drugs that are associated with heart valve damage.

- *In re StarLink Corn Products Liability Litig.*, MDL No. 1403. (N.D. Ill.).

Richard Lewis was co-lead counsel and successfully represented U.S. corn farmers in a national class action against Aventis CropScience USA Holding and Garst Seed Company, the manufacturer and primary distributor of StarLink corn seeds. StarLink is a genetically modified corn variety that the United States government permitted for sale as animal feed and for industrial purposes but never approved for human consumption. Yet StarLink was found in corn products sold in grocery stores across the country and was traced to widespread contamination of the U.S. commodity corn supply. The settlement, which provided more than \$110 million for U.S. corn farmers, was the first successful resolution of tort claims brought by farmers against the manufacturers of genetically modified seeds.

- *Roberts v. Texaco, Inc.*, 94-Civ. 2015 (S.D.N.Y.).

Michael Hausfeld represented a class of African-American employees in this landmark litigation that resulted in what was at that time the largest race-discrimination settlement in history (\$176 million in cash, salary increases, and equitable relief).

- *The Southern Farmers Association v. Shell (Christ Church, Barbados, W.I.)*

James Pizzirusso successfully represented dozens of farmers and landowners in Barbados whose crop lands and properties were contaminated as a result of Shell's negligence in allowing jet fuel to leak from underground pipelines. This was one of the first mass environmental settlements of its kind in Barbados.