

NEW YORK

Local litigation firms

Highly recommended

Boies Schiller & Flexner

Cadwalader Wickersham & Taft

Cahill Gordon & Reindel

Chadbourne & Parke

Cleary Gottlieb Steen & Hamilton

Cravath Swaine & Moore

Davis Polk & Wardwell

Debevoise & Plimpton

Freshfields Bruckhaus Deringer

Fried Frank Harris Shriver & Jacobson

Kramer Levin Naftalis & Frankel

Latham & Watkins

Milbank Tweed Hadley McCloy

Patterson Belknap Webb & Tyler

Paul Weiss Rifkind Wharton & Garrison

Quinn Emanuel Urquhart Oliver & Hedges

Shearman & Sterling

Sidley Austin

Simpson Thacher & Bartlett

Skadden Arps Slate Meagher & Flom

Sullivan & Cromwell

Wachtell Lipton Rosen & Katz

Weil Gotshal & Manges

Wilkie Farr & Gallagher

WilmerHale

Recommended

Allen & Overy

Anderson Kill & Olick

Arnold & Porter

Bernstein Litowitz Berger & Grossman

Bryan Cave

Cooley Godward Kronish

Covington & Burling

Curtis Mallet-Prevost Colt & Mosle

Dechert

Gibson Dunn & Crutcher

Hughes Hubbard & Reed

Jones Day

Kasowitz Benson Torres & Friedman

Kaye Scholer

Kirkland & Ellis

Linklaters

Mayer Brown

McDermott Will & Emery

Morrison & Foerster

Morville Abramowitz Grand Iason Anello & Bohrer

Nixon Peabody

O'Melveny & Myers

Orrick Herrington & Sutcliffe

Proskauer Rose

Schulte Roth & Zabel

Sonnenschein Nath & Rosenthal

Stroock & Stroock & Lavan

White & Case

Local litigation stars

Elkan Abramowitz

Morville Abramowitz Grand Iason Anello & Bohrer
White-Collar Crime

Floyd Abrams

Cahill Gordon & Reindel
Commercial Litigation, Intellectual Property

Guillermo Aguilar-Alvarez

Weil Gotshal & Manges
International Arbitration

Mark Alcott

Paul Weiss Rifkind Wharton & Garrison
Antitrust, Products Liability, Securities, White-Collar Crime

Joseph Allerhand

Weil Gotshal & Manges
Securities

Andrew Amer

Simpson Thacher & Bartlett
Insurance

David Anders

Wachtell Lipton Rosen & Katz
White Collar Crime

Robert Anello

Morville Abramowitz Grand Iason Anello & Bohrer
White-Collar Crime

Bruce Angiolillo

Simpson Thacher & Bartlett
Securities

Philip Anker

WilmerHale
Bankruptcy

Joseph Armao

Linklaters
Antitrust, Securities, White-Collar Crime

Kevin Arquit

Simpson Thacher & Bartlett
Antitrust

Reid Ashinoff

Sonnenschein Nath & Rosenthal
Insurance

Mitchell Auslander

Wilkie Farr & Gallagher
Complex Civil Litigation, Insurance

Jack Auspitz

Morrison & Foerster
General Commercial Litigation

Jonathan Bach

Cooley Godward & Kronish
White Collar Crime

Robert Baechtold

Fitzpatrick Cella Harper & Scinto
Intellectual Property

Scott Balber

Chadbourne & Parke
Bankruptcy, Commercial Litigation, Intellectual
Property, Securities

Steven Baldini

Akin Gump Strauss Hauer & Feld
Bankruptcy

Celia Barenholtz

Cooley Godward Kronish
Complex Commercial Litigation, Intellectual
Property

Jeffrey Barist

Milbank Tweed Hadley McCloy
Securities

Robert Baron

Cravath Swaine & Moore
Commercial Litigation, Securities

Michael Barr

Sonnenschein Nath & Rosenthal
Appellate, Insurance, Securities

Francis Barron

Cravath Swaine & Moore
Antitrust, Commercial Litigation, Securities

Stuart Baskin

Shearman & Sterling
Antitrust, Commercial Litigation, Securities

Thomas Beck

Sidley Austin
Intellectual Property

Mark Beckett

Latham & Watkins
International Arbitration, White-Collar Crime

John Behrendt

Gibson Dunn & Crutcher
Insurance

Leora Ben-Ami

Kaye Scholer
Intellectual Property

Gary Bendinger

Howrey
Commercial Litigation, Securities

James Benedict

Milbank Tweed Hadley McCloy
Appellate, Antitrust, Securities

Barry Berke

Kramer Levin Naftalis & Frankel
White Collar Crime

Max Berger

Bernstein Litowitz Berger & Grossman
Securities

David Bernick

Kirkland & Ellis
Products Liability

David Bernstein

Debevoise & Plimpton
Intellectual Property

Sheila Birnbaum

Skadden Arps Slate Meagher & Flom
Appellate, Insurance

David Boies

Boies Schiller & Flexner
Antitrust, Securities, White-Collar Litigation

Lawrence Brandes

DLA Piper
White Collar Crime

David Braff

Sullivan & Cromwell
Intellectual Property, Securities

David Brodsky

Cleary Gottlieb Steen & Hamilton
Securities, White-Collar Crime

David Brodsky

Latham & Watkins
Securities

Bradley Butwin

O'Melveny & Myers
Securities

Peter Calamari

Quinn Emanuel Urquhart Oliver & Hedges
Intellectual Property, Securities

David Carden

Jones Day
General Commercial Litigation

George Carpinello

Boies Schiller & Flexner
Appellate, Civil Litigation

Michael Carroll

Davis Polk & Wardwell
Professional Liability, Securities

James Carter

Sullivan & Cromwell
Antitrust, Intellectual Property

Kenneth Caruso

Bracewell & Giuliani
Commercial Litigation, White-Collar Crime

Christine Cesare

Bryan Cave
Complex Commercial Litigation

Michael Chepiga

Simpson Thacher & Bartlett
Securities

Evan Chesler

Cravath Swaine & Moore
Antitrust, Commercial Litigation, Intellectual
Property, Securities

Richard Clary

Cravath Swaine & Moore
Antitrust, Appellate, Intellectual Property, Securities

Nicholas Coch

Kramer Levin Naftalis & Franker
Antitrust, Intellectual Property

John Coffey

Bernstein Litowitz Berger & Grossman
Commercial Litigation, Intellectual Property,
Securities

Robert Cohen

Dechert
Antitrust, Commercial Litigation, Intellectual
Property, Products Liability, Securities, White-Collar
Crime

Robin Cohen

Dickstein Shapiro
Insurance

Kenneth Conboy

Latham & Watkins
White Collar Crime

Stuart Cotton

Mound Cotton Wollan & Greengrass
Insurance

David Covey

Sedgwick Detert Moran & Arnold
Products Liability

Denis Cronin

Vinson & Elkins
Bankruptcy

Paul Curnin

Simpson Thacher & Bartlett
Securities, White-Collar Crime

James Dabney

Fried Frank Harris Shriver & Jacobson
Intellectual Property

Greg Danilow

Weil Gotshal & Manges
Securities

Michael Dell

Kramer Levin Naftalis & Franker
Appellate, Insurance, Securities

John Desmarais

Kirkland & Ellis
Intellectual Property

Gandolfo DiBlasi

Sullivan & Cromwell
Commercial Litigation, Insurance, Securities

John DiMatteo

Willkie Farr & Gallagher
Intellectual Property

Greg Diskant

Patterson Belknap Webb & Tyler
Intellectual Property

Donald Donovan

Debevoise & Plimpton
International Arbitration

Carey Dunne

Davis Polk & Wardwell
Complex Commercial Litigation

Scott Edelman

Milbank Tweed Hadley McCloy
Securities

Paul Engelmayer

WilmerHale
Bankruptcy

Leslie Fagen

Paul Weiss Rifkind Wharton & Garrison
Antitrust, Commercial Litigation, Employment
Litigation, Insurance, Intellectual Property,
Securities, White-Collar Crime

Michael Feldberg

Allen & Overy
Antitrust

Robert Fischler

Ropes & Gray
Complex Commercial Litigation, Securities

Matthew Fishbein

Debevoise & Plimpton
White Collar Crime

Stephen Fishbein

Shearman & Sterling
Antitrust, Commercial Litigation

Robert Fiske

Davis Polk & Wardwell
Products Liability, Securities, White-Collar Crime

Douglas Flaum

Fried Frank Harris Shriver & Jacobson
Commercial Litigation, Securities

Donald Flexner

Boies Schiller & Flexner
Antitrust, Commercial Litigation

Martin Flumenbaum

Paul Weiss Rifkind Wharton & Garrison
Antitrust, Commercial Litigation, Intellectual
Property, Securities, White-Collar Crime

Katherine Forrest

Cravath Swaine & Moore
Antitrust, Intellectual Property

Paul Friedland

White & Case
Commercial Litigation, International Arbitration

Andrew Frey

Mayer Brown
Appellate

Dana Freyer

Skadden Arps Slate Meagher & Flom
International Arbitration

Frederic Fox

Kaplan Fox & Kilsheimer
Securities

Anthony Gambardella

Rivkin Radler
Insurance

Faith Gay

Quinn Emanuel Urquhart Oliver & Hedges
Appellate, Intellectual Property, Securities, White-
Collar Crime

David Gelfand

Milbank Tweed Hadley McCloy
Complex Civil Litigation, Complex Commercial
Litigation

Michael Gertzman

Paul Weiss Rifkind Wharton & Garrison
Antitrust, Securities, White-Collar Crime

Mark Gimbel

Covington & Burling
Securities

Max Gitter

Cleary Gottlieb Steen & Hamilton
Commercial Litigation, Securities

Wayne Glaubinger

Mound Cotton Wollan & Greengrass
Insurance

Robert Giuffra

Sullivan & Cromwell
Commercial Litigation, Securities, White-Collar
Crime

Dennis Glazer

Davis Polk & Wardwell
Securities

Steven Glickstein

Kaye Scholer
Products Liability

Samuel Goldblatt

Nixon Peabody
Products Liability

Shepard Goldfein

Skadden Arps Slate Meagher & Flom
Antitrust, White-Collar Crime

Howard Goldstein

Fried Frank Harris Shriver & Jacobson
Commercial Litigation, White-Collar Crime

Aimee Goldstein

Simpson Thacher & Bartlett
Antitrust

Michael Goldstein

Mound Cotton Wollan & Greengrass
Insurance

Stephanie Goldstein

Fried Frank Harris Shriver & Jacobson
Commercial Litigation, Securities

Mark Goodman

Debevoise & Plimpton
Commercial Litigation, Products Liability, White-
Collar Crime

Peter Greene

Skadden Arps Slate Meagher & Flom
Antitrust, Appellate

Nicholas Groombridge

Weil Gotshal & Manges
Intellectual Property

Erik Haas

Patterson Belknap Webb & Tyler
Antitrust, Complex Commercial Litigation,
Intellectual Property, Products Liability

Thomas Hall

Chadbourne & Parke
Bankruptcy

Jason Halper

Cadwalader Wickersham & Taft
General Commercial Litigation

Steven Hammond

Hughes Hubbard & Reed
International Arbitration

Ronan Harty

Davis Polk & Wardwell
Antitrust

Steven Holley

Sullivan & Cromwell
Antitrust

Robert Horkovich

Anderson Kill & Olick
Bankruptcy, Insurance

Daniel Horwitz

Dickstein Shapiro
Securities, White-Collar Crime

Gregory Horowitz

Kramer Levin Naftalis & Frankel
Bankruptcy, Securities

Keith Hummel

Cravath Swaine & Moore
General Commercial Litigation, Intellectual Property

David Ichel

Simpson Thacher & Bartlett
Antitrust, Insurance, Products Liability, Securities

Jeffrey Jacobson

Debevoise & Plimpton
Securities

Helene Jaffe

Weil Gotshal & Manges
Antitrust, Intellectual Property

Robert Joffe

Cravath Swaine & Moore
Antitrust, Commercial Litigation

Chad Johnson

Bernstein Litowitz Berger & Grossman
Intellectual Property

Robert Jossen

Dechert
White Collar Crime

Brad Karp

Paul Weiss Rifkind Wharton & Garrison
Employment Litigation, Insurance, Intellectual Property, Securities, White-Collar Crime

Jay Kasner

Skadden Arps Slate Meagher & Flom
Complex Commercial Litigation, Securities

Thomas Kavaler

Cahill Gordon & Reindel
Commercial Litigation

Bruce Keller

Debevoise & Plimpton
Intellectual Property

David Kelley

Cahill Gordon & Reindel
Commercial Litigation, Securities

John Kerr

Simpson Thacher & Bartlett
Commercial Litigation, Insurance

Jeffrey Kessler

Dewey & LeBoeuf
General Commercial Litigation

Benno Kimmelman

Allen & Overy
International Arbitration

T. Barry Kingham

Curtis Mallet-Prevost Colt & Mosle
Commercial Litigation

Susheel Kirpalani

Quinn Emanuel Urquhart Oliver & Hedges
Bankruptcy

Norman Kleinberg

Hughes Hubbard & Reed
Antitrust, Commercial Litigation, Intellectual Property, Securities

Daniel Kolb

Davis Polk & Wardwell
Securities

Daniel Kramer

Paul Weiss Rifkind Wharton & Garrison
Securities

Josh Krevitt

Gibson Dunn & Crutcher
Intellectual Property

Edward Krugman

Cahill Gordon & Reindel

Glenn Kurtz

White & Case
Complex Commercial Litigation

Harvey Kurzweil

Dewey & LeBoeuf
General Commercial Litigation

Eliot Lauer

Curtis Mallet-Prevost Colt & Mosle
Securities

Carmen Lawrence

Fried Frank Harris Shriver & Jacobson
Commercial Litigation, Securities, White-Collar Crime

Kenneth Lee

Hughes Hubbard & Reed
Antitrust, Appellate, Intellectual Property, Securities

Jonathan Lerner

Skadden Arps Slate Meagher & Flom
Appellate, Commercial Litigation, Securities

Andrew Levander

Dechert
Appellate, Commercial Litigation, Securities, White-Collar Crime

Alan Levine

Cooley Godward Kronish
Commercial Litigation, Securities, White-Collar Litigation

Robert Lewin

Stroock & Stroock & Lavan
Insurance

Jeffrey Lewis

Patterson Belknap Webb & Tyer
Intellectual Property

Lewis Liman

Cleary Gottlieb Steen & Hamilton
White-Collar Crime

Robert LoBue

Patterson Belknap Webb & Tyler
Antitrust, Appellate, Intellectual Property

Kenneth Logan

Simpson Thacher & Bartlett
Antitrust

Martin London

Paul Weiss Rifkind Wharton & Garrison

Mitchell Lowenthal

Cleary Gottlieb Steen & Hamilton
Securities

William Maguire

Hughes Hubbard & Reed
Securities

Aaron Marcu

Freshfields Bruckhaus Deringer
Commercial Litigation, White-Collar Crime

Gregory Markel

Cadwalader Wickersham & Taft
Antitrust, Commercial Litigation, Securities

Arvin Maskin

Weil Gotshal & Manges
Products Liability

Randy Mastro

Gibson Dunn & Crutcher
Securities

Theodore Mayer

Hughes Hubbard & Reed
Products Liability

Jay Mayesh

Kaye Scholer
Commercial Litigation, Products Liability

William McCabe

Ropes & Gray
Intellectual Property

Edward McDonald

Dechert
White Collar Crime

Robert McCaw

WilmerHale
Securities

Thomas McCormack

Chadbourne & Parke
Commercial Litigation, Securities

William McGuinness

Fried Frank Harris Shriver & Jacobson
Commercial Litigation, Intellectual Property, Securities

Denis McInerney

Davis Polk & Wardwell
Securities, White-Collar Crime

Theodore Mirvis

Wachtell Lipton Rosen & Katz
Securities, White-Collar Crime

Joel Mitnick

Sidley Austin
Antitrust, Securities

Charles Moerdler

Stroock & Stroock & Lavan
Commercial Litigation

Garyowen Morrisroe

Chadbourne & Parke
Products Liability

Robert Morvillo

Morvillo Abramowitz Grand Iason Anello & Bohrer
White-Collar Crime

Marc Mukasey

Bracewell & Giuliani
White-Collar Crime

Scott Muller

Davis Polk & Wardwell
Antitrust, White Collar Crime

Sean Murphy

Milbank Tweed Hadley McCloy
Antitrust, Securities

Gary Naftalis

Kramer Levin Naftalis & Frankel
Antitrust, Appellate, Insurance, Securities, White-Collar Crime

John Nathanson

Shearman & Sterling
Securities

Shawn Naunton

Zuckerman Spaeder
Securities

Joseph Neuhaus

Sullivan & Cromwell
Antitrust, Commercial Litigation, Intellectual Property

Julie North

Cravath Swaine & Moore
Securities

Bernard Nussbaum

Wachtell Lipton Rosen & Katz
Securities

Joseph O'Malley

Paul Hastings Janofsky & Walker
Intellectual Property

Barry Ostrager

Simpson Thacher & Bartlett
Insurance, International Arbitration

Anthony Paccione

Katten Muchin Rosenman
General Commercial Litigation

Lawrence Pedowitz

Wachtell Lipton Rosen & Katz
Complex Commercial Litigation, White-Collar Crime

Debra Pearlstein

Weil Gotshal & Manges
Antitrust

Robert Pietrzak

Sidley Austin
Securities

Jonathan Polkes

Weil Gotshal & Manges
Securities, White-Collar Crime

Stuart Pollack

DLA Piper
Intellectual Property

Mark Pomerantz

Paul Weiss Rifkind Wharton & Garrison
Securities, White-Collar Crime

Lawrence Portnoy

Davis Polk & Wardwell
Commercial Litigation, Securities

William Pratt

Kirkland & Ellis
Antitrust, Securities

James Quinn

Weil Gotshal & Manges
Antitrust, Complex Commercial Litigation, Intellectual Property

Yvonne Quinn

Sullivan & Cromwell
Antitrust

Sascha Rand

Quinn Emanuel Urquhart Oliver & Hedges
Bankruptcy

Barry Rashkover

Sidley Austin
Securities

Alan Raylesberg

Chadbourne & Parke
Commercial Litigation

Pasquale Razzano

Fitzpatrick Cella Harper & Scinto
Intellectual Property

Roy Reardon

Simpson Thacher & Bartlett
Antitrust, Products Liability, Securities

Lucy Reed

Freshfields Bruckhaus & Deringer
International Arbitration

Steven Reiss

Weil Gotshal & Manges
Appellate, Complex Commercial Litigation

Mark Ressler

Kasowitz Benson Torres & Friedman
Complex Commercial Litigation, Securities, White-Collar Crime

William Bradford Reynolds

Howrey
Antitrust

Bruce Rich

Weil Gotshal & Manges
Intellectual Property

David W. Rivkin

Debevoise & Plimpton
International Arbitration

Benito Romano

Freshfields Bruckhaus Deringer
White-Collar Crime

Richard Rosen

Paul Weiss Rifkind Wharton & Garrison
Securities

Lawrence Rosenthal

Stroock & Stroock & Lavan
Intellectual Property

Eric Roth

Wachtell Lipton Rosen & Katz
Complex Commercial Litigation, Insurance, Securities

Richard Rothman

Weil Gotshal & Manges
Bankruptcy

James Rouhandeh

Davis Polk & Wardwell
Products Liability, Securities, White Collar Crime

Aaron Rubinstein

Kaye Scholer
Antitrust, Commercial Litigation, Securities

Andrew Ruffino

Covington & Burling
Complex Commercial Litigation

Charles Rule

Cadwalader Wickersham & Taft
Antitrust

Peter Sacripanti

McDermott Will & Emery
Products Liability

Paul Saunders

Cravath Swaine & Moore
Antitrust, Securities, Intellectual Property

John Savarese

Wachtell Lipton Rosen & Katz
Securities, White-Collar Crime

William Savino

Rivkin Radler
Insurance

Tancred Schiavoni

O'Melveny & Myers
Insurance

William Schwartz

Cooley Godward & Kronish
White Collar Crime

Karen Patton Seymour

Sullivan & Cromwell
White-Collar Crime

Samuel Seymour

Sullivan & Cromwell
White-Collar Crime

Penny Shane

Sullivan & Cromwell
Securities

Saul Shapiro

Patterson Belknap Webb & Tyler
Complex Commercial Litigation, Securities, White-Collar Crime

Gerald Shargel

Law Offices of Gerald Shargel
White Collar Crime

Howard "Peter" Sloane

Cahill Gordon & Reindel
Commercial Litigation, Insurance

Robert Smit

Simpson Thacher & Bartlett
Commercial Litigation

Tefft Smith

Kirkland & Ellis
Antitrust

James Stengel

Orrick Herrington & Sutcliffe
Bankruptcy, Commercial Litigation, Products Liability, Securities

Deborah Skakel

Dickstein Shapiro
Insurance

Warren Stern

Wachtell Lipton Rosen & Katz
Securities

Evan Stewart

Zuckerman Spaeder
Class Action, Securities

William Solander

Fitzpatrick Cella Harper & Scinto
Intellectual Property

Audrey Strauss

Fried Frank Harris Shriver & Jacobson
Securities, White-Collar Crime

Kathleen Sullivan

Quinn Emanuel Urquhart Oliver & Hedges
Appellate

Robert Sullivan

Skadden Arps Slate Meagher & Flom
Insurance

James Swire

Arnold & Porter
Antitrust, Intellectual Property

Daniel Thomasch

Orrick Herrington & Sutcliffe
Products Liability

Michael Tomaino

Sullivan & Cromwell
Securities

Peter Tomlinson

Patterson Belknap Webb & Tyler
Securities, White-Collar Crime

Joseph Tringali

Simpson Thacher & Bartlett
Antitrust, Commercial Litigation

David Tulchin

Sullivan & Cromwell
Antitrust

Bruce Vanyo

Katten Muchin Rosenman
Securities

Peter Vizcarrondo

Wachtell Lipton Rosen & Katz
Securities, White-Collar Crime

Herbert Wachtell

Wachtell Lipton Rosen & Katz
Commercial Litigation

David Wallace

Chadbourne & Parke
Products Liability

John Warden

Sullivan & Cromwell
Antitrust, Intellectual Property, Securities

James Warnot

Linklaters
Commercial Litigation, Securities

Herbert Washer

Shearman & Sterling
Commercial Litigation, Securities

Harold Weinberger

Kramer Levin Naftalis & Frankel
Antitrust, Appellate, Intellectual Property

Marc Weingarten

Schulte Roth & Zabel
Antitrust, Bankruptcy

Theodore Wells

Paul Weiss Rifkind Wharton & Garrison
White-Collar Crime

Richard Werder

Quinn Emanuel Urquhart Oliver & Hedges
Appellate, Bankruptcy, Intellectual Property, Securities

Mary Jo White

Debevoise & Plimpton
Securities, White-Collar Crime

James Windels

Davis Polk & Wardwell
Securities

Robert Wise

Davis Polk & Wardwell
Antitrust, Commercial Litigation, Securities

Roger Witten

WilmerHale
Complex Commercial Litigation, International Litigation

Marc Wolinsky

Wachtell Lipton Rosen & Katz
Insurance, Securities

Bruce Yannett

Debevoise & Plimpton
White-Collar Crime

Michael Young

Wilkie Farr & Gallagher
Securities

Stephen Younger

Patterson Belknap Webb & Tyler
Commercial Litigation

Steven Zalesin

Patterson Belknap Webb & Tyler
Commercial Litigation, Intellectual Property

David Zornow

Skadden Arps Slate Meagher & Flom
White-Collar Crime



Future stars

Maite Aquino
Sullivan & Cromwell

Oliver Armas
Chadbourne & Parke

Jonathan Bach
Cooley Godward Kronish

John Baughman
Paul Weiss Rifkind Wharton & Garrison

Christopher Boehning
Paul Weiss Rifkind Wharton & Garrison

Gary Bornstein
Cravath Swaine & Moore

Roger Brooks
Cravath Swaine & Moore

Banks Brown
McDermott Will & Emery

Susanna Buergel
Paul Weiss Rifkind Wharton & Garrison

RJ Carlson
Sidley Austin

Timothy Cameron
Cravath Swaine & Moore

Michael Carlinsky
Quinn Emanuel Urquhart Oliver & Hedges

Andrew Ceresney
Debevoise & Plimpton

Israel David
Fried Frank Harris Shriver & Jacobson

Stephen DiPrima
Wachtell Lipton Rosen & Katz

Andrew Dunlap
Kirkland & Ellis

Benjamin Duke
Covington & Burling

Salvatore Graziano
Bernstein Litowitz Berger & Grossman

Maura Grinalds
Skadden Arps Slate Meagher & Flom

Michael Gruenglas
Skadden Arps Slate Meagher & Flom

Joel Haims
Morrison & Foerster

Adam Hakki
Shearman & Sterling

Claudia Hammerman
Paul Weiss Rifkind Wharton & Garrison

Marcos Hasbun
Zuckerman Spaeder

Sandra Hauser
Sonnenschein Nath & Rosenthal

David Hennes
Fried Frank Harris Shriver & Jacobson

James Herschlein
Kaye Scholer

Mary Beth Hogan
Debevoise & Plimpton

Daniel Jocelyn
McDermott Will & Emery

Nancy Kestenbaum
Covington & Burling

John Lavelle
Sidley Austin

Joseph McLaughlin
Simpson Thacher & Bartlett

Maura Kathleen Monaghan
Debevoise & Plimpton

Jonathan Moses
Wachtell Lipton Rosen & Katz

Sharon Nelles
Sullivan & Cromwell

Lynn Neuner
Simpson Thacher & Bartlett

Julie North
Cravath Swaine & Moore

Jeffrey Oelke
White & Case

Adam Offenhartz
Gibson Dunn & Crutcher

Steven Peikin
Sullivan & Cromwell

Richard Pepperman
Sullivan & Cromwell

Brian Polovoy
Shearman & Sterling

Daniel Reisner
Kaye Scholer

Joseph Richetti
Bryan Cave

William Russell
Simpson Thacher & Bartlett

Richard Schwed

Shearman & Sterling

Christopher Shore
White & Case

Adam Siegel
Freshfields Bruckhaus Deringer

Gerald Silk
Bernstein Litowitz Berger & Grossman

Dermot Sullivan
Bryan Cave

Daniel Tan
Latham & Watkins

Peter Toren
Kasowitz Benson Torres & Friedman

Phoebe Wilkinson
Chadbourne & Parke

Penny Windle
Cahill Gordon & Reindel

Aric Wu
Gibson Dunn & Crutcher

New York

New York, and New York City in particular, attracts the most noteworthy litigation on the east coast, and arguably in the entire United States. The fact that the New York Stock Exchange is a beacon for all publicly traded companies in the U.S. ensures that New York is a magnet for antitrust, securities and white-collar litigation.

Highly recommended firms

Boies Schiller & Flexner

Formed in 1997, Boies Schiller & Flexner is one of the newest firms to enter the rankings. It is also unique as compared to other New York firms in that it maintains a presence in other areas of the state outside of New York City, including Armonk and Albany. The firm has been generating a significant amount of buzz from peers, who maintain that “the top of their bench is very strong” and that the firm has “really become a player” and has “cultivated its plaintiffs work.” The firm also made news in July 2009, when it represented Mannie Garcia, the photographer who shot the image of Barack Obama used in the campaign’s “Hope” promotional posters, when Garcia sought to intervene in a dispute over the image that has pitted The Associated Press against artist Shepard Fairey.

Peers specifically mention **David Boies**, who is representing NASCAR in an antitrust suit brought by Kentucky Speedway, which is seeking more than \$1.2 billion in damages for alleged conspiracy and monopolization issues. Boies also represented former AIG chair Maurice “Hank” Greenberg and five other defendants in a securities fraud class action, which Greenberg agreed to settle for \$115 million. In the Albany office, competitors note **George Carpinello** is “very noteworthy for his civil litigation work.”

Cadwalader Wickersham & Taft

With over 200 years of experience, Cadwalader Wickersham & Taft is one of the most highly regarded firms in the nation according to clients and competitors; its New York office, where the majority of the firm’s 182 litigators are located, receives particularly high praise. Cadwalader handles a variety of antitrust, commercial and securities litigation cases and recently redefined its focus on financial services and intellectual property litigation. In November 2008, the firm announced the formation of a distressed strategies and solutions team, comprised of litigators specializing in bankruptcy, financial services, real estate, and merger and acquisitions litigation. Peers specifically acknowledge the firm’s “growing bankruptcy presence” while a client notes that Cadwalader is “a firm that should always be your go-to for antitrust matters.”

Within the firm, numerous peers mention **Gregory Markel**, the chairman of the firm’s

litigation department, for his antitrust, securities, and complex commercial litigation practice. He represents Wells Fargo in a securities class action, and has also served as lead counsel for Morgan Stanley in an auction rates securities case. Also mentioned by peers “just for force of personality,” **Steven Lofchie** advises financial institutions on regulatory issues and on the legalities surrounding derivatives and other financial instruments.

Cahill Gordon & Reindel

Cahill Gordon & Reindel has built a national reputation in the financial and corporate arenas, which is particularly impressive considering that it has done so with only three offices. In March 2009, the firm represented Starwood Hotels & Resorts Worldwide in a case claiming corporate espionage, theft of trade secrets, unfair competition, tortious interference with contractual relations and aiding and abetting breach of fiduciary duty against Hilton Hotels Corporation and former Starwood executives now employed by Hilton. As a result of the litigation, Hilton suspended all employees in its luxury and lifestyle brands divisions and ceased development and marketing of its Denizen Hotel brand. Concurrently, a New York District Court entered a preliminary injunction enjoining Hilton from further development of the Denizen Hotels brand and using, in any way, the documents and electronic information obtained from Starwood.

According to clients in New York, employment law specialist **Tom Kavalier** is “a great advocate.” In 2008, Kavalier represented Prudential Financial before the New York State Supreme Court Appellate Division in a motion to dismiss claims brought against the company by a former employee who alleged wrongful discharge and breach of contract. Peers also recommend **Floyd Abrams**, who is defending Standard & Poor’s in a series of securities class actions filed by subprime investors.

Chadbourne & Parke

Chadbourne & Parke has reached truly international status with 420 lawyers in twelve offices worldwide, including its headquarters in New York City. One client raves “they ‘get it’ where products liability is concerned,” while another offers “they are some great litigators, very strong and very fair.”

Alan Raylesberg has extensive experience in commercial litigation of all kinds, including specializations in securities litigation and accountants’ liability. A client calls him “a fantastic lawyer across the board, but an especially strong negotiator.” **David Wallace** focuses on complex, health-effects products liability defense. A competitor calls him “a great products liability lawyer.” Wallace is particularly experienced in tobacco litigation, and his clients include industry heavyweights like RJ Reynolds. **Thomas McCormack** focuses on complex commercial, securities and class action litigation. Recent clients include Yukos Oil, for whom he obtained injunctive relief preventing Yukos’s management from selling a \$1.6 billion oil refinery. Peers recommend **Phoebe Wilkinson** for her skills in products liability litigation, which she employs especially on behalf of pharmaceutical and medical device companies. Peers give **Oliver Armas** resounding praise for his international and domestic commercial litigation practice, which includes representing eight Argentine pension fund managers in an action to freeze assets in New York and in subsequent appeals to the Second Circuit.

Cleary Gottlieb Steen & Hamilton

Cleary Gottlieb Steen & Hamilton has established itself as a top-tier national firm and has grown into an international powerhouse over the past 63 years. Headquartered in the financial district of New York City, the firm is distinguished by its impressive securities and financial services practices. One long-standing client says that he turns to Cleary for its “expertise in complicated litigation.” The firm’s international arbitration practice is well regarded by its competitors, with fellow attorneys describing the team as “an accomplished group of lawyers.”

David Brodsky’s practice focuses on securities enforcement and white-collar criminal defense work. He has counseled top financial institutions on matters concerning the alleged fraud perpetrated at Bernard Madoff Investment Securities. Brodsky is often mentioned by his competitors, who swear by his acumen. Also recommended by peers as “big-time,” is **Lewis Liman**, who has been making news throughout 2009 for negotiating with the SEC on behalf of Bank of America and defending the bank against allegations that it lied to investors by failing to disclose the \$5.8 billion it had agreed to pay to Merrill Lynch & Co. executives before it bought Merrill in September 2008.

Cravath Swaine & Moore

Since its formation almost two centuries ago, Cravath Swaine & Moore still has only one office in New York and another in London. Its reputation, however, has grown exponentially. Praise for the firm is almost unanimous, with peers calling Cravath “a group we can’t say enough good things

about,” “unsurpassed,” and “spectacular litigators, some of the best I’ve seen.” Clients rave that the firm “builds a strong litigation team from top to bottom.” “They have a blue-ribbon client base,” observes one peer. The firm is representing Bristol-Myers Squibb and Sanofi-Aventis in an infringement action against Apotex involving the patent on the anti-platelet drug, Plavix. In 2007, the Court entered judgment that plaintiffs were entitled to permanent injunctive relief and damages, affirmed by the U.S. Court of Appeals in December 2008.

Evan Chesler serves as lead counsel in antitrust, commercial and securities cases on both the state and federal level. Several peers point to Chesler as one of the top litigators at the firm. **Francis Barron** is also the recipient of several peer mentions for his strong general commercial practice and his wealth of experience. His notable media clients include CBS, Dreamworks Animation, and Ticketmaster Group. **Robert Baron** handles a “remarkable mix” of cases including securities, alien tort, and trade secrets litigation. Baron has been compared to an “excellent general surgeon” by his peers and a colleague notes that Baron “excels at tackling tough jobs.”

Davis Polk & Wardwell

Davis Polk & Wardwell is an international firm, but the bulk of its litigation activity is based in New York. While its diverse practice portfolio has grown to include bankruptcy, products liability, and intellectual property, the firm is best known for its work in antitrust, general commercial litigation, securities and white-collar crime. “They are one of the preeminent securities litigation firms in New York, and they have a lot of good people” says a competitor. The firm’s securities practice has earned accolades from clients as well. One client remarks “we hired them based on reputation, and if we needed to, we would hire them again in a heartbeat.”

Robert Fiske draws praise for his expertise in securities, products liability, and white-collar criminal litigation from both clients and peers. According to a client, he is “very valuable in dispensing expert guidance in cases involving complex legal theories.” His experience in securities work includes his representation of General Electric, Exxon, Bankers Trust and other high-profile clients. **Denis McNerney**, another New York-based partner, represents corporate and individual clients, including CVS Caremark Corporation, Siemens AG, and the New York Racing Association. He has “terrific judgment and great presence” according to one client.

Debevoise & Plimpton

With over 700 lawyers throughout eight offices worldwide, Debevoise & Plimpton maintains a commanding presence from its New York headquarters. The firm’s securities enforcement and white-collar crime practices

garner special attention from peers; one competitor has said that both practices are “litigation powerhouses.” One competitor goes so far as to say “their white-collar practice is tops in the country, although their bench is very deep. They are head and shoulders above the rest, clearly number one in the country.”

Several peers note **Bruce Yannett**, who co-leads the firm’s white-collar practice along with **Mary Jo White**. White is almost unanimously praised by peers and clients alike for her securities and white-collar practice. “I don’t think she ever sleeps,” notes one peer. “She’s a rockstar,” and “a tremendous securities litigator,” claims another. One client asserts that she is “a

SEC investigations into stock options backdating.

Fried Frank Harris Shriver & Jacobson

Fried Frank Harris Shriver & Jacobson has one of the nation’s top securities practices, with its offices in downtown Manhattan poised to address the needs of nearby Wall Street firms. The firm is also revered for its antitrust and bankruptcy practices. Fried Frank has seen a busy start to 2009, and has been involved in several news-worthy cases. In July 2009 it successfully achieved dismissal of a shareholder derivatives suit filed against client Quadra Realty Trust concerning Quadra’s sale to an affiliate of Hypo Real Estate Capital Corporation, and in August it

“Peers specifically acknowledge Cadwalader Wickersham & Taft’s ‘growing bankruptcy presence’ while a client notes that Cadwalader is ‘a firm that should always be your go-to for antitrust matters.’”

household name in her field.” In July 2009, she won dismissal of a \$5 billion defamation action brought by Donald Trump against the author Timothy O’Brien, which concerned allegedly libelous statements about Trump’s actual net worth that the author published in his biography. In this case, White was aided by **Andrew Ceresny**, who has made a name for himself in the firm’s white-collar practice as well.

Freshfields Bruckhaus Deringer

One of the “Magic Circle” firms headquartered in the United Kingdom, Freshfields Bruckhaus Deringer is the fourth largest law firm in the world by revenue and has become the second largest law firm in England. The New York office concentrates primarily on the antitrust and securities practices, and peers rate the firm’s acumen in these areas as “top-notch.”

Within the firm, competitors mention **Adam Siegel** as “a great, honest and good-natured litigator” for his practice advising clients that face government investigations and related civil litigation. Siegel has defended clients in a broad range of industries in investigations conducted by the U.S. Department of Justice, the SEC and the State Attorney General. From 1999 to 2005, he was an Assistant United States Attorney in the Criminal Division of the United States Attorney’s Office for the Southern District of New York, where he served as Deputy Chief and Chief Appellate Attorney. Competitors also say that “you can’t go wrong with **Aaron Marcu**”, who is tipped for future star status. Marcu focuses on white-collar criminal defense, SEC enforcement and related civil litigation. He has been representing UnitedHealth Group in federal criminal and

was announced that the firm has been retained to defend hedge fund Pequot Capital Management against insider trading charges that federal regulators have indicated they may file soon.

Audrey Strauss represents institutions and individuals in white-collar criminal defense and regulatory matters. Competitors call her a “great SEC enforcement lawyer.” Intellectual property litigator **James Dabney** made news in August 2009 when he represented a petitioner challenging the U.S. Supreme Court policy of trying patent litigation cases before a lay jury as opposed to an independent judicial panel. Clients call **Peter Simmons** “very client-focused, organized and extremely prompt” for his focus on complex commercial and financial disputes at both the trial and appellate level.

Kramer Levin Naftalis & Frankel

With its New York headquarters serving as its only domestic office, Kramer Levin Naftalis & Frankel has generated an astonishing level of recognition on a national level. The high-profile cases the firm has been involved with in 2009 alone have made headlines, most notably when the firm was tapped to represent unsecured creditors of both bankrupt auto manufacturers, General Motors and Chrysler. Kramer Levin also scored a victory on behalf of Procter & Gamble (P&G) when Playtex’s request for a preliminary injunction to stop P&G from advertising that its product, Tampax Pearl, provides better protection and comfort than Playtex’s Gentle Glide, was denied.

Peers and clients alike have the highest praise for **Gary Naftalis**. He is called “one of the white-collar leaders in the city,” and “a titan” by separate competitors, while still

another acknowledges that “everybody knows him, and what’s more, everybody likes him.” In 2008, Naftalis won dismissal of claims brought against Kenneth Langone, former Chair of the New York Stock Exchange Compensation Committee. Then-Attorney General Eliot Spitzer charged Langone with crimes relating to the compensation of NYSE Chairman Richard Grasso. Peers also recommend **Harold Weinberger** for his commercial litigation practice; he counts Neutrogena as a client. **Barry Berke** is tipped as a future star for his white-collar and securities achievements.

Latham & Watkins

While its origins lie in California, the New York office of Latham & Watkins is its biggest location, comprising 350 of its total attorneys. The New York office is connected to nearly every investment bank on Wall Street.

A partner in New York, **David Brodsky** receives numerous mentions from peers for his “awesome securities work.” Also noted for securities work, **Jamie Wine** recently defended Ernst & Young in two high-profile multi-billion dollar federal securities class actions relating to its audit work for The Williams Companies. **James Brandt** focuses on complex litigation involving financial matters, including corporate transactions and securities, as well as bankruptcy. The New York office is also home to the firm’s international arbitration practice, with **Mark Beckett** and **Daniel Tan** handling clients seeking dispute resolution in sensitive cases all over the U.S. as well as in Southeast Asia and France. Operating out of Los Angeles as well as New York, **Miles Ruthberg** has represented such clients as Fannie Mae as lead strategic counsel in connection with litigation and regulatory matters arising out of one of the largest financial statement restatements in history.

Milbank Tweed Hadley McCloy

The New York office of Milbank Tweed Hadley McCloy offers clients a full range of domestic and international financial legal services. While the firm traces its roots back to 1866, it has seen its greatest rise to prominence as a litigation team within the last decade. One peer notes “they’ve really been coming up like gangbusters,” while another acknowledges their “strong practice overall.” In June 2009, the firm achieved a dismissal from New York Federal court on behalf of Nova Gold of a securities class action case alleging that Nova Gold violated several sections of the Securities Acts of 1933 and 1934 based on purported misrepresentations relating to a mining project undertaken by NovaGold in Galore Creek, Canada.

Peers recommend **James Benedict**, who has handled more than 150 major class and shareholder derivative actions alleging violations of state and federal antitrust and

securities laws. Benedict has also successfully defended more than 100 excessive management fee suits and other actions mounted against some of the largest investment advisors in the nation, including AllianceBernstein, American Century, and Citigroup. **Chris Chalsen** is recommended for his intellectual property practice, including patent and trademark licensing and litigation. Multiple peers recommend **Scott Edelman**, who receives praise as being “tremendous” for his general civil litigation and securities practice.

Patterson Belknap Webb & Tyler

Operating out of only one office, Patterson Belknap Webb & Tyler has established a solid presence on the crowded pedestal of New York litigation firms, with almost 200 lawyers housed in its sole location. “It is a wonderful firm that does tons of pro bono work, made up of very smart and nice people,” enthuses a peer. A client remarks “I’ve worked with several attorneys here and they’re consistently excellent.” In August 2009, the firm secured a major victory for its client The Coca-Cola Company in a false advertising suit brought by PepsiCo, with regards to advertising for Coca-Cola’s Powerade ION4, which states that two of the four electrolytes in this drink are not included in Pepsi’s competing Gatorade Thirst Quencher. PepsiCo sought a preliminary injunction against the entire ad campaign, including a recall of products with allegedly false labels, which was denied by the court.

Clients call managing partner **Robert LoBue** “very efficient, very bright, someone who just gets it done and never wastes your time, ever.” In particular, LoBue’s intellectual property acumen is described as “excellent, especially considering the complex nature of some of these cases.” Commercial litigator **Stephen Younger** is described as “very accessible, very reliable, and readily available” by clients.

Paul Weiss Rifkind Wharton & Garrison

Paul Weiss Rifkind Wharton & Garrison has an enviable reputation as a firm praised unanimously by peers and clients alike. Peers note “it’s hard to knock them in terms of quality of litigation; [they are] very good lawyers.” Competitors also observe that “[they have] sharp elbows at times, which is often how you do well in cases.” Clients comment that “they are phenomenal, right on top.” Paul, Weiss was at the center of litigation resulting from the economic meltdown, and won significant pre-trial victories in shareholder derivative, auction rate securities and credit default swaps litigations. The firm’s work in this area includes counselling Citigroup in its subprime litigations and regulatory matters. The firm also represents JPMorgan Chase in connection with all of the class action securities litigation resulting from the collapse of Bear Stearns, which was acquired

by JPMorgan Chase.

Theodore “Ted” Wells is recommended by a stunning percentage of the New York legal community, with peers referring to him as “the master,” “the rockstar,” “a class-act,” and “the one to beat” for his practice in white-collar criminal defense, complex civil and corporate litigation. **Brad Karp** also receives a generous amount of commendation for his defense of financial institutions and corporations in complex securities and commercial matters as well as his representation of financial institutions and other clients before the SEC. **Mark Pomerantz**, called “the real deal” by peers, is nationally known for his handling of white-collar criminal and regulatory matters. Peer accolades also are also plentiful for senior partner **Martin Flumenbaum** and **Daniel Kramer**.

Quinn Emanuel Urquhart Oliver & Hedges

Though based in California, Quinn Emanuel Urquhart Oliver & Hedges has established a presence for itself in the New York community that is nothing short of astonishing. It makes its debut as a highly recommended firm due to unanimously positive peer feedback. “They take really good cases that really big firms can’t take. They’re making themselves free to sue banks, and have made quite a name for themselves doing so.” The firm strictly practices business litigation, with 50% of that work dedicated to intellectual property.

In the New York office, **Faith Gay** maintains a healthy appellate, securities and white-collar practice. She has made news several times throughout 2009, representing high-profile clients such as Coca-Cola and New York Governor David Paterson. **Kathleen Sullivan** has obtained successful verdicts for big-name players in the energy field like Shell Oil and Allegheny Energy. Peers call Sullivan “dynamite.” **Peter Calamari**, recommended by peers as “a substantial litigator,” has 30 years of experience in the legal issues surrounding traditional securities as well as the newer breed of collateralized debt instruments, such as credit default swaps. Peers point to **Michael Carlinsky** as a future star, stating “he’s got trial experience that it’s hard to get at such a young age.”

Shearman & Sterling

Formed in New York in 1873, Shearman & Sterling has established a national and international footprint, with domestic offices in San Francisco, Silicon Valley and Washington, D.C. as well as outposts in Brussels, Frankfurt, Rome, Abu Dhabi, Munich, and São Paulo. “They’re excellent,” claims one competitor. The firm’s roster of clients includes some impressive names like Viacom, Citicorp and Merrill Lynch.

Peers praise Litigation Group leader **Stephen Fishbein** for his focus on internal investigations, criminal defense, antitrust,

and commercial litigation. Over the last year, Fishbein was appointed the monitor for Baker Hughes, following its prosecution, to advise on SEC compliance issues. **Stuart Baskin** has extensive experience in mergers and acquisitions litigation, securities litigation, bank regulatory and antitrust matters. He was lead counsel to Merrill Lynch in connection with litigation arising from its merger with Bank of America. **Herbert Washer** is a partner in the firm's Litigation Group and concentrates on the defense of matters involving complex securities, derivatives and commodities. Several peers recommend **Adam Hakki** for his representation of investment banks, hedge funds, and mutual funds in major securities, commodities and derivative-related class actions and regulatory enforcement actions and investigations.

Sidley Austin

Chicago-based Sidley Austin has been increasing its New York presence of late, with the firm having now installed over 400 attorneys in its office there, with approximately 125 of these focused on all aspects of civil litigation, arbitrations and investigations. The New York office has also handled significant securities litigation and SEC enforcement matters in the past few years, and has represented companies, financial services firms, professionals and individuals in high-stakes cases. One client enthuses "the firm is great, and the individuals there are very compassionate and professional."

Several peers mention **Robert Pietrzak**, with one referring to him as "very powerful and persuasive." His practice primarily involves litigating civil and governmental disputes for domestic and overseas financial institutions in U.S. courts, including the defense of securities class actions and large contract actions. **R.J. Carlson** is also recognized for his focus on mortgage-backed and asset-backed securitizations of all types.

Simpson Thacher & Bartlett

Peers recommend Simpson Thacher & Bartlett as "a top-tier firm that is consistently good, with high visibility," and note that it has "particular strength in securities and insurance." Peers also note that the firm carries "loads of high-profile clients," including Swiss Re, Heineken, Vivendi, JP Morgan Chase and Intel. In August 2009, the firm was retained as co-counsel for the Chapter 11 proceedings of Reader's Digest.

Clients describe **Barry Ostrager** as "very tenacious, a terrific trial lawyer and excellent cross-examiner." Ostrager has tried dozens of cases and argued scores of appeals throughout the country and has been prominently involved in many high-profile securities, antitrust, and commercial cases. **Michael Chepiga** is revered by peers for being "a big player" in securities litigation, class actions, derivative actions, and corporate

control litigation. Chepiga has handled securities litigation involving Fannie Mae, Freddie Mac, Lehman Brothers, Fairfield Greenwich Group, and Merrill Lynch. **William Russell** is recommended for his skills in bankruptcy litigation, banking litigation and contractual and transactional disputes.

Skadden Arps Slate Meagher & Flom

With over 200 lawyers in its New York office, Skadden Arps Slate Meagher & Flom continues to embody litigation in New York. A client notes that "they certainly get enough publicity, but they deserve it all," while another states "we are very happy with the results they got for us, it has been worth every penny." In May 2009, the firm scored a

"In a securities case, you want this guy – he's tremendous," enthuses one peer. Goldman Sachs is one recent client. **Richard Pepperman** is also frequently mentioned for his skills in antitrust, intellectual property, securities, and investigative matters. He is well-known for representing Microsoft in antitrust litigation between 1993 and 2004, including the Department of Justice's landmark antitrust action against the software giant. **Robert Giuffra** focuses on complex securities, white-collar crime, class actions, commercial, insurance, banking, and tax litigation. Clients call him "a fabulous strategist, pragmatic, and people-oriented."

Wachtell Lipton Rosen & Katz

“One client enthuses, ‘[Sidley Austin] is great, and the individuals there are very compassionate and professional.’”

major coup when it managed to attract high-profile litigator John Beisner, who previously chaired the class actions practice at O'Melveny & Myers.

Jay Kasner receives numerous mentions from peers, and a client stresses that "he did a phenomenal job for us." Kasner currently represents Michael Jeffries, the CEO of Abercrombie & Fitch, in shareholder class action and derivative litigation brought in federal and state court in Ohio in 2005. He also represents Alan Schwartz, former CEO of Bear Stearns, in litigation arising out of events leading up to the acquisition of Bear Stearns by JP Morgan Chase. **Jonathan Lerner** is also the recipient of multiple peer mentions. Lerner is leading the defense of Heartland Industrial Partners, L.P., a private equity firm that had invested more than \$300 million in Collins & Aikman Corporation, which filed for Chapter 11, in a variety of securities class actions.

Sullivan & Cromwell

Headquartered in New York for over 125 years, Sullivan & Cromwell today comprises approximately 750 lawyers throughout a network of 12 offices, located in leading financial centers in Asia, Australia, Europe and the U.S. Peers say the firm is "top-tier, great in dealing with securities and financial institutions" and clients rave "they are the best legal writers, and fabulous litigators who never lose sight of the big picture." In 2009, the firm obtained dismissal of a securities class action against Canadian sportswear company Gildan Activewear, which alleged that the company had misled investors about problems it was having with its production facilities in the Dominican Republic.

Gandolfo DiBlasi receives numerous accolades for his work in securities litigation.

Wachtell Lipton Rosen & Katz is one of the most prestigious law firms in the country – an astonishing accomplishment considering that the firm operates out of one office in New York. Peers rave "they are absolutely superb in everything they do, but they are particularly good with bankruptcy work." Over the last year, the firm has made news due to its involvement in two controversial issues: representing Bank of America in drafting its proxy statement for its takeover of Merrill Lynch, which eventually landed the bank in a position of having to defend itself when it was the target of an SEC investigation, and advising Ticketmaster in its merger with concert promoters Live Nation, which has since been lambasted as a potential violation of antitrust issues.

Herbert Wachtell and Bernard Nussbaum are "still the stars of the firm" according to a peer who continues, "they don't need any more press, but they deserve it all." Peers also claim **Lawrence Pedowitz** "needs no introduction." His clients include securities firms, investment banks, defense contractors, pharmaceutical companies, law firms and corporate officers. **Eric Roth** has been involved in several landmark cases involving mergers and acquisitions, including defending the legality of obtaining specific performance of a merger agreement on behalf of a selling corporation and enjoining a defensive restructuring on behalf of a hostile bidder. Peers call him "extremely intelligent and absolutely wonderful."

Weil Gotshal & Manges

Though global in scope, Weil Gotshal & Manges still maintains an impressive reputation in New York. While the firm offers a comprehensive array of litigation services, it is especially lauded for its

bankruptcy practice. “They are huge in bankruptcy,” states one peer. The firm made news in 2008 when it secured an important victory for AIG in connection with a claim for common law fraud brought by The Starr Foundation, a nonprofit organization chaired by AIG’s former CEO, Maurice “Hank” Greenberg, who was ousted by AIG in 2005 amid an accounting scandal. Starr’s claim alleged that if AIG had earlier disclosed losses it later suffered from subprime investments, Starr would have sold all of its 15 million shares of AIG stock for a significant profit. Starr claimed more than \$300 million in damages. The court dismissed the case.

Peers mention **Joseph Allerhand**, who was lead counsel on the AIG case, as being “the leader in the firm’s securities practice,” along with **Greg Danilow**. **James Quinn** specializes in high-stakes commercial disputes, emphasizing antitrust, products liability, insurance, sports, entertainment, patent law. Clients call him “one of the finest litigators around, a good communicator who gives frank and candid descriptions to clients and the jury.”

Wilkie Farr & Gallagher

Promoted due to consistent peer enthusiasm, Wilkie Farr & Gallagher makes its debut as a highly recommended firm in the New York rankings. “They are very prominent litigators,” states one competitor. Beyond New York, the firm has gained a more extensive foothold domestically, with an office in Washington D.C., and internationally, with six outposts throughout Europe.

A good deal of the firm’s attention has been generated by **Michael Young**, who peers call “very strong.” Young is co-chair of the firm’s Litigation Department and its Securities Litigation & Enforcement Practice Group. His practice involves representing companies, audit committees, officers, directors, accounting firms, and investment banks in domestic and international securities class actions, SEC and other governmental proceedings, and special investigations. His trial work has included financial reporting matters in federal, state, and bankruptcy courts throughout the United States. The Litigation Department’s other co-chair is **Mitchell Auslander**, who is mentioned by several peers for his specialty in commercial litigation and his particular emphasis on insurance and reinsurance matters worldwide, as well as government investigations. His clients include companies in virtually all parts of the insurance industry, and he regularly represents Marsh & McLennan in litigation as well as transactional and regulatory matters.

WilmerHale

Boston-based WilmerHale has struck a chord within the New York legal community since it opened its outpost there, with peers claiming to “learn something new each time

you are on a call with them” and that “[the firm has an] outstanding regulatory and internal investigative practice.” The product of a 2004 merger, the firm has since acquired international renown. One competitor states “you’re going to want to get to know these guys.”

Within the firm, **Paul Engelmayer** receives a steady stream of praise for his representation of institutional and individual clients in high-profile white-collar criminal cases and securities-enforcement investigations, and his management of internal investigations. Peers rave “he’s incredible.” Engelmayer leads the firm’s representation of Citigroup Inc. in litigation against Wachovia Corp. and Wells Fargo & Co., in which Citigroup alleges breach of contract claims against Wachovia and tortious interference claims against Wells Fargo, based on Wachovia’s breach of an agreement in which it agreed to negotiate its acquisition exclusively with Citigroup. **Robert McCaw** receives numerous mentions for his securities practice in which he represents brokerage firms, investment advisers, corporations, accounting firms, lawyers, law firms and individuals.

Recommended firms

Allen & Overy

London-based Allen & Overy is one of the U.K.’s “Magic Circle” firms that, while concentrating a good deal of its practice in Europe, is making headway in the U.S., particularly through the efforts of its New York office. **Michael Feldberg** is mentioned for litigating and trying cases in a wide variety of areas, with special emphasis on the defense of federal criminal and regulatory cases as well as federal civil litigation. He has tried over 50 cases and has represented numerous companies and individuals in matters involving the financial services, retail, health care and general corporate industries.

Anderson Kill & Olick

Boutique firm Anderson Kill & Olick maintains a special focus on insurance and in that regard, it is unique in that it often litigates against insurance companies. The firm is dedicated to policy-holder-only matters, and often represents organizations that typically act as defendants, as plaintiffs. Founding member **Eugene Anderson** receives praise from the legal community; several insurance litigators tout him as “a true insurance wizard.” **Robert Horkovich** has obtained over \$5 billion in settlements and judgments from insurance companies for his clients over the past decade. He is a trial lawyer with substantial experience in trying complex insurance coverage actions on behalf of corporate policyholders.

Arnold & Porter

Boasting a strong national and international presence, Arnold & Porter practices in more

than 25 distinct areas of the law, and conducts business on six continents. Peers commend the firm for having a “strong antitrust practice.” The firm has recently made news with its 2009 representation of Tiffany & Co. on its appeal against eBay with regards to the online auction’s alleged failure to repress the sale of counterfeit trademarked items on its site. The lead counsel on this case, **James Swire**, handles litigation in the areas of trademark, copyright, unfair competition, false advertising, and food and drug law.

Bernstein Litowitz Berger & Grossman

Plaintiffs boutique firm Bernstein Litowitz Berger & Grossman maintains a noteworthy practice prosecuting securities cases, and has recently started to more vigorously pursue of intellectual property matters. “They’re tough, but fair” acknowledges one peer. **Max Berger** receives special praise, with one competitor calling him “the standout.” He is currently involved in a patent infringement case on behalf of a Swedish firm Anvik against Nikon, which involves technology for machines that manufacture flat-screen televisions and monitors.

Bryan Cave

Originally established in 1985, Bryan Cave’s New York office is now the firm’s second largest as a result of a 2002 merger with Manhattan-based Robinson Silverman Pearce Aronsohn & Berman. The firm has made a name for itself by often taking cases on referral from other New York firms, and winning them. **Christine Cesare** practices complex commercial litigation. She currently represents Fiserv, Inc. and various other entities in class action claims arising out of the multi-billion dollar Ponzi scheme operated by Bernard Madoff. In this case, a plaintiff seeks to recover their losses from Fiserv in connection with its role as custodian for the plaintiffs’ self-directed IRA accounts.

Cooley Godward Kronish

San Francisco-based Cooley Godward Kronish has made significant inroads in the New York litigation community since opening up shop in Manhattan in 1958 via a merger with Kronish Lieb Weiner & Hellman. The New York office in particular has seen a dramatic influx of white-collar cases. **Alan Levine** receives numerous accolades for his experience and acumen in securities and white-collar criminal matters. Peers also recommend **Celia Barenholtz**, who handles a wide range of complex commercial and intellectual property litigations and arbitrations.

Covington & Burling

The New York office of Covington & Burling has experienced dynamic growth since its establishment in 1983; the office now numbers more than 100 lawyers. **Andrew Ruffino** focuses on complex commercial

litigation, disputes over corporate control, securities law, and insurance coverage disputes. Ruffino has also been extensively involved in antitrust litigation and corporate investigations focusing on accounting matters, including options backdating, accounting for derivatives, revenue recognition, and purchase accounting. A peer raves “you cannot go wrong with Andrew; he is superb at what he does.” Competitors also give the nod to securities lawyer **Mark Gimbel**.

Curtis Mallet-Prevost Colt & Mosle

Founded in New York in 1830 and still headquartered there, full-service firm Curtis Mallet-Prevost Colt & Mosle was one of the first law firms in the city to establish a strong international practice. Peers mention **Eliot Lauer**, who has tried criminal and civil cases involving commodities fraud, securities fraud, and many other commercial transactions, and **T. Barry Kingham**, an experienced trial and appellate lawyer, concentrating in civil and criminal business litigation and arbitration.

Dechert

While based in Pennsylvania, peers call Dechert “an up-and-coming firm” in the New York litigation market. The firm has particularly made strides with respect to securities litigation, where **Andrew Levander**, a former Assistant United States Attorney for the Southern District of New York in the Securities and Commodities Fraud Unit, has been consistently recognized for his work in this field. He represents parties in securities fraud and commercial litigation and criminal and government investigations. Levander has also defended many public companies and their officers, directors and affiliates, including Biovail Corp., Datascope Corporation, GlaxoSmithKline, Monster Worldwide, Motorola, OSI Pharmaceuticals and Symbol Technology.

Gibson Dunn & Crutcher

California-based Gibson Dunn & Crutcher has received an impressive level of mentions from within the New York legal community, with one competitor remarking that “their New York footprint is becoming undeniable.” The New York litigation department is host to a team of trial lawyers and litigators who handle complex matters in securities, antitrust, commercial disputes, intellectual property, First Amendment, media and criminal defense. In particular, **Randy Mastro** elicits peer praise for his “fabulous, sharp trial work” on securities and complex commercial cases. In 2008, Mastro led the defense of Bear Stearns in an IPO allocation cases consisting of more than 300 securities class actions.

Hughes Hubbard & Reed

From its New York headquarters, Hughes Hubbard & Reed offers a panoply of sophisticated legal services to a diverse group of businesses and professional communities across the U.S. and abroad. In particular, **Theodore Mayer** is recognized by peers for

being a “products liability powerhouse.” Mayer made news in 2009 when he negotiated a \$180 million settlement on behalf of Merck with third-party payers in 190 suits involving the painkiller Vioxx. Competitors also recognize **William Maguire** for his professional liability practice, in which he represents high-profile industry players such as Ernst & Young and PricewaterhouseCoopers.

Jones Day

Ohio-based Jones Day, thought of as a titan of Midwest litigation, has steadily increased its domestic and international footprint to encompass all key markets in the U.S. and beyond. The New York office has recently garnered buzz, particularly in the area of

Kaye Scholer

Headquartered in New York since 1917, Kaye Scholer has gained national and international prominence for its intellectual property and products liability litigation practices. “If you have intellectual property issues, you call them,” confirms a local peer. **Leora Ben-Ami** has considerable intellectual property experience advising a wide array of companies in the medical device, biotechnology and chemical industries. In the products liability field, **Jay Mayesh** is specifically identified by peers as the firm’s undisputed leader. In November of 2008, Mayesh represented American Securities Capital Partners in its acquisition of Liberty Tire Services, a Pittsburgh-based tire recycler.

“‘Davis Polk & Wardwell is one of the preeminent securities litigation firms in New York, and they have a lot of good people’ says a competitor...One client remarks ‘we hired them based on reputation, and if we needed to we would hire them again in a heartbeat.’”

securities. Peers rate **David Carden** as “a great securities lawyer.” He has represented clients in some of the largest securities fraud class actions ever litigated. He has defended Lehman Brothers with respect to the collapse of Enron, and Union Excess in the case of *In Re AIG Securities*.

Kasowitz Benson Torres & Friedman

Kasowitz, Benson, Torres & Friedman, founded in 1993, is a national firm with more than 325 lawyers specializing in complex, highly sophisticated litigation. The firm’s principal areas of practice are general litigation, creditors’ rights and bankruptcy, employment, intellectual property, and family law. “They are determined and tenacious,” states one peer. Litigator **Marc Kasowitz** made news in February 2009 when he successfully obtained a temporary restraining order on behalf of magazine publisher and distributor Source Interlink, which filed a suit accusing several high-profile rivals, including Time Inc. and American Media, of a conspiracy to run it out of business by, among other things, cutting off its supply of magazines. Time and its national distributor Time/Warner Retail Sales & Marketing eventually agreed to settle the action and to enter into a multi-year supply agreement with Source securing Source’s access to Time, Inc. products, and Source also eventually reached settlements with American Media Inc reached settlements with defendants Curtis Circulation Co., Hachette Filipacchi Media U.S. Inc. and Kable Distribution Services Inc. Other noteworthy clients that have elected Kasowitz’s representation include Comcast, Hilton Worldwide, Apollo Management, L.P., Fortress Investment Group and MBIA Inc.

Kirkland & Ellis

The New York office of Kirkland & Ellis, which currently houses over 300 attorneys, encompasses all significant areas of commercial litigation for public and private companies in the U.S. and abroad. The partners in the New York office are involved in significant bench and jury trials. In addition, the office serves as lead counsel in numerous securities, antitrust, contract, fraud and RICO cases. The firm also handles First Amendment controversies, ERISA and common law breach of fiduciary duty actions, shareholder derivative suits, and matters involving the SEC, New York Stock Exchange, NASD, Department of Justice and other government agencies. Peers mention senior litigation partner **William Pratt** for his skills at both the trial and jury levels.

Linklaters

Making its debut in the New York rankings, British-based Linklaters generated a significant amount of buzz in 2009, when it officially replaced Clifford Chance as the world’s largest law firm in terms of gross revenue. The New York office currently consists of 150 lawyers, 50 of which are involved in litigation. Within this office, clients turn to **Joseph Armao**, who focuses his practice on internal corporate investigations, white-collar criminal and governmental regulatory defense, related civil litigation and corporate governance and compliance counseling. “Joseph, formerly with White & Case, is really an accomplished litigator. Watch for him,” enthuses one peer.

Mayer Brown

Chicago powerhouse Mayer Brown maintains its second-largest outpost in New York, which

has steadily grown to more than 200 lawyers. **Richard Steuer** practices antitrust law, including litigation, mergers and acquisitions, intellectual property licensing, franchising, and e-commerce. He is, according to one client, “a fantastic antitrust lawyer- [he is] the whole package.” **Steven Wolowitz** practices complex commercial matters, representing investment banks, broker-dealers, and issuers in securities litigation, including class actions and FINRA arbitrations. Clients call him “very smart and good at sizing up cases, with the perspective of both a criminal lawyer and a civil lawyer.” **Hector Gonzalez** focuses on commercial, securities, antitrust, and professional liability litigation.

McDermott Will & Emery

McDermott Will & Emery’s New York office opened in 1988 through a local acquisition and currently hosts over 150 lawyers representing a broad range of regional, U.S. and international clients. **Peter Sacripanti** is widely acknowledged for his general commercial and white-collar crime practice, with big-name clients like Honeywell and ExxonMobil calling on his services. In 2008, he obtained dismissal of a case on behalf of Exxon; the case alleged that the oil giant contaminated a town’s water supply with methyl tertiary butyl ether. **Banks Brown**, tipped as a future star by peers, focuses his practice on complex commercial litigation.

Morrison & Foerster

Headquartered in San Francisco, Morrison & Foerster has gained prominence in New York since setting up its second-largest office there in 1987. **Jack Auspitz** has a commercial litigation practice that emphasizes on securities, banking and other complex civil litigation. He was the court-appointed liaison for over 300 separate securities class actions pending in the New York District Court, which alleged that between 1998 and 2000, in exchange for an allocation of shares in a company’s initial public offering, the underwriters solicited and received from their investors “excessive” commissions and required investors to buy additional shares in the aftermarket at inflated prices. The matters were settled in April 2009.

Morvillo Abramowitz Grand Iason Anello & Bohrer

Boutique firm Morvillo Abramowitz Grand Iason Anello & Bohrer makes its debut in the New York rankings on the strength of several peer mentions, all overwhelmingly positive. “They’re worth getting to know,” claims one peer, while another calls them “some of New York’s best litigators.” Indeed, the firm prides itself on being exclusively devoted to litigation, with a particular emphasis on white-collar crime and securities matters. Several members of the New York community recommend **Robert Morvillo**, calling him “a fierce, but fair litigator who is honest and straightforward, with tons of experience.” Peers also call white-collar lawyer **Robert Anello** “a superstar waiting to happen.”

Nixon Peabody

Nixon Peabody is one of the few ranked firms that not only caters to the New York City community, but also to the smaller but still significant markets like Long Island, Rochester, Buffalo and Albany. Beyond New York, the firm also maintains a presence in New England, California, Illinois, Washington D.C., Europe and Asia. In the Buffalo office, **Samuel Goldblatt** concentrates his practice on products liability, toxic torts, and complex commercial and environmental cases. He is national counsel for The Dow Chemical Company in numerous matters across the country involving alleged exposure to vinyl chloride monomer.

O’Melveny & Myers

Though the firm is based in Los Angeles, the New York office of O’Melveny & Myers has gained is thoroughly respected for its litigation activities. **Bradley Butwin** focuses on a broad spectrum of complex commercial matters, including securities litigation. Peers call him “impressive in court and elsewhere. **Jonathan Rosenberg** is also mentioned for his securities and white-collar crime practices. Peers regard **Tancred Schiavoni** as “well respected” for his work representing insurance companies in a variety of disputes, including bad faith claims and environmental coverage litigation. One peer says “get to know ‘Tanc.’ He was just in *The New York Times*.”

Orrick Herrington & Sutcliffe

Headquartered in San Francisco, Orrick Herrington & Sutcliffe now maintains its largest office in New York, where it houses over 200 lawyers practicing commercial litigation, employment law, products liability, and intellectual property. In the New York office, several peers point to **James Stengel**, with one calling him “level-headed and fair, thoughtful, and tough without being intimidating or a jerk.” Stengel practices complex commercial litigation, with a third of his practice conducted outside the U.S. He has a particular emphasis on products liability and mass torts.

Proskauer Rose

Proskauer Rose makes its debut in the New York rankings this year. “They are very well known in New York and getting more so,” claims one competitor. The office made news in July 2009, when it acted as co-counsel in a case against Google’s YouTube, representing producers of certain foreign works not copyrighted in the U.S. Proskauer argued that the Digital Millennium Copyright Act of 1998 exempted foreign works from copyright registration requirements. The case was dismissed and is now on appeal. **Bradley Ruskin** and **Robert Cleary** receive special mention by peers as being “the driving force” behind the firm’s litigation presence in New York.

Schulte Roth & Zabel

Schulte Roth & Zabel’s litigation group is

experienced in handling regulatory investigations and enforcement actions. The firm represented Kenneth Pasternak, the former CEO of Knight Securities, in an action brought by the SEC in New Jersey federal court alleging that the defendant aided and abetted violations of the securities laws. After a 14 day bench trial, Pasternak was acquitted on all charges.

In 2008, the firm’s commercial litigation group was involved in a proxy contest involving a battle for seats on the board of railroad giant CSX Corp. Schulte effectively countered CSX’s novel legal argument regarding the definition of “beneficial ownership”, resulting in the federal court in Manhattan rejecting the plaintiff’s argument that Schulte’s client, Children’s Investment Fund, be enjoined from voting their shares. The Second Circuit upheld the lower court decision, resulting in the election of four minority directors to the board.

Sonnenschein Nath & Rosenthal

The litigation team in the New York office of Sonnenschein Nath & Rosenthal represents U.S. and foreign corporations and individuals in federal and state trial and appellate courts, arbitrations, and administrative hearings. In 2008, Sonnenschein secured a confidential settlement in a patent infringement and breach of contract case arising out of a 10-year battle between client Fastenex and licensee Medtronic, involving poly-axial pedicle screw technology invented by Fastenex which Medtronic attempted a design-around on to avoid paying Fastenex under the license. Peers call general litigator **Michael Barr** “very sharp and very involved.”

Stroock & Stroock & Lavan

Headquartered in New York, Stroock & Stroock & Lavan has established itself across the country with additional firms in Los Angeles and Miami. Representative clients include Bear Stearns, Credit Suisse and Lehman Brothers. In August 2009, it was announced that the firm would represent a bondholders’ group challenging Donald Trump’s controversial planned overhaul of his Atlantic City gambling empire. **Charles Moerdler** is the founding partner of the firm’s Litigation Practice, and his practice includes antitrust, securities, and class actions.

White & Case

Founded in New York in 1901, White & Case has lawyers in the United States, Latin America, Europe, the Middle East, Africa and Asia. The firm’s clients are public and privately held commercial businesses and financial institutions. One client emphatically describes the firm as “a fantastic group whose reputation is reinforced by results.” In the New York office, **Glenn Kurtz** is the Global Chair of Commercial Litigation and handles complex cases, primarily class action and multi-district litigations, in federal and state courts throughout the United States. A client calls him “a true pleasure to work with.”

BERNSTEIN LITOWITZ BERGER & GROSSMANN LLP

1285 Avenue of the Americas
New York, NY 10019
Tel: +1 212 554 1400
Fax: +1 212 554 1444
Web: www.blbglaw.com

Managing Partners: Max W Berger, John (Sean) Coffey

Number of partners: 15

Number of counsel: 10

Number of qualified lawyers: 27

Firm Profile

A distinguished group of trial-tested litigators, Bernstein Litowitz Berger & Grossmann LLP (BLB&G) handles complex commercial litigation for corporate, institutional and private clients on a contingency fee basis. BLB&G is the leading law firm worldwide advising institutional investors in issues related to corporate governance, shareholder rights, and securities litigation. The firm provides comprehensive asset protection services, including portfolio monitoring, to over 100 of the most significant and respected public pension funds and private institutional investors in North America and abroad. Since its founding in 1983, BLB&G has obtained over \$20 billion in recoveries for investors and achieved precedent-setting corporate governance reforms on behalf of its institutional investor clients, including billions of dollars obtained through litigation on behalf of bondholders and creditors of distressed and bankrupt companies.

The firm also prosecutes cutting edge fiduciary duty issues in connection with merger and acquisition transactions to maximize shareholder value, protect the shareholder franchise and improve corporate governance practices.

One of the premiere litigation boutiques in the US, the firm has also prosecuted some of the most significant employment discrimination, civil rights and consumer protection cases on record and represents intellectual property holders in patent, trademark and copyright litigation against some of the largest companies in the world.

Beyond obtaining many of the largest monetary recoveries in history, the firm has advanced novel and beneficial principles by developing important new law in the areas in which it litigates. As a result of its accomplishments, BLB&G and its attorneys have repeatedly and consistently earned high praise from the courts in which they practice, as well as the respect of the defense firms and insurance carriers whom they face in court and across the negotiating table.

Areas of Practice

Antitrust, arbitration and alternative dispute resolution, bankruptcy and distressed debt, commercial, consumer fraud, corporate governance and shareholder rights, derivatives and specialty investment products, employment discrimination and civil rights, ERISA fraud, false Claims-Qui Tam, M&A and transactional, patent and intellectual property, securities fraud, subprime

Other Offices:

San Diego, CA; New Orleans, LA

C A D W A L A D E R**CADWALADER, WICKERSHAM & TAFT LLP**

One World Financial Center
New York, NY 10281
Tel: 212 504 6000
Fax: 212 504 6666
Email: cwtinfo@cwt.com
Website: www.cadwalader.com

Chairman: W. Christopher White

Litigation Department Chairman: Gregory A. Markel

Number of partners: 104

Other lawyers: 468

Established in New York in 1792, Cadwalader, Wickersham & Taft LLP, a premier international law firm with over 500 attorneys in five offices, offers clients innovative solutions to legal and financial issues. With strategically placed locations, the firm is superbly positioned to offer top-flight legal services to internationally-based clients conducting transactions all over the world.

Litigation Practice:

Cadwalader has a sophisticated and diverse litigation practice, handling significant civil and criminal disputes for a broad spectrum of clients. Our team of more than 160 litigators enjoys an outstanding reputation as creative and skilled advocates with substantial courtroom experience as well as experience in all aspects of dispute resolution. The team represents clients in litigations, arbitrations, mediations, and negotiations in substantive areas as varied as: antitrust; corporate and securities litigation; business fraud; complex financial products; health care; insolvency and restructuring; insurance; intellectual property; securities enforcement; and real estate. In all of these areas, our attorneys are responsible for a number of important and groundbreaking decisions by the courts.

Our litigators have broad experience in representing domestic and international clients in complex commercial disputes before US federal and state courts, foreign and domestic arbitration tribunals, and regulatory agencies in the US and in Europe. We also counsel and advise foreign clients on the jurisdictional reach of US courts, the application abroad of US civil and criminal laws, the application of US federal and state discovery procedures to international disputes, settlement strategies, alternative dispute resolution mechanisms, and the recognition and enforcement of US and foreign judgments under treaties and statutes.

In addition to the resolution of complex civil litigation, Cadwalader's litigation attorneys defend foreign corporations, financial institutions, investment firms, and individuals under investigation by federal and state authorities and administrative agencies, including, among others, the United States Department of Justice, the Securities and Exchange Commission, and the Internal Revenue Service.

Experienced in the supervision and management of large, complex cases, we frequently work with technical consultants, experts, and other counsel to efficiently and effectively further the interests of our clients. We continually explore state of the art computer technologies to help us organize and manage discovery and trial materials, design exhibits, and communicate with our clients. As appropriate, attorneys in our litigation group join with their colleagues in other areas of practice to provide the most comprehensive representation to our clients.

Other offices:

Charlotte, North Carolina, Washington, DC, London and Beijing.

CAHILL GORDON & REINDEL LLP

80 Pine Street
New York, NY 10005
Tel: 212.701.3000
Fax: 212.269.5420
www.cahill.com

Chairman: William M Hartnett
Co-Administrative Partner: Christopher T Cox
Co-Administrative Partner: Jonathan A Schaffzin
Co-Administrative Partner: S Penny Windle

Other Offices: London, UK, Washington, DC

Litigation:

Cahill has a prominent litigation practice with over 100 litigators, including nearly half the firm's partners. Among our ranks are dozens of former law clerks who have served judges in either the federal or state judiciaries, including the United States Supreme Court. Our team also includes a former US Attorney for the Southern District of New York and other lawyers who joined Cahill following distinguished careers in the Securities and Exchange Commission, Department of Justice, Department of the Treasury and other federal and state agencies.

We regularly defend large-scale securities, insurance, reinsurance, antitrust, First Amendment, professional liability, intellectual property, white collar litigation and governmental investigations around the world. Over the last year, Cahill lawyers have successfully represented a diverse range of clients including: The McGraw Hill Companies and its Standard & Poor's division, AIG and Chartis, Beazer Homes, Starwood Hotels and Resorts Worldwide, Prudential Financial, HSBC and the Independent Directors of Freddie Mac, Bank of China and Cablevision in matters involving significant financial and reputational exposures. We are retained by the nation's largest and most successful law firms when they themselves are faced with serious matters.

Cahill lawyers regularly try and argue cases in state and federal courts, including the United States Supreme Court, and a wide range of administrative agencies throughout the country, as well as before specially constituted domestic and international tribunals. We are also called upon to assist in resolving complex disputes through alternative dispute resolution and in private proceedings.

We represent clients in proceedings before Congress, the Securities and Exchange Commission, Department of Justice, United States Attorneys' Offices, Department of the Treasury, Office of the Inspector General, State Attorneys General as well as the New York Stock Exchange, FINRA, Chicago Board Options Exchange and other prosecutorial and regulatory agencies. Our representations before these agencies often have resulted in favorable resolutions for our clients.

When the stakes are high, our clients are glad to have us on their side. To discuss your situation or learn more, contact Penny Windle at 212.701.3693.

OLIVER J ARMAS



CHADBOURNE & PARKE LLP

30 Rockefeller Plaza
New York, NY 10112
US

Tel: +1 212 408 5399
Fax: +1 646 710 5399
Email: oarmas@chadbourne.com
Web: www.chadbourne.com

Oliver Armas handles complex domestic and international disputes. He has an extensive practice in US federal and state courts, as well as before regulatory agencies, such as the SEC, the US Department of Justice, the New York Attorney General and state insurance regulators (including internal investigations, FCPA audits, advice on OFAC and export controls.).

A significant part of Mr Armas's practice involves representing foreign and domestic clients in arbitrations before the ICC, AAA/ICDR, LCIA, ICSID, the Court of Arbitration for Sport (CAS), and other tribunals.

Because he is fluent in Spanish (and can understand Portuguese), a significant percentage of his practice involves counseling clients on various matters involving Latin America and the US Hispanic market.

Mr Armas has acted as a legal expert on certain aspects of US law in foreign proceedings (for example, Mexico and Peru), and has supervised litigation and conducted FCPA field audits in almost every country in Latin America.

Education

New York University, College of Arts and Sciences, BA, with honors, 1986
New York University, Wagner Graduate School of Public Administration, MPA, with honors, 1987
New York University School of Law, JD, 1990

Who do clients really rate as the top lawyers?



For over ten years, Legal Media Group's Expert Guides have identified the world's leading lawyers in 25 practice areas. If you regularly interact with the legal profession in a specific practice area anywhere in the world, you should obtain a copy of the relevant Expert Guide for just €100



ORDER FORM €100 per copy. Please send me the following Expert Guides. Indicate no. of copies in each box

- | | | | | |
|---|--|--|---|---|
| <input type="checkbox"/> Aviation 2008 | <input type="checkbox"/> Banking 2009 | <input type="checkbox"/> Best of the Best 2008 | <input type="checkbox"/> Best of the Best 2009 | <input type="checkbox"/> Capital Markets 2009 |
| <input type="checkbox"/> Competition & Antitrust 2008 | <input type="checkbox"/> Corporate Governance 2009 | <input type="checkbox"/> Energy & Natural Resources 2008 | <input type="checkbox"/> Environment 2005 | |
| <input type="checkbox"/> Commercial Arbitration 2009 | <input type="checkbox"/> Insolvency & Restructuring 2009 | <input type="checkbox"/> International Trade 2008 | <input type="checkbox"/> Insurance & Reinsurance 2009 | |
| <input type="checkbox"/> Investment Funds 2008 | <input type="checkbox"/> Labour & Employment 2009 | <input type="checkbox"/> Litigation 2008 | <input type="checkbox"/> Mergers & Acquisitions 2008 | <input type="checkbox"/> Patent 2009 |
| <input type="checkbox"/> Private Equity 2008 | <input type="checkbox"/> Product Liability 2008 | <input type="checkbox"/> Project Finance 2009 | <input type="checkbox"/> Real Estate 2008 | <input type="checkbox"/> Shipping & Maritime 2008 |
| <input type="checkbox"/> Structured Finance & Securitization 2007 | <input type="checkbox"/> Tax 2008 | <input type="checkbox"/> TMT 2008 | <input type="checkbox"/> Trade Mark 2008 | <input type="checkbox"/> Transfer Pricing 2008 |
| <input type="checkbox"/> Trusts & Estates 2009 | <input type="checkbox"/> US Healthcare 2005 | <input type="checkbox"/> US Litigation 2005 | <input type="checkbox"/> White Collar Crime 2008 | Total € <input type="text"/> |

YOUR DETAILS

Name: _____
 Position: _____ Company: _____
 Address: _____

 City/State: _____ Post Code: _____
 Country: _____ Email: _____
 Tel: _____ Fax: _____

METHOD OF PAYMENT

Please debit my credit card
 Amex Diners Club MasterCard Visa
 Card No:
 Expiry date: ____/____/____
 Please find enclosed a cheque payable to 'Euro money Institutional Investor PLC'
 Please invoice me/my company (Purchase Order Number: _____)
 Signature: _____ Date: ____/____/____

4 easy ways
to order: Tel: +44 (0) 20 7779 8418
Fax: +44 (0) 20 7779 8578

Email: thivka@legalmediagroup.com
 Post to: Trinity House, Expert Guides, Market House, Finsbury Y1, London EC2M 5EX, UK

SCOTT S BALBER**CHADBOURNE & PARKE LLP**

30 Rockefeller Plaza
New York, NY 10112
United States of America
Tel: 212 408-5466
Fax: 212 541-5369
Email: sbalber@chadbourne.com

Scott S Balber is a partner at Chadbourne & Parke, a distinguished international law firm with over 400 attorneys and 12 offices around the world. An honors graduate of Princeton University and Duke University School of Law, Mr Balber's practice focuses on securities, general commercial, white-collar criminal defense, intellectual property and bankruptcy litigation. He has represented a broad range of clients, including those in the financial services, energy, consumer products, healthcare and real estate industries.

Mr Balber is an experienced trial and appellate lawyer who has first-chaired two dozen trials and has prevailed in cases before the United States Supreme Court and in numerous state and federal courts throughout the country.

In 2001, Mr Balber obtained the highest jury verdict in the history of the United States District Court for the Eastern District of Pennsylvania and was listed in the *National Law Journal's* "Top 100 Verdicts of 2001."

Known for his credibility, aggressiveness, tenacity and professionalism, Mr Balber has represented individuals and public and private companies in complex commercial litigations and arbitrations as well as in proceedings before the Securities and Exchange Commission, the United States Department of Justice, the New York Attorney General and other state and federal regulatory bodies.

THOMAS J HALL**CHADBOURNE & PARKE LLP**

30 Rockefeller Plaza
New York, New York 10112
Tel: (212) 408-5487
Fax: (212) 541-5369
Email: thall@chadbourne.com
Website: www.chadbourne.com

Thomas J Hall is co-head of Chadbourne & Parkes commercial litigation practice group. He specializes in complex commercial litigation and has extensive experience in a broad range of litigation matters, including securities, creditors rights, corporate governance, energy, banking, contract and real estate disputes. He received his law degree from Fordham University School of Law in 1980, where he was managing editor of the *Fordham Law Review*.

As one of Chadbourne's leading trial attorneys, he has first-chaired over 40 trials to verdict and arbitrations to award,

In the commercial litigation arena, Mr Hall has handled high-profile cases involving merger and acquisition agreements, licensing arrangements, major commercial leases, shareholder and partner agreements, restrictive covenants, letters of credit, construction contracts and guarantees. In 2006, he defeated a \$34 million arbitration claim brought against the owner of a worldwide satellite system by its Asian licensee for breach of contract and fraud, and obtained an award of legal fees. In 2004, he obtained a defense verdict in federal court for a major insurance broker, which was accused of failing to secure insurance coverage for a Caribbean oil refinery that thereafter sustained hurricane damage.

In the creditors rights area, he has recovered hundreds of millions of dollars for lenders on defaulted financings, and has successfully defended financial institutions against dozens of lender liability claims. He recently achieved a substantial settlement in litigation to recover on a \$75 million loan to LJM2, an Enron-related partnership. He is representing the secured lenders in a major homebuilder bankruptcy, defending fraudulent conveyance claims involving a \$500 million financing.

He has litigated extensively in the energy industry and, on behalf of one power project developer, achieved a mid-trial settlement of \$29 million, the largest settlement ever in a lawsuit against the State of New York. He has defended corporate officers and directors in a variety of lawsuits, including claims for securities fraud, breach of fiduciary duty and corporate waste, and has handled coverage disputes under D&O insurance policies.

Mr Hall is a member of the Litigation Section of the International Bar Association and of the American Bar Associations Commercial and Banking Litigation Committee and Committee on International Litigation. He is also a member of the New York State Bar Association's Litigation Section and a member of the Federal Bar Council.

Mr Hall is a regular columnist for the *New York Law Journal* on commercial litigation issues. He has also served as editor of *The Banking Law Journal* (published by AS Pratt & Sons). Among dozens of other publications, he is a contributing author to *Commercial Litigation in New York State Courts*, Second Edition (West & NYCLA 2005), and *Business and Commercial Litigation in Federal Courts*, Second Edition (West & ABA 2005).

DAVIS POLK & WARDWELL LLP

Throughout the firm's 160-year history, Davis Polk & Wardwell has had one of the leading litigation practices in the United States. We have been recognized for our leadership in such fields as white-collar criminal defense and investigations; securities class actions and enforcement; antitrust; board of directors litigation and strategic counseling; financial crisis and subprime lending-related litigation; intellectual property; M&A-related litigation; insolvency and restructuring; mass torts and products liability; professional liability; and tax controversy. Companies from around the world in every industry, as well as their executives and directors, retain our lawyers for their most significant litigation matters.

Our lawyers are noted for their considerable experience and excellence in trials, criminal and regulatory investigations, congressional inquiries, arbitrations, hearings, appeals and crisis management situations. Nearly one half of our litigators have clerked for federal or state judges, and four have clerked for justices of the U.S. Supreme Court.

Davis Polk has represented clients in many of the most sensitive and high-profile civil, criminal and regulatory controversies and disputes. We have worked at all stages of the litigation process, from internal investigations and grand jury representations, to pretrial and trial work, to appeals and settlements. Recent highlights include the following representations:

- We advised Roche on its hostile bid to acquire Genentech, and represented Roche in more than 30 lawsuits challenging the bid and the transaction ultimately negotiated by Roche. We then structured a global settlement resolving all of the litigation concerning the transaction, which was recently approved by the Court of Chancery of the State of Delaware.
- We successfully represented a group of six banks, led by Citigroup Inc. and Deutsche Bank, in New York and Texas lawsuits relating to the financing of one of the largest-ever leveraged buyouts – the acquisition of Clear Channel Communications by affiliates of Bain Capital and TH Lee Partners. After trial commenced, the litigation was settled as part of a restructuring of the transaction at a lower price and with reduced loans by the bank group.
- We represented Siemens AG in criminal and regulatory matters relating to corruption allegations against the company, including advising on coordination of the company's global defense with respect to international governmental investigations, and we currently represent Siemens before various multilateral development banks and in civil matters arising from the corruption matter. In coordination with the simultaneous settlement of related German proceedings, we successfully structured a court-approved resolution of all criminal and civil investigations by the DOJ and the SEC.
- We successfully defended Morgan Stanley in an action brought by IDT Corporation. The New York Court of Appeals ruled in favor of Morgan Stanley, holding that all of IDT's claims were time-barred and that IDT's unjust enrichment claim based on an allegedly extorted fee failed to state a claim, as that fee was governed by a contract.
- We won dismissal of a securities fraud class action against AstraZeneca Pharmaceuticals in the Southern District of New York. Plaintiffs alleged that the company defrauded investors by failing to disclose certain information regarding a drug for which AstraZeneca was seeking FDA approval.
- We represent Deloitte in connection with a shareholder litigation, as well as criminal and regulatory proceedings, arising from a massive restatement by Royal Ahold, N.V. – the Dutch grocer and former owner of U.S. Foodservice – that was prompted by the discovery of two large-scale frauds. In 2008, we won dismissal of the civil suit against Deloitte and in 2009 we prevailed on appeal before the Fourth Circuit.
- We are defending T-Mobile USA against state and federal class actions in California, Florida, Idaho, New Jersey and Washington that challenge the legality of early termination fees in wireless services contracts, and seek refunds in excess of \$1 billion. In federal court in New Jersey, T-Mobile won preliminary approval of a favorable nationwide settlement of all early termination fee claims.
- We successfully represented Comcast in litigation with the National Football League over telecasting the NFL Network. The litigation included a New York state court action, and an FCC proceeding that was tried before an Administrative Law Judge. During post-trial briefing, the parties entered into a favorable settlement that included a long-term agreement to telecast the NFL Network.
- We successfully represented Pfizer in numerous consumer fraud class actions, including federal multidistrict litigation (MDL), relating to the marketing of Neurontin. We defeated class certification in the MDL and in state courts and have won dismissal of a number of other purported class actions brought on behalf of national and state-wide classes of consumers and third-party payers.
- We represent the Federal Home Loan Mortgage Corporation (Freddie Mac) in connection with a number of matters, including an investigation by the U.S. Department of Justice, and as a creditor in the Lehman Brothers insolvency cases.
- We represented the audit committee of Bear Stearns in its investigation into the collapse of two of its sponsored hedge funds.

New York

450 Lexington Avenue
New York, NY 10017
United States of America
P: (212) 450-4000
F: (212) 701-5800

Menlo Park

1600 El Camino Real
Menlo Park, CA 94025
United States of America
P: (650) 752-2000
F: (650) 752-2111

Washington

Suite 1000 East
1300 I Street, N.W.
Washington, DC 20005
United States of America
P: (202) 962-7000
F: (202) 962-7111

MICHAEL P CARROLL**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: michael.carroll@davispolk.com
Website: www.davispolk.com

Mr Carroll is a partner in Davis Polk's Litigation Department. He has represented a wide range of clients in federal and state jury trials, and in government investigations and administrative trials. He also defends corporations and boards of directors in federal and state class-action litigation. His matters have included record-setting jury verdicts on both the plaintiff and defense sides. Mr Carroll's work also includes confidential internal investigations on behalf of corporations facing potential criminal and regulatory exposure.

Work highlights

- *NFL v Comcast* (FCC Trial) (lead trial counsel for Comcast in dispute concerning telecasting of NFL Channel)
- *In re Clear Channel* (New York and Texas state courts) (lead defense counsel for bank group in litigation over funding of private equity acquisition)
- *In re Tyco Securities Litigation* (New Hampshire federal court) (lead defense counsel for accounting firm in securities class action filed in the aftermath of criminal investigation of Tyco)
- *Oracle v PeopleSoft* (Delaware Chancery Court) (lead counsel for Oracle in its successful acquisition of PeopleSoft)
- *The Common Fund v KPMG* (SDNY 2000) (lead trial counsel for defendant accounting firm; named defense jury verdict of the year by The National Law Journal)
- *In the Matter of KPMG Peat Marwick* (lead trial counsel in SEC enforcement action)
- *Haft v Haft* (DC state court) (lead trial counsel for plaintiff in family business dispute; record jury verdict for client)

Recognition

Mr Carroll is listed as a leading lawyer in *Chambers USA: America's Leading Lawyers for Business* and Legal Media Group's *Benchmark Litigation*.

Of note

- Teacher, trial and litigation courses, Practising Law Institute and New York City Bar programs

Professional history

- Partner, 1989-present
- Associate, 1983-1989
- Law clerk, Hon Walter J Cummings, US Court of Appeals, Seventh Circuit 1982-1983

CAREY R DUNNE**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: carey.dunne@davispolk.com
Website: www.davispolk.com

Mr Dunne is a partner in Davis Polk's Litigation Department and is a member of the management committee. He represents clients in a wide variety of criminal, civil and regulatory matters, including grand jury inquiries, internal investigations, enforcement actions by state and federal agencies, and complex commercial disputes. Most of the cases that he handles involve "parallel proceedings": competing actions and investigations that must be defended simultaneously in multiple forums. His white collar criminal and regulatory matters have involved allegations of securities fraud, insider trading, foreign corrupt practices, money laundering and other financial crimes. He also has extensive experience advising companies, boards and audit committees on compliance and corporate governance issues.

He was a prosecutor in the office of Manhattan District Attorney Robert Morgenthau from 1984 through 1987. Mr Dunne's recent FCPA matters have included assignments in China, Pakistan, Indonesia and the Dominican Republic.

Recently, Mr Dunne obtained a jury verdict of acquittal in the murder trial of Lonnie Jones, a pro bono client, clearing him of all charges and securing his release from prison, where he had been wrongly held for more than five years.

Recent Representations

- Freddie Mac in the Department of Justice's investigation into mortgage-related losses at that company
- A major European bank in an international investigation of Iranian sanctions violations
- An Asian conglomerate in a criminal antitrust inquiry
- A Wall Street investment bank in connection with subprime-related litigation
- Marsh & McLennan in the investigations of potential conflicts in the insurance industry, as well as the \$850 million settlement reached with New York Attorney General Eliot Spitzer and the New York State Insurance Department
- Credit Suisse First Boston in the multiple investigations of "analyst independence" conducted by the SEC, the Department of Justice, the New York Stock Exchange, the NASD and the fifty state securities regulators, and in connection with the obstruction of justice trials of former banker Frank Quattrone
- ImClone in the criminal, Congressional and regulatory investigations of alleged insider trading by Samuel Waksal and Martha Stewart, and a senior executive of WorldCom in the Justice Department's investigation of accounting fraud at that company

Recognition

- In 2008, he was presented by the Fund for Modern Courts with the John J McCloy Award for outstanding contributions to the administration of justice in New York State.
- In 2006, he was chosen by Chief Judge Judith S Kaye to chair her statewide Special Commission on the Future of the New York State Courts.

Listed as a leading lawyer in several legal industry publications including:

- *Chambers USA: America's Leading Lawyers for Business*
- Legal Media Group's *Benchmark: America's Leading Litigation Firms and Attorneys* and *Expert Guide to the World's Leading White Collar Crime Lawyers*
- incisivemedia's (formerly American Lawyer Media) *Corporate Counsel: Best Lawyers in America Guide to Commercial Litigation, Corporate Counsel: Corporate Governance & Compliance Law and Corporate Counsel: Best Lawyers Annual Guide to Criminal Defense Law.*

ROBERT B. FISKE, JR.**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: robert.fiske@davispolk.com
Website: www.davispolk.com

Mr. Fiske is a senior partner in Davis Polk's Litigation Department. Among his practice specialties are professional liability, securities, products liability and white collar crime. He has tried many cases concerning a wide variety of industries and areas of the law in courts across the country. Mr. Fiske also has significant products liability experience and has frequently represented prominent law firms in professional liability matters. His experience as a government prosecutor is extensive.

Representations

- Clark Clifford and Robert Altman in investigations of their roles in the BCCI matter
- Exxon in New York and New Jersey investigations of the Arthur Kill oil spill
- Prudential Securities in the complex of proceedings arising out of its limited partnership sales practices
- Co-counsel in the successful defense of the National Football League in the antitrust suit brought by the U.S. Football League
- The New York Mets in the successful defense of an effort by Cablevision to block the formation of the Mets cable TV network with Time Warner and Comcast
- Siemens AG in the negotiations of a resolution of Department of Justice and Securities and Exchange Commission investigations into international bribery charges

Financial and Securities Experience

- Representation of General Electric, Exxon, Bankers Trust and other clients in securities actions
- Obtained a reversal and judgment of acquittal in the Eleventh Circuit Court of Appeals of the mail fraud conviction of David Brown, former chairman of the board of General Development Corporation

Products Liability Experience

- Successfully defended a \$4 billion suit arising out of the Three Mile Island accident, brought by General Public Utilities against Babcock & Wilcox, which had designed and manufactured the nuclear reactor
- Obtained reversals in the Missouri Supreme Court of two multi-million dollar compensatory and punitive damage verdicts against Suzuki after trials involving a rollover of the Suzuki Samurai sport-utility vehicle

Government Prosecutorial Experience

- Assistant US Attorney, Southern District of New York, 1957-1961
- US Attorney, Southern District of New York, 1976-1980; served as Chairman of the Attorney General's Advisory Committee of US Attorneys
- Independent Counsel, Whitewater Investigation, January to October 1994

During his four-year term as US Attorney, Mr. Fiske personally handled a number of important cases, including:

- The conviction of narcotics kingpin Leroy "Nicky" Barnes
- The labor racketeering conviction of Anthony Scotto and Anthony Anastasio
- The representation of Attorney General Griffin B. Bell in connection with contempt proceedings in the Socialist Workers Party litigation

Public Service Experience While at Davis Polk

- Represented the Judicial Council of the US Court of Appeals for the Fifth Circuit in disciplinary proceedings against a US District Judge
- Chairman of a Judicial Commission on Drugs and the Courts appointed by New York State Chief Judge Judith S. Kaye
- Member of the Commission for the Review of FBI Security Programs (Webster Commission).

DENNIS E. GLAZER**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: dennis.glazer@davispolk.com
Website: www.davispolk.com

As a member of Davis Polk's Litigation Department, Mr. Glazer represents clients in securities litigation, mergers and acquisitions and related litigation, regulatory agencies and governmental investigations, and general commercial litigation.

Work highlights

- Completed the successful defense at trial of Delta Air Lines in multibillion-dollar claims brought by Pan American Airways and its creditors
- Has also litigated major cases on behalf of Kohlberg Kravis Roberts, J.P. Morgan, Morgan Stanley, Donaldson, Lufkin & Jenrette, The Limited, Banca Nazionale Del Lavoro in all Parmalat litigation, Collins & Aikman, CVS, Paul Hastings, Janofsky & Walker, Shire Pharmaceuticals, Westar Energy, Royal Bank of Scotland, Richmond International (Cartier, Inc.), E*TRADE and the New York Mets in a wide range of subject areas

Mr. Glazer litigates cases throughout the country relating to significant merger and acquisition transactions (both friendly and hostile), including:

- Abbott Labs' acquisition of Advanced Medical Optics
- Banco Santander's acquisition of Sovereign Bank
- Delta Air Lines' acquisitions of Atlantic Southeast Airlines and Comair
- Dana's acquisition of Echlin
- Hilton Hotels' merger with Promus Hotels
- CVS' acquisition of Arbor Drugs
- Shire Pharmaceuticals' acquisition of Transkaryotic Therapies
- CNOOC's acquisition offer for Unocal
- Procter & Gamble's acquisition of Gillette
- Jefferson Smurfit's merger with Stone Container
- Canadian National Railway's acquisition of Illinois Central

Mr. Glazer also represents boards of directors, special committees and audit committees, and conducts investigations for various boards and committees, including:

- WellCare Health Plans
- JetBlue Airways
- Collins & Aikman
- Lydall, Inc.

Mr. Glazer also spends a significant amount of time representing clients in regulatory matters before the SEC, FINRA and other regulatory agencies. Representative clients in publicly disclosed regulatory matters have included J.P. Morgan, CVS, Paul Hastings, Westar Energy, WellCare Health Plans and ImClone Systems.

Recognition

Mr. Glazer is frequently listed as a leading litigation lawyer in several legal industry publications, including:

- *Chamber's USA: America's Leading Lawyers for Business*
- incisivemedia's (formerly American Lawyer Media) *Litigation 2008 – Best Lawyers in Commercial Litigation*
- American Lawyer Media's *Corporate Counsel: Best Lawyers Commercial Litigation*
- Woodward/White's *The Best Lawyers in America*
- Law & Politics' *New York Super Lawyers*

RONAN P HARTY**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: ronan.harty@davispolk.com
Website: www.davispolk.com

Mr Harty, a partner in Davis Polk's Litigation Department, provides general antitrust counseling to US and non-US companies and represents clients in enforcement agency investigations, domestic and cross-border acquisitions and joint ventures, and litigations.

Representations

- The Kingdom of Sweden in the sale of Absolut Vodka and other brands to Pernod Ricard
- Gillette in its acquisition by Procter & Gamble
- Comcast in a wide variety of matters relating to its cable business, including the acquisition of AT&T's cable business
- FirstGroup in its acquisition of the school bus services business of Laidlaw
- CVS in its acquisitions of Eckerd Drugs, Revco, Arbor Drugs and its acquisition of Albertson's freestanding drug stores
- Emerson Electric in numerous acquisitions
- Gibson Greetings in connection with its acquisition by American Greetings
- Hoffmann-La Roche in its acquisitions of Genentech, Syntex and Boehringer Mannheim, and the divestiture of its vitamins business to DSM
- Jefferson Smurfit in its merger with Stone Container
- Zeneca in litigation against Monsanto relating to genetically modified seeds, and with respect to Zeneca's merger with Astra AB, and the formation of Syngenta, the company that combines the agrochemicals businesses of AstraZeneca and Novartis
- The merger of JP Morgan and Chase Manhattan

Recognition

Listed as a leading lawyer in several legal industry publications, including:

- *Chambers Global: The World's Leading Lawyers for Business*
- *Chambers USA: America's Leading Lawyers for Business*
- Practical Law Company's *Cross-border Competition Handbook*
- Legal Media Group's *Expert Guide to the World's Leading Lawyers – Best of the Best US*
- Law Business Research's *Who's Who Legal – International Who's Who of Business Lawyers*

Mr Harty was recognized by Global Competition Review as one of the "40 Under 40" leading antitrust lawyers in the world.

Current Memberships

- Member, Antitrust Law Section, American Bar Association
- Co-chair, International Committee of the Antitrust Law Section, American Bar Association
- Member, International Bar Association
- Co-chair, antitrust committee, International Bar Association
- Council member, legal practice division, International Bar Association
- Member, editorial board, Matthew Bender's publication Antitrust Report

Past Memberships

- Member, editorial board, antitrust law developments (Fifth), American Bar Association Antitrust Law Section
- Editorial co-chair, 2002 Annual Review of Antitrust Law Developments, American Bar Association Antitrust Law Section
- Co-chair, International Antitrust Committee of the Section of International Law and Practice, American Bar Association

DANIEL F. KOLB**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: daniel.kolb@davispolk.com
Website: www.davispolk.com

Mr. Kolb has been a practicing litigator and trial lawyer in both federal and state trial and appellate courts throughout the United States for more than 40 years. His practice has included a wide range of professional liability, securities litigation, general litigation and antitrust matters for various clients, including major accounting firms, industrial corporations and financial institutions.

He has served as head of Davis Polk's Washington DC office and as Practice Coordinator for our Litigation Department.

Work highlights

- Fourth Circuit affirmance in *Public Employees Retirement Association of Colorado, et. al. v. Deloitte & Touche, LLP* of dismissal of purported securities class action claims against Deloitte & Touche, LLP in connection with purchases of the shares of Royal Ahold Corporation
- Second Circuit affirmance in *Lattanzio v. Deloitte & Touche, LLP* of dismissal of purported securities class action claims against Deloitte & Touche, LLP in connection with purchases of the securities of Warnaco Corporation
- Dismissal by the U.S. District Court for the Southern District of New York in re: *Parmalat Securities Litigation* of all securities class action claims against defendants by non-U.S. purchasers
- Supreme Court of New Jersey affirmance of dismissal of all purported claims of fraud against Deloitte & Touche, LLP in connection with its work as auditor for Brunos Corporation
- Successful submission of an amicus brief in the U.S. Supreme Court in *Caperton v. Massey Corporation* on behalf of major corporations and business organizations seeking a decision that the due process clause of the U.S. Constitution required recusal by a justice of the Supreme Court of West Virginia who had received exceptionally large campaign contributions from a party
- Successful submission of an amicus brief to the U.S. Supreme Court in *Haywood v. Drown* on behalf of law school professors seeking reversal of a New York Court of Appeals decision affirming the State's grant of immunity to corrections officers from civil rights-based damage claims

Recognition

Mr. Kolb is listed as a leading lawyer in *Chambers USA: America's Leading Lawyers for Business*.

Current Memberships

- Fellow, American College of Trial Lawyers; former National Chair of the College's Access to Justice Committee
- Member, Audit Committee, New York City Bar; former Vice President and Chair of the Executive, Judiciary and Litigation Committees
- Member of the Board, Lawyers' Committee for Civil Rights Under Law; former National Co-Chair
- Vice Chair, Board of Directors, The Legal Aid Society

Past Membership

- Chair, Antitrust Section, Clayton Action Section 7 Committee, American Bar Association

Professional history

- Partner, 1973-present
- Associate, 1965-1973

DENIS J. MCINERNEY**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: denis.mcinerney@davispolk.com
Website: www.davispolk.com

Mr. McInerney is a partner in Davis Polk's Litigation Department, representing corporate and individual clients in grand jury and regulatory investigations, criminal and civil trials, internal investigations and general civil litigation.

From 1989 to 1994, he was an Assistant US Attorney for the Southern District of New York, serving as a deputy chief of the Criminal Division from 1993 to 1994. In 1994, he served as an Associate Independent Counsel in the Whitewater Investigation with Independent Counsel Robert B. Fiske Jr.

Mr. McInerney has extensive trial experience as a prosecutor and defense attorney, including his service as second chair in the criminal trial of Arthur Andersen in the US District Court for the Southern District of Texas, and as lead trial lawyer for the former chairman and chief executive officer of an investment bank who was tried on insider trading charges in the US District Court for the Southern District of New York.

Recent Representations

- Victims of the Madoff fraud
- Several large financial, industrial, retail and gaming institutions, including CVS Caremark Corporation, Siemens AG, and the New York Racing Association
- Several individuals, including the former chairman and chief executive officer of Computer Associates and various senior executives at hedge funds in connection with a variety of federal and state criminal and regulatory matters

Recognition

Mr. McInerney is consistently listed as a leading white-collar crime and government investigations lawyer in *Chambers USA: America's Leading Lawyers for Business* and similar publications.

Current Memberships

- Member, New York City Bar, where he has served on the Committee on Professional Discipline, and currently serves on the Committee on Professional and Judicial Ethics
- Trustee, Federal Bar Foundation
- Member, Federal Bar Council
- Member, New York County Lawyer's Inn of Court
- Member, Board of Directors, Finance Committee and Legal Advisory Council, Sanctuary for Families
- Board Member, Fordham Law Alumni Association
- Member, Law Advisory Committee, Fordham Law School

Past Membership

- Member, Committee on Professional Discipline, New York City Bar

He has also appeared as a panelist on a variety of programs regarding current developments in white collar criminal practice, ethics and related topics.

SCOTT W MULLER**DAVIS POLK & WARDWELL**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 450 3800
Email: scott.muller@davispolk.com
Website: www.dpw.com

Mr Muller is a member of Davis Polk's Litigation Department and our global compliance group. His practice focuses on SEC, white collar criminal and complex civil and regulatory investigations and enforcement matters, including transnational matters. From October 2002 through July 2004, he served as general counsel of the Central Intelligence Agency, and from 1979 to 1982, he served as an Assistant US Attorney for the Southern District of New York.

He pioneered the use of the corporate "deferred prosecution" to resolve a federal criminal investigation and has advised numerous domestic and foreign companies, boards and board committees on matters relating to compliance, regulatory and criminal enforcement involving a wide variety of issues, including public corruption, financial reporting and accounting, insider trading, securities, tax, antitrust, environmental, federal procurement and debarment matters.

Mr Muller clerked for the Watergate Special Prosecution Force and the Honorable Francis L Van Dusen, US Court of Appeals, Third Circuit.

Work highlights

Mr Muller has handled numerous internal investigations and has represented and advised financial and industrial companies in matters before the US Department of Justice, the SEC and financial regulators in the US and elsewhere.

Recent Representations

- Siemens AG, Morgan Stanley & Co and others in corruption investigations
- Roche Holdings in criminal and civil antitrust proceedings relating to the vitamins industry
- Prudential Securities and Prudential Insurance in numerous matters relating to, among other things, the sale of over \$3 billion in real estate, oil and gas and other limited partnerships
- Warner Lambert (now owned by Pfizer) in criminal investigations relating to drug marketing and environmental compliance
- Texaco in civil, criminal and derivative matters relating to a civil rights matter
- Law firms and accounting firms in accounting and professional liability matters

Recognition

Mr Muller is listed as a leading lawyer in *Chambers USA: America's Leading Lawyers for Business* and *Legal Media Group's Benchmark Litigation*.

Current Membership

- Member, American Law Institute

Past Memberships and Roles

- Vice chairman, White Collar Crime Committee, American Bar Association
- Chairman of the board, Center for the Community Interest
- Panelist, Practising Law Institute seminars
- Adjunct professor, Georgetown University Law Center (taught seminars in advanced criminal process)
- Speaker on corruption-related topics
- Member, audit committee, National Cathedral Foundation (Washington, DC)
- National trustee, Boys and Girls Clubs of America (1998-2002) (Concord, NH)
- Member, board of governors, St Albans School (Washington, DC)
- Served on the board of trustees of St Paul's School and as chairman of its Alumni Fund

LAWRENCE PORTNOY**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: lawrence.portnoy@davispolk.com
Website: www.davispolk.com

Mr Portnoy is a member of Davis Polk's Litigation Department who represents clients in a wide range of securities, M&A and commercial matters in both federal and state courts and before various regulatory agencies.

Work highlights

Mr Portnoy has also represented clients in National Association of Securities Dealers, New York Stock Exchange and American Arbitration Association arbitrations.

Recent Representations

- Investment banks and other financial institutions as well as industrial and manufacturing companies in class action litigations in federal district courts in New York, Massachusetts, New Jersey, Pennsylvania, Connecticut, Texas, California, Florida and the District of Columbia
- Clients in state court matters in New York, Delaware, California, Louisiana and South Carolina and Securities and Exchange Commission enforcement matters, grand jury investigations, internal investigations and in connection with inquiries from various bank regulators, including the Federal Reserve Banks of New York, San Francisco and Chicago
- Representative clients have included Credit Suisse, Morgan Stanley, CVS, Comcast, Roche, Deloitte & Touche, JPMorgan Chase and Bank of America.

Recognition

Mr Portnoy is listed as a leading lawyer in *Chambers USA: America's Leading Lawyers for Business* and Legal Media Group's *Benchmark Litigation*.

Memberships

- Member, committee on securities litigation, New York State Bar Association
- Member, committee on class actions & derivative suits, American Bar Association
- Member, committee on pre-trial practice & discovery, American Bar Association

Professional history

- Partner, 1996-present
- Associate, 1989-1996
- Law clerk, Hon Ronald SW Lew, US District Court, CD California 1988-1989

JAMES P. ROUHANDEH**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: james.rouhandeh@davispolk.com
Website: www.davispolk.com

Mr. Rouhandeh is a member of Davis Polk's Litigation Department, representing clients in a variety of criminal, civil and regulatory matters. His practice includes representation of clients in grand jury, SEC and corporate investigations, as well as complex civil litigation, including class action securities litigation.

Mr. Rouhandeh has represented a variety of clients in the most well-known investigations and litigations in recent years, including Enron, WorldCom, Global Crossing and the subprime mortgage debacle. His matters typically involve parallel criminal, civil and regulatory proceedings.

Recent Civil Litigation

- landmark denial of class certification in favor of Pfizer in MDL before Judge Patti B. Saris (D. Mass) in which plaintiffs sought \$4.6 billion in alleged damages for payments relating to the off-label use of the prescription drug Neurontin
- unanimous reversal by the U.S. Supreme Court in case representing *amicus curiae* seeking to overturn the application of 21 U.S.C. 843(b) to certain purchasers of controlled substances
- representing Morgan Stanley in a number of litigations relating to mortgage-backed securities
- summary judgment awarding actual and consequential damages in favor of Deutsche Bank in a breach of contract action relating to convertible bonds
- decertification of a class action brought against Pfizer in Pennsylvania
- dismissal of RICO and antitrust claims against Smith & Nephew brought in federal court in New Jersey
- dismissal of all claims against J.P. Morgan, Morgan Stanley, Citigroup and Bank of America in the AOL Time Warner multidistrict securities litigation relating to restatement of earnings following \$10 billion bond offering
- summary judgment on '34 Act claims and dismissal of '33 Act claims brought against TD Securities in federal securities fraud class action brought in federal court in South Carolina following restatement and bankruptcy of Safety Kleen Corp. and indictment of Safety Kleen's top officers
- dismissal of all claims against J.P. Morgan, Citigroup and Bank of America in California state court securities fraud action relating to AOL Time Warner
- summary judgment for J.P. Morgan in federal securities class action in federal court in Michigan relating to Perrigo Company, whose stock dropped 40% in a single day shortly after the then-largest IPO in Nasdaq history
- dismissal of consumer fraud class action against Pfizer in New York state court
- dismissal of all class claims in consumer fraud action against Pfizer in New Mexico state court
- summary judgment for Pfizer in a consumer fraud action brought in federal court in North Carolina and West Virginia

Criminal & SEC Investigations

Mr. Rouhandeh's recent representations include:

- a broker-dealer in an internal investigation
- a major pharmaceutical company in a federal grand jury investigation and related matters that resulted in a resolution with the federal government and all 50 states
- a national law firm in connection with a federal investigation relating to tax opinions
- the foreign parent of a pharmaceutical company in a federal grand jury investigation
- a former Worldcom executive in connection with a federal investigation of alleged accounting fraud
- an individual in a criminal antitrust trial

ROBERT F. WISE, JR.**DAVIS POLK & WARDWELL LLP**

450 Lexington Avenue
New York, NY 10017
Tel: 212 450 4000
Fax: 212 701 5800
Email: robert.wise@davispolk.com
Website: www.davispolk.com

Mr. Wise is a member of Davis Polk's Litigation Department. He has concentrated in commercial and complex litigation, including securities, antitrust, contracts, and business tort cases. His clients in these matters include investment and commercial banks, professional firms, officers and directors, and industrial companies. His practice has involved both trial and appellate advocacy. He has tried jury and non-jury cases in federal and state courts in New York, California, Texas and other states. Mr. Wise has an active securities litigation and SEC enforcement practice on behalf of both issuers and financial institutions.

Work highlights

- Successfully defended a major underwriter in the four-month MiniScribe securities fraud trial before a Texas state court jury that resulted in verdicts against other defendants totaling hundreds of millions of dollars
- More recently has represented a series of issuers in federal securities law Rule 10b-5 class actions
- In a non-securities law trial, he won a defense verdict on contract and fraud claims against a major Japanese bank after a two-week federal jury trial in New York
- In an industrial products liability case, Mr. Wise participated in the trial of the commercial liability claims between the utility operator and the supplier of the nuclear reactor arising out of the Three Mile Island accident
- In his antitrust practice, he represented Morgan Stanley, J.P. Morgan and DLJ in antitrust and securities law investigations, litigation, and settlement negotiations arising out of trading practices in the Nasdaq market
- Is currently representing several investment banks in several federal class litigations challenging various aspects of the initial public offering market and the securities lending business

Recognition

Listed as a leading lawyer in several legal industry publications, including:

- Law Business Research's *Who's Who Legal-International Who's Who of Business Lawyers* and *Who's Who Legal-International Who's Who of Commercial Litigators*
- Legal Media Group's *Expert Guide to the World's Leading Litigation Lawyers* and *Expert Guide to the World's Leading Competition & Antitrust Lawyers*
- incisivemedia's (formerly American Lawyer Media) *Litigation 2008 - Best Lawyers in Commercial Litigation*

Of note

Mr. Wise has participated in a number of panels and other programs sponsored by bar associations and is co-author of a practice book on the 1993 amendments to the Federal Rules of Civil Procedure published by the New York State Bar Association.

Current Memberships

- Fellow, American College of Trial Lawyers
- Member, American Bar Association
- Member, New York State Bar Association

Past Memberships

- Co-chair, Joint Committee on Local Rules, Southern and Eastern Districts of New York
- Trustee, Practising Law Institute
- Member, Executive Committee, Section on Commercial and Federal Litigation, New York State Bar Association
- Chairman, Federal Procedure Committee, Section on Commercial and Federal Litigation, New York State Bar Association
- Chair, Financial Markets Subcommittee of the Insurance Committee of the Antitrust Section, American Bar Association

ROBERT L BAECHTOLD**FITZPATRICK, CELLA, HARPER & SCINTO**

1290 Avenue of the Americas
New York, NY 10104-3800
Tel: 212.218.2100
Fax 212.218.2200
Web: www.fitzpatrickcella.com

Robert L Baechtold is one of the founding partners of Fitzpatrick, Cella, Harper & Scinto. Over the past 40 years, he has prepared, tried and argued intellectual property cases in the District Courts, the ITC and the Federal Circuit, primarily in the fields of pharmaceuticals, biotechnology, chemistry and polymeric materials. He has appeared as lead counsel in litigation for Bristol-Myers Squibb, Warner-Lambert, Merck, Yamanouchi, GD Searle, Novartis, AstraZeneca, Bausch & Lomb, Pharmacia, SmithKlineBeecham, Sanofi-Aventis, American Cyanamid, Takeda Chemical Industries, SC Johnson & Son, Hoechst Celanese, Hoechst-Roussel, American-Maize Products, El du Pont, and Union Carbide, among others.

Some of his recent cases include successfully representing Merck in one of the first cases decided under the Supreme Court's new Medimmune justiciability standard, winning affirmance of the dismissal of certain declaratory judgment counterclaims regarding COSOPT brought by Apotex against our client Merck and asserting Sanofi-Synthelabo's patents against validity challenges to its \$6 billion per year Plavix® product.

Mr Baechtold was named Seton Hall University School of Law's 2009 Distinguished Graduate. He has served as a member of the advisory committee of the Court of Appeals for the Federal Circuit, the board of directors of the American Intellectual Property Law Association, the board of directors of the New York Intellectual Property Law Association, as president of the New Jersey Patent Law Association, and as a member of the board of directors and past-president of the Federal Circuit Bar Association. He was recently elected as a founding fellow of the American Intellectual Property Law Association.

Mr Baechtold has lectured extensively on intellectual property law matters for many professional associations, including the Federal Circuit Bar Association, the Federal Circuit Judicial Conference, the American Intellectual Property Law Association, the New York Intellectual Property Law Association, the Practising Law Institute and the Food and Drug Institute. He has authored papers on various aspects of intellectual property law that have been published by the Practising Law Institute, the *Journal of the Patent Office Society*, IDEA and a number of law reviews.

He received a JD degree, *magna cum laude*, granted by Seton Hall University School of Law, and a BS in chemistry granted by Rutgers University. He is a member of the Bars of the States of New York, New Jersey and Pennsylvania and of several Federal District Courts and Courts of Appeal.

PASQUALE A RAZZANO**FITZPATRICK, CELLA, HARPER & SCINTO**

1290 Avenue of the Americas
New York, NY 10104-3800
Tel: 212.218.2100
Fax 212.218.2200
Web: www.fitzpatrickcella.com

Pat Razzano has over 35 years of experience as principal trial counsel in both jury and non-jury patent, trade mark, copyright and trade secret cases. His trial experience includes mechanical, electrical, chemical, and ANDA patent cases, and he has represented clients in state and federal trial courts, at the International Trade Commission and in commercial arbitrations. He has also been lead counsel in numerous federal appeals cases in the Federal, 2nd, 3rd, 7th, and 9th Circuit Courts of Appeals and served as Special Master for the Court in *Convolve Inc v Seagate*.

Mr Razzano has an extensive practice in patent and trade mark counseling and licensing and is responsible for supervising the patent and trade mark portfolios and prosecution of several major corporations including Mars Inc and BATmark.

Mr Razzano holds a JD from Georgetown University Law Center (1969) and a BSCE from the Polytechnic Institute of Brooklyn (1964).

He is a member of the American Bar Association; New York Bar Association; Virginia Bar Association; the American Intellectual Property Law Association and the New York Intellectual Property Association (of which he is past president). He is former editor-in-chief of *The Trademark Reporter*, a former member of the board of directors of the International Trademark Association; and former director of the Federal Circuit Bar Association.

WILLIAM E SOLANDER**FITZPATRICK, CELLA, HARPER & SCINTO**

1290 Avenue of the Americas
New York, NY 10104-3800
Tel: 212.218.2100
Fax 212.218.2200
Web: www.fitzpatrickcella.com

William E Solander is active in all areas of the firm's litigation practice and has participated in the litigation of numerous patent disputes, including the coordination of litigation occurring on a worldwide basis. Mr Solander's practice has embraced a wide range of technologies including, most recently, anti-platelet inhibitor drugs, anti-cancer drugs, polymorphs, anti-ulcer drugs, structural composites, new battery technologies, and prescription sleep aids. Mr Solander also counsels clients concerning noninfringement, invalidity and freedom to practice in these and other fields. Some of the companies that he has represented or advised include Bristol-Myers Squibb, Cytec, Debiopharm, GlaxoSmithKline, Merck, Monsanto, Novartis, Sanofi-Aventis, Sepracor and Yamanouchi Pharmaceutical.

Recently he represented Sanofi-Aventis and Bristol-Myers Squibb in an appeal before a panel of the Federal Circuit composed of Judges Newman, Lourie, and Bryson which resulted in their affirming Judge Stein's June 19 2007 decision upholding the validity of the patent covering Plavix® (clopidogrel bisulfate), one of the world's best-selling prescription drugs.

He received a JD degree, with honors, from Chicago-Kent College of Law, and a BS in chemistry granted by California State Polytechnic University. He is a member of the Bars of the States of New York, US Court of Appeals for the Federal Circuit and US District Court for the Southern District of New York.



FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LLP

The Firm also has offices in Frankfurt, Hong Kong, London, Paris and Shanghai

Website: www.friedfrank.com

Litigation Department Chairs: William G. McGuinness and Elliot E. Polebaum

Fried Frank litigators represent global corporations and financial institutions in their most challenging, complex and important matters. Our attorneys are active in trial and appellate matters in federal and state courts, and our diverse practice runs the gamut from agency and grand jury investigations to arbitration proceedings. We approach every representation focused on the client's strategic business objectives, appreciating that litigation is useful to the client only if it is in pursuit of those objectives.

We also draw upon the expertise of our other practices as the complexity of any business dispute may require. We do not view litigation as an end in itself; thus we constantly evaluate our progress to make certain that the litigation strategies are advancing the client's goals. We believe our approach places us at an advantage to our adversaries in achieving an outstanding result before courts, regulators or whatever tribunal in which we find ourselves. Because our adversaries ultimately come to understand this, we achieve outstanding negotiated results, as well.

Principal Areas of Work:

Arbitration and Alternative Dispute Resolution

Our experience encompasses international arbitration, domestic arbitration in the jurisdictions in which we practice, the use of alternative dispute resolution (ADR) in all types of litigable disputes, and the creative extension of ADR to fields of practice and participants that have not historically used ADR.

Bankruptcy-Related Litigation

Fried Frank's litigators enable the Firm's restructuring practice to provide clients with expertise in contested matters, both in bankruptcy court and in state and federal courts. Our litigators have a wealth of experience in corporate finance and a keen understanding of the financial markets.

Commercial Litigation

We represent domestic and international companies in a broad range of matters, including complex contract, bankruptcy, financial services, insurance, real estate and antitrust litigation. We represent corporate clients in business tort litigation and also advise boards of directors, issuers and underwriters in disputes relating to pending and potential mergers and acquisitions, equity securities offerings, and debt offerings. In addition, we have extensive experience representing boards, special committees, and special litigation committees in addressing challenges to corporate conduct.

Environmental

We provide clients with a reasoned evaluation of the environmental risks attendant to any transaction. We also advise clients in compliance with a range of statutes, policies and guidelines, represent companies in Superfund and other civil and criminal enforcement proceedings.

Government Contracts

We help clients navigate the complex maze of statutes and regulations at each stage of the government contracting process, from solicitation, award, performance, and termination to cost-performance liabilities.

Health Care Fraud and Compliance

Our long history of representing corporate defendants in criminal, civil and administrative proceedings involving False Claims Act and fraud allegations, as

well as our broad experience in compliance work, have enabled us to be at the very forefront of defending health care entities facing a variety of fraud proceedings.

Intellectual Property and Technology

Fried Frank brings a sophisticated, multi-disciplinary approach to matters involving patents, copyrights, trademarks and other intellectual property rights (IPR). Our lawyers have a long track record of success and innovation in litigating claims for alleged infringement of IPR.

Internal Investigations and Monitoring

Our practice conducts internal investigations on behalf of corporations and their boards of directors, as well as for other private- and public-sector entities often handling investigations that address allegations of fraud and other forms of serious misconduct. We assist company representatives in determining an appropriate response, along with fully and accurately informing management, a board or an audit committee of all relevant facts and whether any violations of law or internal policies have occurred.

Qui Tam

We have been on the cutting edge of qui tam and Civil False Claims Act litigation, often setting precedent, for more than 20 years.

Real Estate Litigation

We represent clients on real estate litigations that arise out of sophisticated transactions, land use and environmental issues. We counsel on real estate-related issues, including disputes over the sale of buildings and building portfolios, rights of first offer and first refusal, condemnation, environmental aspects of real estate development and land use, complex commercial landlord-tenant disputes, disputes under financing documents, and complex commercial real estate valuations, including rent re-set proceedings.

RICO

Our litigators have extensive experience in all aspects of complex RICO litigation, both civil and criminal. We represent securities firms, accounting firms, insurance companies and other financial institutions, as well as manufacturers, retailers and major labor unions, in a wide variety of RICO litigations.

Securities and Shareholder Litigation

We are counsel in numerous class actions and other securities litigations and have broad experience with all federal securities laws including the Private Securities Litigation Reform Act of 1995. We represent issuers, financial institutions, officers, and directors in these matters and have a recognized expertise in derivative actions and major securities arbitrations. We represent special committees, special litigation committees, officers, directors, companies, and financial institutions in shareholder litigation cases throughout the United States.

Takeover and Proxy Contest Litigation

We are experienced in takeover contests, proxy fights and disputed merger transactions. In contested situations, initiating or defending litigation may be critical to the outcome. We advise clients in situations involving unsolicited bids, and we represent them when these bids result in hostile takeover litigation.

White-Collar Criminal Defense

We have a national reputation for success in the defense of corporations and individuals under criminal investigation. We regularly defend clients facing investigations by the U.S. Department of Justice, U.S. Attorneys' Offices, District Attorneys' Offices, the Department of Health and Human Services, the Office of the Inspector General and other federal and state regulatory and law enforcement agencies. We often handle matters with parallel criminal, regulatory, and civil actions.

GARY F BENDERGER**HOWREY LLP**

601 Lexington Avenue, Floor 54
 New York, NY 10022-4629
 US
 Tel: (1) 212 896 6547
 Fax: (1) 212 896 6501
 Email: bendinger@howrey.com
 Web: www.howrey.com

EDUCATION

University of San Francisco, School of Law (JD, 1975), *cum laude*, *University of San Francisco Law Review*, assistant editor, Hastings College (BS, 1972), *cum laude*

Gary Bendinger is co-chair of Howrey's global litigation practice and a member of the management committee in the New York office. He has devoted more than 30 years to complex commercial litigation in courts across the nation. Mr Bendinger is a Fellow in the American College of Trial Lawyers, has been recognized for over 10 years in Best Lawyers in America (in business litigation), and is recognized by Chambers USA in the area of business litigation.

Mr Bendinger has been brought in as lead trial counsel in matters in many jurisdictions, including California, New York and Washington DC. He has tried antitrust, securities and other complex commercial litigation matters in numerous courts. Among his successes, he was hired to act as lead trial counsel in a significant securities case after it had been litigated by another firm for a number of years. Following completion of a five-week trial, judgment was entered in favor of Mr Bendinger's client on all claims. Mr Bendinger also recently successfully defeated claims brought by the SEC following a two-week trial before an Administrative Law Judge.

In addition to his extensive trial experience, Mr Bendinger has served as lead counsel in numerous antitrust, securities, fraud, breach of contract, consumer fraud class actions and intellectual property cases involving billions of dollars in damage claims in federal and state courts. Mr Bendinger also represents clients in regulatory matters and investigations by the SEC, the Department of Justice, the Public Company Accounting Oversight Board and various state boards.

REPRESENTATIVE MATTERS

- *Peshkin v Tremont*. Lead trial counsel for audit firm.
- *Melissa Lee v Carter-Reed LLC, et al*. Lead trial counsel for Carter-Reed in class action alleging numerous consumer claims under New Jersey state law. Successfully opposed class certification in the lower court and on appeal.
- *Forlenza, et al v Dynakor Pharmacal, LLC*. Lead counsel for most defendants in a purported class action alleging violation of the California Consumers Legal Remedies Act, California Business and Professions Code, common law fraud and other asserted claims.
- *King & King Enterprises v Champlin Petroleum Company*. Represented plaintiff in a price-fixing antitrust suit against Champlin. After a multiweek trial, the jury returned a verdict awarding more damages than had been requested. The Tenth Circuit affirmed and certiorari was denied. In addition to the result itself, this case is significant because the court found—and the Tenth Circuit affirmed—that as a matter of law the defendant had fraudulently concealed their unlawful conduct.
- *In re Imergent Securities Litigation*. Lead trial counsel for Grant Thornton in defense of a purported securities class action.

PROFESSIONAL AFFILIATIONS

- Fellow, American College of Trial Lawyers

FREDERIC S. FOX**KAPLAN FOX & KILSHEIMER LLP**

850 Third Avenue
New York, NY 10022
P 212.687.1980
F 212.687.7714
E-mail: ffox@kaplanfox.com
www.kaplanfox.com

Fred Fox first associated with Kaplan Fox in 1984, and became a partner in the firm in 1991. He has concentrated his work in the area of class action litigation. Mr. Fox has played important roles in many major class action cases. He was one of the lead trial lawyers in two recent securities class actions, one of which was the first case tried to verdict under the Private Securities Litigation Reform Act of 1995. Mr. Fox currently represents many institutional investors including governmental entities in both class actions and individual litigation. Mr. Fox is a frequent speaker and panelist on a variety of topics including securities litigation and corporate governance.

In the consumer protection area, he currently serves on the Plaintiffs' Steering Committee in the Baycol Products Litigation where there have been more than \$350 million in settlements. Additionally, he is serving as one of the Co-lead Counsel in *In re RC2 Corp. Toy Lead Paint Products Liability Litigation* pending in the Northern District of Illinois.

Mr. Fox is the author of "Current Issues and Strategies in Discovery in Securities Litigation," ATLA, 1989 Reference Material; "Securities Litigation: Updates and Strategies," ATLA, 1990 Reference Material; and "Contributory Trademark Infringement: *The Legal Standard after Inwood Laboratories, Inc. v. Ives Laboratories*," University of Bridgeport Law Review, Vol. 4, No. 2. Mr. Fox graduated from Queens College in 1981 and Bridgeport School of Law in 1984. During law school, Mr. Fox was the notes and comments editor of the University of Bridgeport Law Review.

Mr. Fox is admitted to practice in the State of New York and before the U.S. Courts of Appeals for the Fourth, Fifth, and Sixth Circuits and the U.S. District Courts for the Southern and Eastern Districts of New York. He is a member of the American Bar Association, Association of the Bar of the City of New York, and the American Association of Justice (Chairman, Commercial Law Section, 1991-92).

BARRY H BERKE**KRAMER LEVIN NAFTALIS & FRANKEL**

1177 Avenue of the Americas
New York, NY 10036
Tel: +1 212 715 7560
Email: bberke@kramerlevin.com

A partner and co-chair of Kramer Levin's white collar defense and SEC regulatory practice, Barry H Berke is a Fellow of the American College of Trial Lawyers. Mr Berke has represented individuals and corporations in many sensitive and high-profile investigations and proceedings, and has tried dozens of cases before juries and judges. He has handled major matters involving all aspects of white collar crime, including allegations of securities, accounting and bank fraud, RICO and FCPA violations, tax offenses, bribery, bid-rigging, and embezzlement. Mr Berke has also represented prominent corporations and individuals in class action and other complex litigation.

Mr Berke was profiled in *The American Lawyer's* "Young Litigators Fab Fifty" as one of the 50 leading litigation attorneys in the US under the age of 45. Mr Berke was also selected by *The Best Lawyers in America* as one of the leading white-collar criminal defense lawyers in the US and was recognized as one of the "Top 100 Lawyers in New York" by *Super Lawyers*. In addition, *Chambers USA: America's Leading Lawyers for Business* recognized Mr Berke as a leading litigator in white-collar crime and commercial litigation.

Mr Berke is co-author of the textbook *The Practice of Federal Criminal Law: Prosecution and Defense*, published in January 2006 by Thomson/West as part of its American Casebook Series. Mr Berke has taught courses on criminal law and professional responsibility at New York University School of Law, and lectures frequently on criminal justice issues in a variety of forums. Additionally, he is chairman of the board of directors of the Coalition for the Homeless and a member of the board of directors of the Federal Defenders of New York, Inc. and the City Bar Fund.

Prior to joining Kramer Levin, Mr Berke was a trial lawyer with the Federal Defenders' Office for the Southern District of New York for four years. During that time, he defended individuals accused of a wide range of federal offenses, serving as lead counsel in numerous jury trials and achieving favorable verdicts in a large majority of those cases.

Mr Berke obtained his JD, *cum laude*, from Harvard Law School, and his BA, *summa cum laude*, Phi Beta Kappa, from Duke University.

**KRAMER LEVIN
NAFTALIS & FRANKEL LLP**

NICHOLAS L COCH**KRAMER LEVIN NAFTALIS & FRANKEL**

1177 Avenue of the Americas
New York, NY 10036

Tel: +1 212 715 9118
Email: ncoch@kramerlevin.com

Mr Coch's practice focuses on patent, trademark, unfair competition, trade secret and copyright litigation and transactions and antitrust aspects thereof.

Mr Coch is chairman of the intellectual property and technology law department. In his more than forty years of practice, Mr Coch has handled numerous complex trials, argued myriad appellate issues and has had significant experience in global and US transactions involving intellectual property.

Mr Coch and the Kramer team recently set the new standard for transferring litigations out of the patent friendly Eastern District of Texas by successfully mandamus the Court and having their client's case transferred. Mr Coch and the Kramer team also successfully defended Endo Pharmaceuticals permitting it to compete in the market for OxyContin, the highly profitable painkiller. The District Court, after previously preliminarily enjoining another competitor based on the same patents and having its decision affirmed by the Federal Circuit, found the patents unenforceable because they were procured through inequitable conduct before the PTO. Mr Coch's varied career includes defending the *Associated Press* in *Kregos v The Associated Press*, a copyright infringement action that was among the first to amplify the Supreme Court's Feist decision concerning the copyrightability of databases. Mr Coch was also the lead attorney in *Keene v Paraflex* and *Coach House v Coach and Six*, which clarified the trademark law of aesthetic functionality and acquiescence, respectively. Mr Coch was also lead attorney in successfully obtaining back-to-back preliminary injunctions in patent litigations in *Genentech v Novo Nordisk* and in *Genentech v Bio-Technology General* and in gaining reversal of a summary judgment of invalidity in *Groz-Beckert v Monarch Knitting Machinery*.

Mr Coch is a member of the American Intellectual Property Law Association, the American Bar Association and the New York Intellectual Property Law Association, where he has chaired committees and subcommittees on antitrust, inequitable conduct and patent misuse, trade secrets and FOIA. Mr Coch is registered to practice before the US Patent and Trademark Office.

Mr Coch regularly lectures and writes on intellectual property issues. Such subjects include "Jury Trials in Patent Cases," "Preliminary Injunctions in the 1990's," "Risky Business in the Late 1990's-Tying," "The US Patent System and its Challenge to Competition--Standard Setting, 2003," "Trademarks in the Global Marketplace," "Due Diligence Required of Exporters to the US" and "Trade Secret Considerations in Hiring, Continuing or Terminating Employees."

After receiving his Bachelor of Arts and Bachelor of Engineering degrees from Columbia University, and serving as an officer in the US Navy, Mr Coch earned his JD from the New York University School of Law. Mr Coch was a trial attorney with the US Department of Justice, antitrust division, prior to commencing private practice.

**KRAMER LEVIN
NAFTALIS & FRANKEL LLP**

MICHAEL J. DELL**KRAMER LEVIN NAFTALIS & FRANKEL**

1177 Avenue of the Americas
New York, NY 10036

Tel: +1 212 715 9129
Email: mdell@kramerlevin.com

Mr Dell has almost 30 years of experience as a trial and appellate lawyer who successfully resolves complex business disputes. These include securities, accountants and auditors liability, commercial, real estate, insurance, ERISA, fiduciary and employment class actions and other lawsuits in federal and state courts. He also has extensive experience in arbitrations and mediations (at FINRA, the AAA, JAMS and in other forums). In addition, Mr Dell represents clients in connection with investigations and enforcement proceedings before various federal and state agencies and self-regulatory organizations. Although Mr Dell most often represents defendants, he has obtained many seven-figure judgments or settlements for plaintiffs.

Mr Dell's recent representations include the defense of an accounting firm against class action and other claims arising from the bankruptcy of Parmalat, with alleged losses exceeding \$10 billion; the defense of hedge fund and other administrators and directors against class action and other claims for stock manipulation, death spiral financing and other wrongdoing; the defense of telecommunications companies against claims for fraud and breach of contract; the defense of landlords against claims relating to withdrawals from the Mitchell-Lama program; the defense of health care companies against claims for breach of contract and fraud; the defense of pension fund trustees against class actions claiming breach of fiduciary duty; the defense of accounting firms against claims by clients, third parties and liquidators of bankrupt companies for fraud, breach of fiduciary duty and negligence; the defense of a broker-dealer against class action and other claims of fraud and stock manipulation relating to stock loan trading; the defense of accounting firms against class action and other claims arising from the collapse of hedge funds; the defense of broker-dealers in customer and other securities and derivatives related arbitrations before FINRA; the defense of underwriters in class actions arising from public offerings; the defense of insurance companies in RICO and fraud litigations; and the defense of various corporations and their officers and directors against securities fraud claims.

**KRAMER LEVIN
NAFTALIS & FRANKEL LLP**

GREGORY AARON HOROWITZ**KRAMER LEVIN NAFTALIS & FRANKEL**

1177 Avenue of the Americas
New York, NY 10036

Tel: +1 212 715 9571
Email: ghorowitz@kramerlevin.com

Mr Horowitz has experience in a broad range of areas, including civil and white collar securities law, bankruptcy litigation, professional liability, consumer class actions, environmental liability, intellectual property, and complex commercial arbitration. He specializes in working with expert witnesses, having written and lectured extensively on the subject, and is particularly experienced in issues involving sophisticated valuation, economic analysis, and accounting issues.

Mr Horowitz has had prominent roles in the bankruptcies of MCI/WorldCom (leading the expert work on behalf of the junior MCI creditors), Owens Corning (economic and estimation expert work for the bank creditors), and WCI Steel (lead trial counsel for the Secured Noteholders); securities class actions arising from the Michael Milken/Ivan Boesky scandal and two of the largest Ponzi schemes in US history; major accounting malpractice actions; and private arbitrations for Johnson & Johnson and Procter & Gamble. He has worked with, and against, virtually every leading economic consulting group in the country; numerous prominent accounting firms and investment banks; and many of the nation's most prominent economists and accounting experts.

Among other clients, Mr Horowitz has represented Procter & Gamble, Johnson & Johnson, Liz Claiborne, UBS PaineWebber, and Advest, as well as several major law firms and accounting firms. Significant representations that resulted in reported decisions include: *Bennett v Kirkpatrick & Lockhart* et al, 336 F3d 94 (2d Cir 2003); *Breeden v Kirkpatrick & Lockhart LLP* et al, 268 BR 704 (SDNY 2001); *Fishbaum v Liz Claiborne*, et al, 1999 Fed Sec L Rep 90,676 (2d Cir 1999); *Dinsmore v Squadron*, *Ellenoff, Plesent, Sheinfeld & Sorkin*, 135 F3d 837 (2d Cir 1998); and *Elghanian v Harvey*, et al, 671 NYS2d 266 (1st Dep't 1998).

Mr Horowitz received his JD from Yale Law School and his BA from Wesleyan University.

**KRAMER LEVIN
NAFTALIS & FRANKEL LLP**

GARY P NAFTALIS**KRAMER LEVIN NAFTALIS & FRANKEL**

1177 Avenue of the Americas
New York, NY 10036

Tel: +1 212 715 9253
Email: gnaftalis@kramerlevin.com

One of the nation's leading trial lawyers, Gary P Naftalis was selected as one of the 100 most influential lawyers in America by *The National Law Journal* and as one of the 10 Leading Trial Lawyers in the US by *Legal 500*. He is a Fellow of the American College of Trial Lawyers. For more than 30 years, he represented individuals and corporations in complex criminal, regulatory and civil matters, including those involving allegations of insider trading, market manipulation, accounting irregularities and other financial fraud.

Mr Naftalis successfully won dismissal in favor of Kenneth Langone, former Chair of the New York Stock Exchange Compensation Committee, of all charges brought against him by then Attorney General Eliot Spitzer relating to the compensation of NYSE Chairman Richard Grasso.

He successfully defended Michael Eisner, the CEO of The Walt Disney Company, in the shareholders derivative lawsuit relating to the hiring and termination of Michael Ovitz. After a 37 day trial in the Delaware Chancery Court, Mr Eisner and the other Disney directors prevailed on all counts. The case was chosen as one of the top defense wins of 2005 by *The National Law Journal*.

He recently successfully represented the City of New York in the inquiry relating to the fire at the Deutsche Bank building.

He has also successfully represented numerous securities industry clients, including Salomon Brothers in the investigation of US Treasury auction bidding practices, Kidder, Peabody in the Wall Street insider trading probe, Canary Capital Partners in the mutual fund inquiries and CIBC in the Enron investigation.

Mr Naftalis is also actively involved in representing significant figures and entities in the governmental inquiries and related civil litigation concerning corporate accounting irregularities, including his recent successful representation of the chairman and founder of Global Crossing. He is representing United Rentals in various securities litigations and regulatory matters. Mr. Naftalis also represents the CFOs of Affiliated Computer Services, Cendant, Bristol-Myers Squibb, a director and senior officer of Tyco in securities class action and ERISA litigation and the former CEO of Arthur Andersen in Enron civil litigation.

Mr Naftalis received his AB from Rutgers University, his MA from Brown University, and his LLB from Columbia Law School where he was an editor of the *Columbia Law Review*. He served as Deputy Chief of the Criminal Division in the US Attorney's Office for the Southern District of New York.

Mr Naftalis has been a member of the faculty at Columbia and Harvard Law Schools. He is the author or co-author of numerous books and articles including the leading work on the grand jury system - *The Grand Jury: An Institution on Trial* (with Judge Marvin E Frankel) and *Sentencing: Helping Judges Do Their Jobs* (also with Judge Frankel).

**KRAMER LEVIN
NAFTALIS & FRANKEL LLP**

HAROLD P WEINBERGER**KRAMER LEVIN NAFTALIS & FRANKEL**

1177 Avenue of the Americas
New York, NY 10036

Tel: +1 212 715 9132
Email: hweinberger@kramerlevin.com

Harold P. Weinberger heads Kramer Levin's advertising group, and is a Fellow of the American College of Trial Lawyers. He regularly advises clients on prospective advertising and has been lead counsel in the litigation of many false advertising cases under Section 43(a) of the Lanham Act, representing both plaintiffs and defendants, as well as other complex intellectual property matters at the trial and appellate levels and in arbitrations. Mr. Weinberger has also defended class actions alleging that consumers were defrauded by false advertising claims.

Mr. Weinberger's recent false advertising matters include his representation of McNeil-PPC, the manufacturer of Reach® dental floss, in which he obtained an injunction against Pfizer regarding advertising for Listerine® mouthwash. He also obtained a judgment on behalf of Johnson & Johnson enjoining CIBA Vision Corporation from making false claims comparing its O₂OPTIX® contact lenses with ACUVUE® lenses; obtained a verdict dismissing a complaint of Colgate-Palmolive, Inc. that advertising claims by The Procter & Gamble Company comparing its Crest Whitestrips® tooth bleaching product to Colgate's Simply White® product were false; and defeated an attempt by TAP Pharmaceuticals to enjoin advertising for AstraZeneca's NEXIUM®.

Mr. Weinberger's cases have generated a good deal of Lanham Act precedent, including three significant appellate court decisions: *The Procter & Gamble Company v Chesebrough-Ponds, Inc.*, 747 F.2d 114 (2d Cir. 1984); *Sandoz Pharmaceuticals Corp v Richardson-Vicks, Inc.*, 902 F.2d 222 (3d Cir. 1990) and *L&F Products v The Procter & Gamble Company*, 45 F.3d 709 (2d Cir. 1995). Another seminal decision arose from Mr. Weinberger's successful defense of advertising for the Aleve® analgesic, *American Home Products Corp. v The Procter & Gamble Company*, et al 871 F. Supp. 739 (DNJ 1994). In addition, Mr. Weinberger's successful prosecution of the first Lanham Act case dealing entirely with detailing of sales representatives for pharmaceutical products resulted in a significant decision, *Zeneca, Inc. v Eli Lilly and Company*, 1999 WL 509471 (SDNY July 19 1999).

Mr. Weinberger has spoken on issues relating to advertising at cosmetics and pharmaceutical industry legal conferences and at ABA, PLI and other CLE seminars. He has authored numerous publications on the Lanham Act and related false advertising issues. In addition, Mr. Weinberger is a lecturer in law at Columbia University Law School, where he teaches a seminar in false advertising law. Mr. Weinberger has been recognized as one of *The Best Lawyers in America* in advertising law in 2007 and 2008. He is listed in *Super Lawyers*, a special supplement to *The New York Times*, in 2006, 2007 and 2008 and *Chambers USA – America's Leading Business Lawyers* (2006 and 2007). The 2008 edition of *Benchmark: Litigation* ranks Mr. Weinberger one of New York's "Litigation Stars."

**KRAMER LEVIN
NAFTALIS & FRANKEL LLP**

JOSEPH ARMAO**LINKLATERS LLP**

1345 Avenue of the Americas
New York, NY 10105
US

Tel: +1 212 903 9200
Fax: +1 212 903 9100
Email: joseph.armao@linklaters.com

Mr. Armao is a senior partner in the litigation department of Linklaters LLP in New York. His practice focuses on internal corporate investigations, federal and state criminal and regulatory defense and related civil litigation, particularly class-action litigation. He represents clients in a wide variety of industries, including financial services, banking, manufacturing, technology, pharmaceuticals, insurance, and construction management. He has particular experience defending clients against allegations of accounting and securities fraud, foreign corrupt practices, price-fixing, and bank regulatory enforcement. He also has extensive experience advising company managers, boards of directors and audit committees on issues of corporate governance and compliance. During the course of his career, he has acted as lead counsel in numerous trials and arbitrations.

Mr. Armao's assignments have included:

- representing Lloyds TSB in an international investigation of violations of OFAC sanctions and falsification of business records.
- representing the Yokohama Rubber Company Ltd, in a global investigation of price-fixing of marine products conducted by the Department of Justice, the Japan Fair Trade Commission, the European Commission, the UK Office of Fair Trading and other enforcement agencies around the world.
- representing a major US corporation in connection with allegations of FCPA violations in China, South America, and the Middle East.
- conducting internal investigations for a national insurance brokerage in the wake of criminal investigations by Attorneys General around the country into allegations of fraud and conflicts of interest in the insurance industry.
- representing Royal Ahold in its precedent-setting settlement with the SEC in connection with accounting fraud at its former subsidiary, US Foodservice.
- representing Takeda Pharmaceutical Company Ltd in the vitamins antitrust class action, one of the largest price-fixing cases ever filed.

Mr. Armao joined Linklaters in October 2006. He graduated *summa cum laude* from Columbia University in 1979, received an MA from Oxford University in 1981 and his *JD cum laude* from Harvard Law School in 1984. From 1984 to 1991, Mr. Armao served as a prosecutor in the Manhattan District Attorney's Office, where he was chief of the Labor Racketeering Unit and Deputy Chief of the Rackets Bureau. From 1992 to 1994, Mr. Armao served as Chief Counsel to the Mollen Commission, a blue-ribbon mayoral committee, where he led an internationally acclaimed investigation into police corruption and the anti-corruption practices of the New York City Police Department.

Mr. Armao is a member of the Bar Association of the City of New York, where he serves on the Judiciary Committee. In addition, he is a member of the Criminal Justice Section of the American Bar Association, served on the Board of Directors of The Fund for Modern Courts and is a Fellow of the New York Bar Foundation. The New York State Bar Association awarded him the David S. Michaels Memorial Award for Courageous Efforts in Promoting Integrity in the Criminal Justice System.

Linklaters

International Offices: Amsterdam, Antwerp, Bangkok, Beijing, Berlin, Brussels, Dubai, Düsseldorf, Frankfurt, Hong Kong, Lisbon, London, Luxembourg, Madrid, Milan, Moscow, Munich, Paris, Rome, São Paulo, Shanghai, Singapore, Stockholm, Tokyo, Warsaw

Senior Partner: David Cheyne

Managing Partner: Simon Davies

Co-Managing Partners – US: Larry Byrne, Nick Rees

Number of lawyers worldwide: 2,700

Number of US lawyers worldwide: Over 230

Number of lawyers in US: 160

Firm Overview

Linklaters LLP specializes in advising the world's leading companies, financial institutions and governments on their most challenging transactions and assignments. With offices in 26 major business and financial centers in 19 countries, Linklaters is a unified firm with a single management structure that underpins its delivery of first-class, integrated service in all the principal economies in the Americas, Europe, Asia and the Middle East. The firm's global team of over 230 US lawyers advises clients on a wide range of domestic and cross-border deals and cases.

Litigation Overview

Head of US Litigation: Larry Byrne

Linklaters has over 50 US-based litigators who advise and defend clients with significant exposure in cross-border and US litigation. Our New York-based team, which includes ten partners and leading figures in the New York securities, white-collar crime and regulatory litigation bar, has extensive trial and appellate experience before federal and state courts, bankruptcy courts, governmental agencies, and other tribunals. The New York team also includes former prosecutors and regulators.

The team has experience in a wide range of litigation matters including:

- white-collar/regulatory (criminal and civil)
- internal corporate investigations
- US regulatory and compliance
- bankruptcy litigation
- antitrust disputes
- securities litigation
- corporate governance and compliance counseling matters
- class and derivative actions
- financial services
- accounting fraud
- lender liability action

The team has trial and appellate experience before federal and state courts, including the Southern and Eastern districts of New York, bankruptcy courts, governmental agencies, and other tribunals. In addition, we have acted on behalf of our clients as trial counsel in arbitrations in all major forums and related judicial proceedings.

We are part of a powerful international dispute resolution practice spanning 12 jurisdictions in the Americas, Europe and Asia. With more than 200 litigators worldwide, we are a top choice for clients with multi-jurisdictional needs. Our international coverage enables us to provide a single point of contact for advice on cross-border and multi-jurisdictional disputes, and also to respond quickly in a number of places at once.

This global strength gives our US litigation & arbitration team access to the resources we need to handle a US dispute of any scale, and our presence in major foreign jurisdictions enables us to coordinate multi-jurisdictional disputes, investigations, and discovery efficiently within the Linklaters network.

Select litigation representations handled by our US attorneys:

- The Joint Administrators of Lehman European Group Administration Companies in US Chapter 11 cases of Lehman Brothers Holdings and related debtors and Securities Investor Protection Act proceeding of Lehman Brothers.
- Lloyds TSB in an international investigation of violations of OFAC sanctions and falsification of business records.
- Deutsche Bank in all of its Enron-related litigations in the US including defending against the largest securities fraud class action ever filed in the US, and against claims by the Enron estate brought in the Southern District of New York.
- a global defense company in a DOJ investigation involving possible FCPA issues and in a related civil derivative lawsuit which won dismissal in the federal district court.
- Yokohama Rubber Company Ltd, in a global investigation of price-fixing of marine products conducted by the Department of Justice, the Japan Fair Trade Commission, the European Commission, the UK Office of Fair Trading and other enforcement agencies around the world.
- a global investment bank and its subsidiary in litigation in the Cayman Islands involving hedge fund-linked principal protected equity derivative products.
- KPMG International in securities class action arising from Shell's restatement of oil reserves.
- a global investment bank in two lawsuits arising out of its commitment to fund, as part of a six-bank syndicate, the acquisition of Clear Channel Communications by two private equity firms.
- Air France in government investigations of alleged price-fixing in the air cargo business and in the follow-on class action multi-district litigation.
- Director of a major financial company in an investigation for alleged breaches of U.S. Securities Laws in the context of the proposed acquisition of two large corporations.
- Aibel Group Ltd, in their plea agreement with the DOJ to resolve FCPA charges.
- a major investment bank in adversary proceeding brought by HA-LO Industries Inc, arising out of HA-LO's acquisition of an internet start-up company. Linklaters won the dismissal, after trial, of all claims against our client.
- a large investment bank's various entities named as defendants in adversary proceeding complaint alleging both bankruptcy and common law causes of action in Oakwood Homes Chapter 11 cases.
- Royal Ahold, the international food provider, in its precedent-setting settlement with the US Securities and Exchange Commission and the Department of Justice.

JAMES WARNOT

LINKLATERS LLP
 1345 Avenue of the Americas
 New York, NY 10105
 Tel: +1 212 903 9028
 Fax: +1 212 903 9100
 Email: james.warnot@linklaters.com

Mr Warnot is a senior partner in the litigation department at Linklaters in New York. His practice involves a variety of complex commercial litigation and arbitration, with an emphasis on financial services issues, including banking and securities litigation, fraud cases, M&A litigation, and major contracts to name a few. Mr Warnot has particular experience in contract and other cases involving financial and technical issues. He has also been active in various major antitrust class actions over the last few years and has extensive trial experience in bench and jury trials, arbitrations, and evidentiary hearings.

Illustrative matters include representing:

- Air France in government investigations of alleged price-fixing in the air cargo business and in the follow-on class action multi-district litigation, where he acts as liaison counsel for the defense group.
- a global investment bank and its subsidiary in litigation in the Cayman Islands involving hedge fund-linked principal protected equity derivative products.
- Fortis NV and Fortis SA/NV in a securities class action alleging section 10(b) and Rule 10b-5 violations arising out of Fortis' public disclosures during the global credit crisis.
- Air France in multiple antitrust class actions alleging price-fixing in certain geographical markets of Air France's passenger business.
- KPMG International in securities class action arising from Shell's restatement of oil reserves.
- Gold Fields Limited in defense of hostile tender offer by Harmony Gold Mining in NY federal court action asserting securities law violations based on misstatements by Harmony of its gold reserves.

Mr Warnot joined Linklaters in 2003. Prior to that he was a litigation partner at Shearman & Sterling, where he worked from 1991 to 2003, and for twelve years before that he had a career as an engineer at United Technologies and IBM. He graduated from Cornell University in 1978 with a BS in Mechanical Engineering, received an MS in Mechanical Engineering from Rensselaer Polytechnic Institute in 1986, and his JD *summa cum laude* from Pace University in 1991.

Mr Warnot is a member of the American Bar Association, Litigation and Antitrust Sections. He is admitted to practice in New York, Connecticut, multiple federal District Courts and Courts of Appeals, and in The US Patent and Trademark Office.

JEFFREY BARIST

MILBANK, TWEED, HADLEY & MCCLOY LLP
 One Chase Manhattan Plaza
 New York, NY 10005-1413
 Tel: 212-530-5115
 Email: jbarist@milbank.com

Jeffrey Barist is a partner at Milbank, Tweed, Hadley & McCloy and the former chair of the national litigation department. He concentrates primarily on the litigation and arbitration of cases involving issues of financial services, securities, insolvency and international law.

Mr Barist has specialized in the trial and adjudication of complex disputes in trial and appellate courts throughout the US and in arbitral forums in the US and abroad for forty years, appearing as lead counsel for many major US and foreign financial institutions and corporations. He has extensive experience in the trial of jury and non-jury matters, representing both plaintiffs and defendants. Mr Barist has regularly been active in the litigation of issues of international law, and has argued some of the leading appellate cases involving sovereign immunity, act of state, sovereign debt and the recognition of foreign judicial and non-judicial proceedings by US courts. He has litigated on the trial and appellate level some of the most notable recent cases raising issues as to civil liability for violations of international human rights under such theories as customary international law and the Alien Tort Statute.

Mr Barist frequently counsels clients as to the avoidance and management of litigation risks. He has broad experience with ADR and is a member of the CPR: International Institute for Conflict Prevention and Resolution New York Panel of Distinguished Neutrals and its International Panel. Mr Barist is a fellow of the American College of Trial Lawyers, a member of the American Law Institute and a fellow of the American Bar Foundation.

He is recognized as a leading litigation lawyer in various publications, including the Legal Media Group's *The Best of The Best* (the 25 leading commercial litigators in the United States), *the Guide to The World's Leading Experts in Commercial Arbitration*, *the Guide to the World's Leading Litigation Lawyers*, *The PLC Global Counsel Handbook*, *Dispute Resolution*, and the *International Who's Who of Business Lawyers*, among others. He has written numerous articles on litigation, financial practices and international law, has been invited to speak before leading professional associations in the United States and abroad, and has published a book, *Commercial Arbitration Law and Clauses*.

He received his undergraduate degree from Rutgers University, *summa cum laude* and Phi Beta Kappa, and his law degree from Harvard Law School, *cum laude*.

Milbank, Tweed, Hadley & McCloy LLP

One Chase Manhattan Plaza
New York, NY 10005-1413

Tel: 212-530-5000
Fax: 212-530-5219

Chairman: Mel M Immergut
Vice Chairman: Scott A Edelman

Number of partners:
Worldwide: 148
US: 117

Number of other lawyers:
Worldwide: 397
US: 313

Other offices:

Beijing, Frankfurt, Hong Kong, London, Los Angeles, Munich, Singapore, Tokyo, Washington, DC

Firm profile:

Milbank, Tweed, Hadley & McCloy is a pre-eminent global law firm that for more than 140 years has provided innovative legal solutions in some of the world's largest, most complex, "first-ever" litigation. With over 500 lawyers in offices throughout the US, Europe and Asia, the firm provides a full range of legal services to clients facing complex legal and business challenges in forums around the world. Milbank's clients range from prominent multinational financial, industrial and commercial enterprises to governments, institutions and individuals.

Litigation and arbitration practice

Chairman: James N Benedict
Practice group leader: David R Gelfand

Litigation is the largest and fastest growing practice area at Milbank, with 135 attorneys, including 33 litigation partners and four former federal prosecutors, former SEC attorneys, and attorneys who have achieved pre-eminent reputations in the areas of securities litigation, patent infringement, corporate control contests, and reinsurance, among other areas of the law. Milbank litigators serve as lead counsel in some of the largest, most significant and highest profile disputes in the world. The firm regularly represents major US and non-US corporations in bet the company cases ranging from multi-jurisdiction securities litigations to white collar/regulatory investigations to complex disputes involving bankruptcy and corporate restructuring, intellectual property, insurance/reinsurance, mergers, acquisitions and corporate control contests, antitrust, trusts and estates and other commercial litigation.

The attorneys in Milbank's litigation department pride themselves on being trial lawyers. They frequently try cases in federal and state courts throughout the country, and before domestic and international arbitral tribunals in many different kinds of matters. Milbank attorneys have tried prominent cases involving federal securities laws, patent infringement, corporate control contests, accounting fraud, and financial restructuring.

Milbank's attorneys tailor their strategies to each client's specific needs, taking into account the client's goals and risks. Crucial to the firm's effective representation of clients is the development, at the outset of a case, of an approach that will maximize a client's likelihood of success and reduce its risk exposure. The firm's litigation department has the ability to respond to a crisis facing a client by assembling an integrated team of attorneys who have the expertise to explore a wide range of strategic alternatives, from pursuing a consensual resolution to seeking immediate recourse to courts, where appropriate.

Among Milbank's clients are many of the world's leading companies and financial institutions, including ABN AMRO, AllianceBernstein, Apple, AstraZeneca, AXA Financial, American Century, Banc of America Securities, Bank of New York Mellon, Bayer, Capital Group, Citigroup, Credit Suisse Securities, Deutsche Bank, Fidelity, Fisher-Price, Fujitsu, Goldman Sachs, Hitachi, ING, JPMorgan Chase, Legg Mason, Lockheed Martin, Merck, Morgan Stanley, NASCAR, NYSE Euronext, Prudential Financial and UBS.

JAMES N BENEDICT**MILBANK, TWEED, HADLEY & MCCLOY LLP**

One Chase Manhattan Plaza
New York, NY 10005-1413

Tel: 212-530-5696
Email: jbenedict@milbank.com

James N. Benedict is the chairman of the litigation department of Milbank, Tweed, Hadley & McCloy and head of its securities litigation practice group.

Mr. Benedict specializes in complex commercial litigation, with emphasis on multiparty class and derivative suits in state and federal courts throughout the nation. In his more than 35 years of practice, Mr. Benedict has handled a wide variety of trial and appellate civil litigation, involving securities, antitrust and other issues for some of the largest and best known corporations in America, including Citigroup, MasterCard International, Merrill Lynch, Prudential Financial and The Coca-Cola Company.

Mr. Benedict has handled more than 150 major class and shareholder derivative actions alleging violations of state and federal antitrust and securities laws, including some of the largest class actions in the nation, such as *In re Initial Public Offering Securities Litigation* (SDNY), *In re Merrill Lynch & Co Research Reports Securities Litigation* (SDNY), *In re Enron Corporation Securities, Derivatives and ERISA Litigation* (SD Tex), *In re Mutual Funds Investment Litigation* (D Md), and *In re VisaCheck/MasterMoney Antitrust Litigation* (SDNY).

In addition, Mr. Benedict has had more than 30 years of experience representing mutual fund investment advisors and their affiliates in litigation under the federal securities laws. During this period, Mr. Benedict has successfully defended more than 100 excessive management fee suits and other actions mounted against some of the largest investment advisors in the nation, including AllianceBernstein, American Century, Capital Research, Citigroup, Deutsche Bank, Dreyfus, Fidelity, ING, Legg Mason, Merrill Lynch, Neuberger Berman, Prudential, and SunAmerica. These suits include *Gartenberg v Merrill Lynch Asset Management, Inc.*, the first case of its kind to be tried on the merits under the Investment Company Act of 1940 and remains the leading case in that area; and *Krinsk v Fund Asset Management Inc.*, the first case to be tried involving the propriety of a Rule 12b-1 distribution plan.

Mr. Benedict was the recipient of the 2009 *Chambers USA* Award for Excellence in Securities Litigation and has recently been selected by *Lawdragon* magazine as one of the 500 leading lawyers in America, one of the nation's 500 top litigators, and also as one of the *100 Lawyers You Need to Know in Securities Litigation*. He has also been recognized as a leading litigator by *The Best Lawyers in America*, *The Legal 500*, *Benchmark Litigation*, the *Guide to the World's Leading Litigation Lawyers*, and *New York Super Lawyers*.

Mr. Benedict received a BA *magna cum laude* in 1971 from St. Lawrence University, where he was a member of Phi Beta Kappa, and a JD in 1974 from Albany Law School at Union University, where he was lead articles editor of the *Albany Law Review*.

SCOTT A EDELMAN**MILBANK, TWEED, HADLEY & MCCLOY LLP**

One Chase Manhattan Plaza
New York, NY 10005-1413

Tel: 212-530-5149
Email: sedelman@milbank.com

Scott A. Edelman is vice chairman of Milbank and a member of the firm's litigation department. Mr. Edelman's practice spans contested civil, criminal and SEC enforcement litigation matters, corporate investigations, as well as providing advice on corporate governance and related issues. He joined Milbank in 1994 and became a partner in 1995. Mr. Edelman served as an Assistant United States Attorney in the Southern District of New York from 1990 to 1994 where he tried numerous securities-related crimes to jury verdict and argued numerous appeals before the Second Circuit.

Mr. Edelman has been recognized as one of the nation's best lawyers by numerous publications, including *Benchmark Litigation*, *Lawdragon's 500 Leading Lawyers in America*, *500 Leading Litigators in America* and the *100 Lawyers You Need to Know in Securities Litigation*. *Chambers USA* has cited Mr. Edelman as a leading practitioner, both in securities and white-collar crime & government investigations.

Mr. Edelman has handled numerous civil litigation matters, including most recently the representation of private equity fund Cerberus Capital Management and its affiliates in defending a claim brought by United Rentals, seeking to compel Cerberus' affiliates to close on a multi-billion dollar merger. After an expedited trial in Delaware Chancery Court, Cerberus obtained complete relief which held that Cerberus' affiliates were not obligated to close the merger transaction. He also represented the REFCO Creditors' Committee in obtaining a \$1.3 billion pre-judgment attachment against, and subsequent \$508 million settlement with, Austrian Bank BAWAG. In addition, Mr. Edelman represented Jardine Lloyd Thomson, one of the world's leading insurance brokerage firms, in a number of civil litigations arising out of the demise of Bennett Funding, one of the largest Ponzi schemes in history.

Presently, Mr. Edelman is representing a large investment bank in the litigation arising out of the Adelphia bankruptcy, the REFCO Trustee in claims against a leading private equity firm, as well as numerous other civil and regulatory matters for a wide variety of financial institution and corporate clients.

Mr. Edelman is a graduate of Yale College, where he simultaneously obtained BA (*summa cum laude*) and MA degrees, both in Economics, and was elected to Phi Beta Kappa. Mr. Edelman is a graduate of Harvard Law School, where he was a member of the *Harvard Law Review* and a John Olin fellow in Law and Economics.

DAVID R GELFAND

**MILBANK, TWEED, HADLEY & MCCLOY LLP**

One Chase Manhattan Plaza
New York, NY 10005-1413

Tel: 212-530-5520
Email: dgelfand@milbank.com

David R Gelfand is the practice group leader of Milbank's national litigation department. He joined the firm as an associate in 1987 and became a partner in 1996.

Mr Gelfand's litigation practice is highly diversified, with a concentration in complex civil and corporate litigation. He regularly represents financial institutions and corporations in class actions, securities and bankruptcy litigation cases, and has tried jury and non-jury trials in state and federal courts throughout the country. He also has extensive experience representing clients in fiduciary and estate litigation.

Mr Gelfand has been recognized as a leading litigator by numerous publications, including *Chambers USA*, *Benchmark Litigation* and *New York Super Lawyers*. He also has authored articles and lectured on various aspects of litigation and trial practice.

Mr Gelfand is admitted to practice before the Bars of the State of New York and the District of Columbia. He is admitted to practice in the US Supreme Court, the US Courts of Appeals for the Second, Fifth, Seventh and Eleventh Circuits, and the US District Courts for the Southern and Eastern Districts of New York, and the Eastern District of Wisconsin.

Mr Gelfand serves on the disciplinary committee of the New York State Supreme Court, First Department. He is a member of the Association of the Bar of the City of New York where he served as a member of the Committee on Judicial Administration. Mr Gelfand is also a member of the American Bar Association and DC Bar Association.

Mr Gelfand received his BA from Vanderbilt University in 1984. He received his JD from Vanderbilt University School of Law in 1987, where he served as an editor of the *Vanderbilt Journal of Transnational Law*.

SEAN M MURPHY

**MILBANK, TWEED, HADLEY & MCCLOY LLP**

One Chase Manhattan Plaza
New York, NY 10005-1413

Tel: 212-530-5688
Email: smurphy@milbank.com

Sean M. Murphy is a partner in the litigation department of Milbank, Tweed, Hadley & McCloy.

Mr Murphy's practice focuses on complex securities matters. He has defended companies in class action and derivative litigation, often involving regulatory investigations by federal or state agencies. Mr Murphy has been recognized as a leading litigator by a number of publications, including the American Lawyer's 2007 list of top 50 litigators in America under the age 45, *Legal 500's* guide to leading lawyers in the US, where he was recognized as "one of the best young lawyers in [securities shareholder litigation] anywhere in the country." He was included in the Lawdragon's list of top 3000 lawyers in the US, and was also profiled as a "rising star" in *Lawdragon's 500 New Stars, New Worlds*. Mr Murphy also has been repeatedly recognized as a leading securities lawyer in *Benchmark Litigation*, *Chambers USA* and *New York Super Lawyers*.

In securities litigation, Mr. Murphy has defended dozens of companies and financial institutions in multi-jurisdictional class actions on a wide range of issues under state and federal securities laws, including claims under the Securities Act of 1933 and the Securities Exchange Act of 1934. He has extensive experience representing mutual fund advisers in class and derivative litigation filed under the federal securities law, including management fee, revenue sharing, conflict of interest, disclosure, fund distribution, 12b-1 fees and fiduciary duty litigation. He has represented some of the largest financial institutions in the country in complex securities cases, including Citibank, Merrill Lynch, Fidelity, Capital Group, AllianceBernstein, American Century, Dreyfus, First Trust Advisers, Legg Mason, Neuberger Berman, Prudential, Royal Bank of Canada, Salomon Smith Barney and Waddell & Reed.

Most recently, Mr Murphy represented American Century in *Baker v American Century Investment Management*, one of the largest mutual fund excessive fee securities actions ever filed. After more than two and a half years of intense discovery and only a week before trial, the plaintiffs voluntarily dropped their billion dollar case, admitting in official court filings that the case was without merit.

Mr Murphy has spoken on a number of panels about complex litigation issues, and has written a number of articles, including "The Trial of a Securities Case" (1996), "Litigation Under the Private Securities Litigation Reform Act" (1997), "Recent Developments in Litigation Under the Investment Company Act of 1940" (2004), "Mutual Funds Under Scrutiny" (2005) and "Securities Plaintiffs Turn to Class Actions Under ERISA" (2008).

Mr Murphy received his Juris Doctorate with honors from Albany Law School, where he was an associate editor of the *Albany Law Review*. He received his Bachelor of Arts with honors from St Lawrence University.

Paul | Weiss

1285 Avenue of the Americas
New York, NY 10019-6064

Tel: 212-373-3000
Website: www.paulweiss.com

Office Locations:

Beijing, Hong Kong, London, Tokyo and Washington, DC

Chair of the firm: Brad S. Karp

Litigation Department Co-Chairs:

Allan J. Arffa, Jay Cohen and Theodore V. Wells, Jr.

Litigation Practice:

From the firm's inception, the Paul, Weiss, Rikfind, Wharton & Garrison LLP Litigation Department has been involved in nearly every high-stakes litigation of its time, handling the most complex and threatening cases; cases that require cutting-edge and ground-breaking litigation strategies; cases that shape the financial markets, corporate board rooms and society for decades to come.

First and foremost, we are trial lawyers. We handle high-stakes disputes in every forum, from state and federal trial and appellate courts to domestic and international arbitrations, and from alternative dispute resolution proceedings to administrative tribunals of all kinds. To each, we bring a sure grasp of the underlying substantive issues and the forensic skills and strategic insights necessary to produce successful results.

As such, our Litigation Department has achieved a reputation for unparalleled excellence. In its January 2006 cover story, *The American Lawyer* selected Paul, Weiss as the best litigation firm in the United States. This Litigation Department of the Year award reflects not only the depth of our litigation practice and our ability to deliver consistently successful results, but also our unique culture of teamwork and our commitment to diversity and pro bono causes.

We believe that successful litigation requires comprehensive, 360-degree strategies carefully calibrated to each client's specific needs, risks and goals, and to the political, economic and social realities of the day. Our mission at all times is to safeguard the client's interests and contain the client's risk and exposure. Our approach takes into account all available tactics, weighing the relative effectiveness, risk and cost of each. We view it as essential to formulate, early in the case, preliminary judgments about the client's exposure, the likelihood of success and the most cost-effective way to proceed. We then work with clients to develop jointly the optimal strategies to accomplish their legal and business goals.

We provide our clients with this focused, cost-effective representation in bet-the-company cases, as well as in traditional commercial actions, and we routinely handle matters on behalf of major corporations as well as entrepreneurs, for whom it is especially important that counsel understand how to achieve expeditious and cost-effective resolutions.

Paul, Weiss is extremely well-prepared to handle the intensive document processing and management needs of complex disputes, having been among the first firms to tackle these issues on a large scale. Since then, we have invested continuously in both technology and personnel, creating a Litigation Support Department that combines technology professionals and lawyers. As a result, we are able to manage efficiently and in-house the information needs of large litigation matters.

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas
New York, NY 10036-6710
US

Tel: 212.336.2000
Fax: 212.336.2222

Firm managing partner:

Robert P LoBue

Litigation department chair:

Steven A Zalesin

More than half the attorneys at Patterson Belknap are devoted to litigation. Our litigating partners have tried hundreds of cases, including many of the most complex in their fields.

Our clients include Fortune 500 corporations, such as multinational pharmaceutical manufacturers, media conglomerates, major banks and accounting and brokerage firms as well as foreign governments, pension funds, insurance companies and individual officers and directors of large companies.

We frequently handle our clients' most critical disputes in fields and industries including intellectual property, such as patents, false advertising, trademark and copyright; law firm defense; mortgage and credit crisis; complex financial disputes; media and entertainment; sports; antitrust; government and internal investigations; creditors' rights; anti-counterfeiting; products liability; and employment.

We are leaders in intellectual property litigation and our attorneys are recognized among the leading practitioners in the nation. As the culmination of the decade-long battle over the patent rights to coronary stents, in the past year Patterson Belknap won two appeals in stent matters affirming trial verdicts for \$1.2 billion. In addition, we pioneered the law of false advertising, having represented consumer products companies in many of the false advertising cases decided by the United States Court of Appeals for the Second Circuit in the past two decades.

The *National Law Journal* recognizes the firm as "a major player in defending law firms against complex liability claims". Our legal defense practice recently won several high profile victories for law firms accused of malpractice and related torts. We have defended legal malpractice, conflict of interest, breach of fiduciary duty and fraud claims, represented lawyers in disciplinary proceedings, untangled disputes over partnership compensation, opposed disqualification motions, and represented firms facing third-party subpoenas.

As one of the few elite firms positioned to be adverse to most major banks and other financial institutions, and with attorneys who have decades of relevant experience in complex financial litigation, we were well positioned to advise clients at the outset of the global financial crisis. Today, our group represents five of the financial guarantee (or monoline) insurers, as well as a variety of other significant players, in these matters. We recently won important pretrial decisions in a series of multi-billion dollar cases we have brought for the monoline insurers at the center of the nation's financial upheaval.

Our widely recognized media and entertainment group continues to secure high profile litigation wins. We represent major media companies, radio and television networks, music companies, cable operators, production companies, publishers, internet companies and well-known entertainers in these matters.

Unique among the top litigating firms for our under-200 lawyer size and one-office structure, we are able to handle bet-the-company litigations in an exceptionally efficient and effective manner for our clients.

GREGORY L DISKANT**PATTERSON BELKNAP WEBB & TYLER LLP**

1133 Avenue of the Americas
New York, New York 10036
Tel: 212-336-2710
Fax: 212-336-2222
Email: gldiskant@pbwt.com

Gregory Diskant is a senior litigation partner at Patterson Belknap, where he served as Chair from 1997-2007. As part of his active trial practice, Mr Diskant regularly tries cases in federal and state courts and before arbitration panels, focusing on complex commercial, securities and intellectual property litigation. He has obtained verdicts totaling more than \$2 billion, with five separate verdicts greater than \$100 million. In jury trials around the country, Mr Diskant has successfully represented both plaintiffs and defendants. Two of his jury victories for plaintiffs were cited as major plaintiff's verdicts of the year and two of his jury wins for defendants were cited as major defendant's verdicts of the year. Most recently, he obtained a final judgment of \$1.2 billion in a pair of long-running patent infringement suits.

Mr Diskant is a fellow of the American College of Trial Lawyers and is ranked in *Best Lawyers in America*® in the areas of Bet-the-Company Litigation, Commercial Litigation and Intellectual Property Litigation. He is also recognized in *Chambers USA* and *Super Lawyers* in the area of Intellectual Property Litigation.

Prior to joining Patterson Belknap Mr Diskant served as Assistant United States Attorney for the Southern District of New York from 1976-1980 and Chief Appellate Attorney in 1980. He also served as a Law Clerk to the Hon Thurgood Marshall, Supreme Court of the United States and the Hon J Skelly Wright, US Court of Appeals for the District of Columbia Circuit.

Patterson Belknap Webb & Tyler LLP

ERIK HAAS**PATTERSON BELKNAP WEBB & TYLER LLP**

1133 Avenue of the Americas
New York, New York 10036
Tel: 212-336-2117
Fax: 212-336-2386
Email: ehaas@pbwt.com

Erik Haas is a partner in the firm's litigation department, concentrating his practice in complex commercial litigation for both domestic and foreign clients. In addition to a wide-range of general commercial disputes, his practice includes matters involving (i) complex securities and securitizations, (ii) pricing and reimbursement fraud, brought under consumer protection statutes and the False Claims Act, (iii) shareholder class actions challenging the fairness of prices paid or disclosures made in mergers and acquisitions, (iv) antitrust and (v) intellectual property litigation, including false advertising, patents and trademarks. Illustrative of his matters, Mr Haas recently secured a \$200 million settlement in an antitrust litigation brought by a large pharmaceutical client.

Mr Haas is one of the founding partners of the firm's subprime and mortgage-backed securities litigation practice. He is the lead litigator on a series of law suits brought for and against financial guarantors that have been commenced since the onset of the subprime mortgage meltdown in 2007. Mr Haas and his litigation team recently secured a sizeable settlement in one of these matters on behalf of an institution initially named as a defendant. As this settlement reflects, Mr Haas's years of securities litigation experience representing international entities in complex derivative disputes, and background in structured finance and accounting, has provided him with a sophisticated understanding of these complex matters.

Another significant component of Mr Haas's practice is the representation of major institutions in investigations and litigations brought under unfair and deceptive act statutes and the False Claims Act arising from allegations of pricing and reimbursement fraud. He was a member of the litigation team that secured the only defense verdict in the multi-district pricing litigation known as the Average Wholesale Price or AWP litigation.

He also regularly defends major corporations against shareholder class action claims brought in state and federal court. Mr Haas recently obtained a series of dismissals of major corporations in such matters.

Mr Haas has represented consumer product companies in false advertising actions brought in federal and state courts. Of note, he successfully recently represented the Federal Deposit Insurance Corporation in six related matters against banks and credit card companies involved in deceptive credit card offerings.

Mr Haas joined the firm in 1993 upon his graduation from New York University School of Law where he was presented with American Jurisprudence Awards. Before attending law school, he spent three years with Arthur Andersen & Company, where he focused on structured finance and securitization transactions, and secured his CPA license.

Patterson Belknap Webb & Tyler LLP

ROBERT P. LOBUE**PATTERSON BELKNAP WEBB & TYLER**

1133 Avenue of the Americas
New York, NY 10036
Tel: +1 212 336-2596
Email: rplobue@pbwt.com

Robert LoBue, Patterson Belknap's Managing Partner, has been a litigator with the firm for more than 25 years. His practice includes both a first-seat role in many of the firm's most significant complex antitrust and other business disputes as well as his long-time focus on intellectual property and First Amendment litigation and counseling. He has extensive experience counseling and representing media entities in resolving complex and cutting-edge issues at the intersection of antitrust and intellectual property. Mr. LoBue has argued numerous appeals in various federal and state courts including the Second, Sixth, Ninth and D.C. Circuits, and the appellate courts of New York, New Jersey and Florida. His extensive trial and appellate experience is recognized by *Super Lawyers* in the area of Business Litigation and by *Chambers USA* in the area of Intellectual Property. *Chambers* notes that he "stands out for his efficient and businesslike approach". He is co-author of the Media Law Resource Center's *50-State Survey of Media Privacy and Related Law* and of law review articles on journalist rights and federal procedure.

Mr. LoBue has served as the firm's General Counsel and Chair of its Professional Responsibility Committee, and has served on bar association ethics committees.

Mr. LoBue is the recipient of the Thurgood Marshall Award conferred by the Association of the Bar of the City of New York for his pro bono service in a death penalty case, and has filed amicus briefs in the U.S. Supreme Court on behalf of retired federal judges in several landmark cases decided in the past few years relating to the "War of Terror."

Prior to joining Patterson Belknap, Mr. LoBue served as Law Clerk to the Hon. David N. Edelstein, U.S. District Court for the Southern District of New York. He received his AB from Brown University and his JD from the University of Pennsylvania Law School.

Patterson Belknap Webb & Tyler LLP

JEFFREY ID LEWIS**PATTERSON BELKNAP WEBB & TYLER LLP**

1133 Avenue of the Americas
New York, New York 10036
Tel: 212-336-2549
Fax: 212-336-2544
Email: jidlewis@pbwt.com

Jeffrey Lewis, a chemical engineer, is a member of the firm and a registered patent attorney concentrating his practice in patent litigation. A graduate, cum laude, of Benjamin N Cardozo School of Law, Mr Lewis served as an Alexander Judicial Fellow to Hon Marion T Bennett of the US Court of Appeals for the Federal Circuit. He has represented both patentees and accused infringers in all aspects of patent litigation. Mr Lewis has represented chemical and pharmaceutical companies, including the pharmaceutical innovator in numerous Abbreviated New Drug Application (ANDA) patent litigations and also has represented companies in many other technology areas. He also regularly counsels clients on intellectual property matters, including providing formal opinions, and represents them in transactions. In addition, Mr Lewis is an Adjunct Professor of Law at Benjamin N Cardozo School of Law, where he teaches a seminar on Biotechnology and Pharmaceutical Patent Law primarily for LLM and third year students.

Mr Lewis is a fellow of the American Intellectual Property Law Association (AIPLA). The AIPLA criteria for being named a fellow are outstanding service to the association, prominence within the intellectual property profession, learned contributions to the profession, and observance of the highest standards of ethical conduct. Prior to nomination as a fellow, Mr Lewis served a three-year term as a member of the board of directors of the AIPLA; prior to joining the board, he served as chairman of the Patent Litigation Committee and the Markman Subcommittee on Claim Interpretation. He was Counsel of Record for AIPLA as *amicus curiae* in both *Quanta Computer, v GE Electronics*, and *KSR Int'l Co v Teleflex* before the Supreme Court, and appeared for AIPLA in the seminal en banc Federal Circuit case on patent opinions of counsel, *Knorr-Bremse Systeme Fuer Nutzfahrzeuge GmbH v Dana Corp*. Mr Lewis is also active in the New York Intellectual Property Law Association, he now serves on its Amicus Committee and previously chaired the Pro Bono Committee, and the American Bar Association's Intellectual Property Section where he chaired a subcommittee on Willful Patent Infringement. He is also a member of the American Institute of Chemical Engineers. Mr Lewis is on the advisory board of *IP Litigator* magazine, and also is a frequent author and lecturer on patent and patent litigation issues.

Patterson Belknap Webb & Tyler LLP

STUART E POLLACK



DLA PIPER

1251 Avenue of the Americas
New York, New York 10020-1104
Tel: 212-335-4964
Fax: 212-884-8464
Email: stuart.pollack@dlapiper.com

Stuart Pollack's practice focuses on patent litigation. Dr Pollack has extensive trial experience in federal court and has helped obtain favorable judgments in several suits on behalf of pioneer drug companies, including suits brought under the Hatch-Waxman Act against potential generic entrants. His work has focused on pharmaceutical products and drug substances, polymers, optics, and chemical reactors, and he has also worked on cases involving mechanical inventions. He has successfully represented companies in suits at the International Trade Commission.

Dr Pollack's victories include a recent bet-the-company matter, in which he helped secure a judgment of infringement and a permanent injunction for a client in the US District Court for the District of Delaware following bench trials on validity and inequitable conduct against an ANDA applicant. The court found the patent at issue valid and enforceable. The patent covers the client's largest-selling pharmaceutical product, with nearly \$3 billion in annual sales. The US Court of Appeals for the Federal Circuit affirmed the ruling without opinion.

He also helped to secure a major patent ruling in the US District Court for the District of New Jersey in favor of a Fortune 50 pharmaceutical company. This critical case involved the client's largest selling pharmaceutical product, an antipsychotic drug which sold approximately \$2 billion annually. The US Court of Appeals for the Federal Circuit affirmed the ruling without opinion.

Dr Pollack also counsels clients on their patents, and provides validity and freedom-to-operate opinions. He has also helped obtain patents for his clients in pharmaceutical and chemical technology at the Patent and Trademark Office.

Dr Pollack has published more than a dozen peer-reviewed papers involving metal clusters and nanotechnology for scholarly journals, such as those published by the American Physical Society.

Dr Pollack received his JD from Columbia Law School (Kent Scholar). He holds a PhD from Northwestern University in Physical Chemistry, specializing in metallic systems, including metal clusters. He also received his MS in Chemistry from Northwestern University and his BA in Chemistry from the University of Rochester.

SAUL B SHAPIRO



PATTERSON BELKNAP WEBB & TYLER LLP

1133 Avenue of the Americas
New York, New York 10036
Tel: 212-336-2163
Fax: 212-336-2396
Email: sbshapiro@pbwt.com

Saul Shapiro is a litigator, with a particular focus on complex commercial litigation, as well as intellectual property disputes. He has won the dismissal of numerous cases on pre-trial motions. He has also been lead counsel in seven trials, and he has been victorious in all four of the jury trials he has taken to verdict. Mr Shapiro is an experienced appellate lawyer, and has conducted numerous internal investigations.

Mr Shapiro's complex commercial practice includes regularly representing clients in a broad range of financial industry disputes. He has recently handled two corporate espionage cases on behalf of significant corporate clients. His experience also includes securing one of the largest lawsuit recoveries ever against a Big Four accounting firm in a case alleging audit malpractice and fraud.

Mr Shapiro is co-chair of the firm's media and entertainment practice team, regularly representing entities ranging from major media and information services conglomerates to cable operators to internet companies in a broad range of disputes, as well as critical internal investigations. Recently, on behalf of a cable system operator, he obtained a preliminary injunction enjoining satellite providers from airing nationally broadcast television commercials. He then successfully argued the appeal in the case, which led the Second Circuit to redefine several key doctrines in the law of false advertising.

Mr Shapiro has been recognized as a Local Litigation star for New York each of the three years that *Benchmark* has been compiling its list of top litigators. Mr Shapiro is also recognized as a leading practitioner in *Chambers USA*. *Chambers* has said of Mr Shapiro, "[a] highly regarded player, the 'very responsive and creative' Saul Shapiro is admired for his 'depth of experience both in intellectual property issues and in litigation generally.' Clients found that 'he excels in internal investigations...as well as exercising good judgment so that disputes can be resolved as expeditiously and cost-effectively as possible.'" Clients also praise Mr Shapiro in *Chambers USA* for "his understanding of the pressures facing clients" and "his amazingly quick turnaround times."

He is a 1986 graduate of Yale Law School, where he was an editor of the *Yale Law Journal*. After law school, he clerked for the Hon Robert L Carter in the Southern District of New York, before joining Patterson Belknap.

He has also received Martindale-Hubbell's highest "AV" rating and has been named by *Super Lawyers* in the area of general litigation.

Mr Shapiro is presently serving his second term on the firm's management committee.

Patterson Belknap Webb & Tyler LLP

PETER W TOMLINSON**PATTERSON BELKNAP WEBB & TYLER LLP**

1133 Avenue of the Americas
New York, New York 10036
Tel: 212-336-2977
Fax: 212-336-2343
Email: pwtomlinson@pbwt.com

Peter Tomlinson is a partner in the firm's litigation department, concentrating his practice in complex financial litigation, law firm defense and internal investigations. His recent victories include playing a key role in obtaining a \$298.5 million settlement from a major accounting firm in a fraud and negligence case. Mr Tomlinson also represents law firms in high-stakes cases. He is now representing a national law firm in a suit brought by a former hedge fund client seeking \$420 million in damages based on allegations of malpractice, conflict of interest and fraud.

Mr Tomlinson graduated from Dartmouth College and received his JD from Emory University School of Law. He served as a Law Clerk to both the Hon Raymond J Dearie, US District Court for the Eastern District of New York, and the Hon Will Garwood, US Court of Appeals for the Fifth Circuit. He joined Patterson Belknap in 1996.

Patterson Belknap Webb & Tyler LLP

STEPHEN P. YOUNGER**PATTERSON BELKNAP WEBB & TYLER**

1133 Avenue of the Americas
New York, NY 10036
Tel: +1 212 336-2685
Email: spyounger@pbwt.com

Stephen Younger, President-Elect of the New York State Bar Association, is a leading commercial litigator who is also well-known for his alternative dispute resolution work. Having been with Patterson Belknap since 1983, Mr. Younger has more than 25 years of experience as a commercial litigator. As a seasoned trial lawyer, he has tried many cases in federal and state court and before arbitration panels. He also frequently argues appeals, particularly in the appellate courts of New York. Based on his significant ADR experience, he is often called on to serve as an arbitrator or mediator in high-stake matters.

Mr. Younger's clients include financial institutions, mutual funds, hedge funds, pension funds and venture capital firms involved in commercial, securities and real estate disputes. He has also developed an extensive practice representing Latin American companies in U.S.-related matters.

In addition to his elected position with the State Bar, Mr. Younger has sat on numerous New York State Bar Association committees. He is past Chair of the New York State Bar Association's Commercial and Federal Litigation Section, having previously served as Chair of its Securities Litigation Committee and of its ADR Committee. He was Transition Director for New York State Attorney General, Andrew M. Cuomo and is currently a member of the Transition Committee for New York County District Attorney, Cyrus Vance. He is the Chair of the Executive Committee of the CPR Institute for Dispute Resolution. Mr. Younger is counsel to the New York State Commission on Judicial Nominations which nominates New York's Court of Appeal Judges, and is a member of the First Department Judicial Screening Committee. He currently serves on the Advisory Committee to the Commercial Division of the New York State Supreme Court. He also served as a member of the Chief Judge's ADR Task Force. A long time Trustee of Albany Law School, Mr. Younger is past president of its National Alumni Council.

Mr. Younger is a fellow of the American Bar Foundation and President-Elect of the New York State Bar Association; he is recognized in *Best Lawyers in America*® in the areas of Alternate Dispute Resolution and Appellate Law and named in *Super Lawyers* in the area of Business Litigation.

Mr. Younger has spoken at more than 100 seminars and written over 30 articles in the fields of securities litigation, commercial arbitration and international dispute resolution.

Prior to joining Patterson Belknap, Mr. Younger served as Law Clerk to the Hon. Hugh R. Jones, Associate Judge for the New York Court of Appeals. He received his BA, cum laude, from Harvard University and his JD, magna cum laude, from Albany Law School.

Patterson Belknap Webb & Tyler LLP

STEVEN A ZALESIN



PATTERSON BELKNAP WEBB & TYLER LLP

1133 Avenue of the Americas
New York, New York 10036
Tel: 212-336-2110
Fax: 212-336-2111
Email: sazalesin@pbwt.com

Steven Zalesin is chair of the firm's 100-lawyer litigation department and deputy managing partner of the firm. A noted trial attorney with substantial first chair experience in intellectual property and complex commercial matters, he has successfully tried numerous false advertising and other IP cases in district courts throughout the US.

For more than 20 years, Mr Zalesin has represented the manufacturers of several of the nation's best-selling nonprescription medicines in a series of landmark false advertising cases that have helped to define the law in this area, and to preserve and grow the markets for our clients' products. For the past several years, he has represented the manufacturer of the leading no-calorie sweetener in a succession of trade dress and false advertising disputes. In 2004 and again in 2008, he won injunctions preventing competitors from selling no-calorie sweeteners in packaging confusingly similar to our client's product. In 2006, Mr Zalesin obtained a string of rulings in six states denying certification of putative classes of consumers who alleged that they had been deceived by advertising for our client's product.

Recently, Mr Zalesin defeated a motion for a preliminary injunction in a lawsuit brought by the manufacturer of the world's top-selling sports drink against its chief competitor. The court determined that the plaintiff was unlikely to succeed on the merits of its false advertising and trademark infringement claims, could not show a risk of irreparable injury, and in any event had asserted claims that were barred by its own unclean hands.

In addition to Lanham Act and consumer fraud matters, Mr Zalesin serves as lead counsel to Fortune 50 clients in the pharmaceutical, biotech, music and computer software industries in cases involving patent and copyright issues. In recent years he has achieved victories on behalf of the largest software company and record label in a variety of intellectual property disputes.

Mr Zalesin has substantial experience defending consumer class actions, and handles a variety of general commercial matters, including licensing and other contract disputes. He is now representing the world's largest healthcare company in a multi-billion dollar dispute over rights to one of the best selling biotech drugs. Mr Zalesin has represented clients in numerous arbitration proceedings, and has successfully argued appeals in several circuits.

Mr Zalesin has been recognized in *Chambers USA* as a leading practitioner in the area of advertising and is regarded as being "top-drawer," and someone who is "a trustworthy and highly desired advertising litigator." Clients praise his "superb conduct in front of judges and incredible industry knowledge."

Mr Zalesin has also been recognized in *The Best Lawyers in America®* in the area of advertising law. He is a member of the editorial board of *Advertising Compliance Service*.

Patterson Belknap Webb & Tyler LLP

Schulte Roth & Zabel

New York
919 Third Avenue
New York, NY 10022
+1 212.756.2000
+1 212.593.5955 fax

Washington, D.C.
1152 Fifteenth Street, NW, Suite 850
Washington, D.C. 20005
+1 202.729.7470
+1 202.730.4520 fax

London
Heathcoat House
20 Savile Row, London W1S 3PR
+44 (0) 20 7081 8000
+44 (0) 20 7081 8010 fax

Litigation Department Contact: Robert M Abrahams
+1 212.756.2355
robert.abrahams@srz.com

Litigation Practice:

The litigation group at Schulte Roth & Zabel serves a wide range of local, national and international clients, including public and private corporations and their officers and directors, investment and commercial banks, investment fund managers and investment advisers, public accounting firms, insurance companies, real estate developers, educational institutions, estate trustees, public interest organizations, partnerships and individuals, among others, in a wide variety of matters. Clients benefit from our extensive trial experience in complex civil and criminal litigation in state and federal courts throughout the United States, as well as our settlement negotiation and alternative dispute resolution experience.

The firm has more than 100 litigators, some in general litigation and others in highly specialized areas, such as antitrust, securities law, regulatory enforcement, internal investigations, complex corporate, trusts and estates, real estate, white-collar criminal defense, anti-money laundering, and bankruptcy, reorganization and creditors' rights. In addition, many of our litigators bring to the table invaluable experience gained from the public roles they played prior to joining the firm. Included among our litigators are four former assistant U.S. Attorneys General, federal prosecutors and legal counsel to Securities and Exchange Commission and other federal agencies. And, when necessary, our litigators can draw upon the legal and business knowledge of partners, special counsel and associates in the firm's 13 other practice groups.

Many matters, because of the amount of damages claimed, the number of parties involved or the complexity of the issues, require significant procedural and administrative expertise and our Information Technology Department has developed sophisticated computer-assisted case management techniques for the efficient conduct of litigation. When clients have been the subject of simultaneous civil, criminal and/or administrative actions, as is often the case, we have achieved consolidation or coordination of these matters, facilitating their defense and reducing costs.

Firm Profile:

Founded in 1969, Schulte Roth & Zabel has approximately 450 lawyers and offers legal counsel and representation in the following areas: litigation, investment management, business transactions, finance, real estate, structured products & derivatives, business reorganization, bank regulatory, employment & employee benefits, tax, environmental, insurance, individual client services, and intellectual property, sourcing & technology. The firm combines legal expertise, technological savvy and business acumen to provide the highest-quality service.

Shearman & Sterling LLP

Firm and Litigation Practice Profile

Shearman & Sterling LLP has been advising many of the world's leading corporations and financial institutions, governments and governmental organizations for more than 135 years. We are committed to providing the highest quality legal advice to our clients.

Our Litigation Practice

With more than 100 lawyers, Shearman & Sterling LLP's litigation practice has the breadth and depth to assist clients in their most high-stakes litigation matters, from complex commercial disputes to matters arising out of virtually every type of corporate transaction, from hotly-contested mergers and acquisitions to nationwide shareholder class action suits to high-profile government investigations and enforcement actions. Our clients often entrust us with their must-win disputes.

Whether in the courtroom, at the bargaining table, or by helping clients avoid risks without litigation, our goal is to generate successful results for our clients.

Our attorneys are experienced in a wide range of litigation matters, including:

Securities Litigation: Our securities litigation practice group lawyers handle shareholder class actions, SEC proceedings, corporate governance issues, contested takeovers, and shareholder disputes. Our securities litigation practice draws on our top-tier corporate transactional practice which has been involved in cutting-edge securities issues for many years.

Criminal Law, Regulation and Enforcement: Our criminal law, regulation and enforcement practice group lawyers include former prosecutors and regulators with extensive experience representing corporate and individual clients in criminal and regulatory proceedings. Recent experience includes major investigations concerning price fixing, the Foreign Corrupt Practices Act, insider trading, and accounting fraud.

Antitrust: Our antitrust practice group lawyers advise on private and regulatory competition matters, including Sherman Act Section 1 price-fixing claims, Sherman Act Section 2 monopolization claims, and claims arising under state antitrust and unfair competition laws. Our antitrust lawyers are located in the United States and throughout Europe, and can represent parties in multiple jurisdictions, and in both private and regulatory proceedings.

Commercial Disputes and Business Law: We have represented corporations, partnerships, joint ventures and other entities in a variety of business-related disputes relating to breach of contract, fraud, professional malpractice, business torts, and insurance and reinsurance matters.

Intellectual Property: Our intellectual property practice includes matters involving patents, trademarks, copyrights, trade dress and trade secrets.

Arbitration: Our renowned international arbitration group has particular expertise in international arbitrations in the areas of construction, energy, business combinations, general commercial, and financial and insurance.

Litigation Practice Head: Stephen Fishbein

Headquarters: 599 Lexington Avenue, New York, NY 10022

Main Phone Number: 212.848.4000

Website: <http://www.shearman.com>

Offices

Abu Dhabi	Menlo Park	Shanghai
Beijing	Munich	Singapore
Brussels	New York	Tokyo
Düsseldorf	Paris	Toronto
Frankfurt	Rome	Washington, DC
Hong Kong	San Francisco	
London	São Paulo	

SIMPSON THACHER & BARTLETT LLP

The most sophisticated clients worldwide consistently entrust Simpson Thacher with their most important litigation problems for one simple reason: our long record of extraordinary results and attention to client needs.

Securities: Our reputation for excellence in securities litigation has made us the firm of choice for leading financial services institutions and their senior management. Current front-page representations include: the Fairfield Greenwich Group in Madoff-related engagements; officers and directors of Lehman Brothers in litigations and investigations related to Lehman's bankruptcy; top-tier underwriters in Fannie Mae and Freddie Mac-related lawsuits; Morgan Stanley's outside directors in subprime mortgage-related litigation; and E Stanley O'Neal, former CEO of Merrill Lynch, in numerous litigations and investigations.

Antitrust: The firm offers unparalleled global experience in every facet of antitrust practice. We recently achieved major antitrust litigation victories on behalf of Staples, MasterCard, Equitas, Express Scripts and the Fidelity family of title insurance companies. We also played a leading role in obtaining regulatory approval for the \$13 billion Sirius-XM merger; the \$3.1 billion sale of DoubleClick to Google; and Blackstone's \$26 billion acquisition of Hilton Hotels. Current headline-making engagements include Wyeth in its \$68 billion sale to Pfizer; and Sanyo Electric in its \$8.6 billion acquisition by Panasonic.

Insurance: We are recognized as the premiere litigation firm for high-stakes insurance and reinsurance disputes. Our recent domestic and international insurance representations have included many of the largest insurance groups, including Travelers, Swiss Re, AIG, Lloyd's of London (Resolute Management), AXA Equitable, SCOR, Equitas, Mitsui-Sumitomo and ACE.

International and Domestic Arbitration: We recently scored a complete arbitration victory for the Hanwha Group and ORIX Corporation in a major dispute against a Korean government entity, and favorably resolved several investment arbitrations for the Dominican Republic. We currently represent French reinsurer SCOR SE in an arbitration in connection with the World Trade Center property insurance program.

Product Liability and Mass Tort: Recent successes include a Supreme Court victory protecting Travelers from Johns Manville-related "direct action" asbestos claims, and a perfect record of "with prejudice" dismissals in alcohol beverage product liability lawsuits against Heineken, Seagram and other producers.

Intellectual Property: Our world class intellectual property litigators are at the forefront of cutting-edge patent, trademark and copyright disputes. Recent achievements include high-profile trial victories for 3Com and Daiichi Sankyo Company in bet-the-company patent litigation.

Business Crimes and Investigations: Our extensive white-collar practice includes defending clients in investigations and cases involving alleged insider trading, fraud, tax, antitrust, money laundering and FCPA violations, representing clients before the SEC and other federal regulatory agencies and conducting internal investigations for companies, boards of directors and Special Litigation Committees.

New York | Washington, DC | Los Angeles | Palo Alto
London | Beijing | Hong Kong | Tokyo | São Paulo (opening 2009)

SIDLEY AUSTIN LLP

SIDLEY

Firm Overview

Sidley Austin LLP, with approximately 1700 lawyers in 16 offices, is one of the world's largest law firms. Sidley combines practical experience, extensive knowledge and a commitment to providing quality legal services responsive to the needs of its local, regional, national and international clients. The firm offers its clients extensive experience in transactional, regulatory and litigation matters spanning virtually every area of substantive law.

Recognition

The firm has been recognized by its clients and by the media for its leadership in its litigation, transactional and international practices.

- Sidley partner Thomas C. Green was recognized as the outstanding lawyer in the area of white collar crime and government investigations at the 2009 *Chambers USA Awards for Excellence*.
- Sidley has been named to *Legal Business'* Global Elite, its designation for the 18 firms "that define the pinnacle of the legal profession," every year since the inception of the award in 2003.
- From 2001 to 2008, the firm has ranked among the top five law firms as issuer counsel by deal size for U.S. debt, equity and equity-related offerings and among the top three as underwriter counsel in the same category.

Pro Bono

Sidley has a long tradition of providing pro bono services. The firm's pro bono policy strongly encourages all lawyers to devote time to pro bono legal matters, including legal assistance to the poor and to charitable, community or other organizations that serve those who would otherwise be unable to afford legal representation. In 2008, Sidley lawyers, legal assistants and staff devoted more than 100,000 hours to pro bono projects. In 2008, Sidley was named as one of four recipients of *The National Law Journal's Pro Bono Awards*. The award was given in recognition of its Veterans Benefits Project, a campaign to secure medical benefits for war veterans. Sidley received the 2007 ABA **Pro Bono Publico Award** for its continuing commitment to providing pro bono legal services.

Diversity

Sidley's recruitment and retention efforts have been both innovative and progressive, demonstrating a commitment to increasing the number of diverse lawyers in the firm. In 2009, 2008 and 2007, Sidley was named one of the Best Law Firms for Women by *Working Mother* magazine and *Flex-Time Lawyers*, a national consulting firm advising lawyers and legal employers on work-life balance and the retention and advancement of women. In 2006, the firm launched its Sidley Scholars Initiative, an innovative program that offers opportunities and resources to minority undergraduate students who plan to pursue a career in law.

Clients

Sidley's strong, diverse client base includes Fortune 100 and 500 companies in a wide range of industries and business sectors, investment banks, commercial banks, public utilities, investment and hedge funds, entrepreneurs and executives, insurance and financial institutions, professional firms, venture capital/private equity firms, partnerships, foundations, non-profit organizations, individuals and government agencies.

Litigation Practice

Sidley has a litigation department of extraordinary depth and range that delivers outstanding results at every stage of the litigation process. More than 600

lawyers in the firm are engaged in litigation or related dispute resolution activities. Sidley's lawyers have successfully litigated an extremely wide range of issues in a variety of industries reflecting the increasingly complex nature of its clients' businesses and the types of disputes in which they become involved.

Sidley's litigation capabilities include: intellectual property, insurance, class actions, products liability, healthcare, securities, corporate, employment, ERISA, white collar, regulatory, alternative dispute resolution, international trade, antitrust, investment banking, transportation, energy, privacy and media. The firm's litigators have obtained precedent setting results that have a profound impact on the law in a number of substantive and procedural areas in the federal and state trial and appellate courts, as well as in the United States Supreme Court.

Sidley's record in the United States Supreme Court is unmatched. In 2009, the firm was named to the *National Law Journal's* "Appellate Hot List" for the second year in a row. Sidley has represented clients on virtually every type of federal legal issue, including bankruptcy, criminal, constitutional, antitrust, transportation, communications, employment, civil rights, tax, government contracts, arbitration and health law. Since the Appellate practice began in 1985, Sidley lawyers have briefed well over 150 cases on the merits before the Court and have argued more than 80 cases. Washington, D.C. office Managing Partner, Carter Phillips, has argued 65 cases in the Supreme Court, and is recognized as one of the Court's premier practitioners. In May 2008, former Acting Attorney General Peter Keisler rejoined Sidley as a partner and a global coordinator of the firm's appellate practice.

Sidley's class action lawyers routinely defend clients during critical junctures when losing is not an option. For example, Sidley represents Citigroup and affiliated entities in various multi-defendant class actions brought under the antitrust laws related to their credit card operations. This includes what is generally considered the largest private antitrust class action in U.S. history – i.e., an action brought on behalf of all U.S. merchants challenging credit and debit card "interchange fees."

Sidley's class action defense team has produced several important victories for clients in financial services, insurance, reinsurance, investment banking, pharmaceuticals, energy and intellectual property. Sidley litigators always critically analyze the client's position and take a case to trial when necessary. For example, Sidley recently concluded a successful jury trial – a multi-district class action in which we represented AT&T. AT&T was accused of conspiring with other major telecommunication companies carriers to fix the rates charged to customers in connection with the federal Universal Service Fund. Plaintiffs sought damages of close to \$500 million, or \$1.5 billion after trebling.

Sidley also has a thriving international arbitration practice. The firm has provided counsel to governments, international corporations and the International Centre for Settlement of Investment Disputes in international arbitration matters. In one significant case, Sidley successfully represented three international clients in the mining industry in a dispute related to a mining site close to the Chinese border. After losing an attempt at injunction, Osram Sylvania, a company owned by German conglomerate Siemens, commenced an ICC arbitration against Sidley's three clients, seeking \$310 million in damages based on purported pretextual breaches of the supply agreements and purported tortious interference. A three-arbitrator panel in Toronto, Canada issued an Award in September 2008 finding Sidley's clients' conduct proper and rejecting all of Osram Sylvania's claims. Because Respondents were the "prevailing party," the Tribunal also awarded the clients a total of \$3.1 million in legal fees and arbitration costs.

BRUCE D ANGIOLILLO**SIMPSON THACHER & BARTLETT LLP**

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 3735
Fax: 212 455 2502
Email: bangiolillo@stblaw.com
Website: www.stblaw.com

Bruce D Angiolillo is a partner in Simpson Thacher & Bartlett's litigation department. His practice focuses on securities litigation, including class actions, derivative actions and contests for corporate control, internal investigations, and complex commercial litigation. Representative cases in the securities area involved: Equity Office Properties, Morgan Stanley, JPMorgan Chase, Enron, Westar Energy, Sirius Satellite Radio, PXRE, Focus Media, Winstar, DOV Pharmaceutical, Bre-X, Prison Realty/CCA, Teleglobe, Smith's Foods, Computervision and WPPSS. He has handled litigations for Blackstone, KKR and other private equity firms in matters arising from their investment activities.

He has been ranked by *Chambers USA* (2005-2009), as a Leading Individual in Securities Litigation in New York and Nationally. *The Best Lawyers in America* (2005-2009) has recognized Mr Angiolillo by awarding him its highest "Bet-the-Company Litigation" and "Commercial Litigation" rankings. *Lawdragon 500* selected him as one of the 500 "Leading Lawyers" and "Leading Litigators" in America (2005-2008). *Legal 500 US* (2007-2009) has also ranked him as a leading litigator.

Mr Angiolillo is a frequent contributor to legal publications on securities and other litigation topics. He is past co-chair of the Practising Law Institute's annual two-day Securities Litigation & Enforcement Institute.

Mr Angiolillo is a member of the American Bar Association, the New York State Bar Association, the Federal Bar Council and the Association of the Bar of the City of New York, where he served on the Committee on Professional and Judicial Ethics from 1991 to 1993 and on the Committee on Professional Discipline from 1994 to 1997. Mr Angiolillo is a Court Appointed member of the Mediation Panel of the US District Court for the Southern District of New York.

Mr Angiolillo was a member of the Presidential Search Committee for Amherst College in 1994 and received the College's Medal for Eminent Service in 1996. He also served as President of the College's Society of Alumni in 2004. From 1995 to 2001, Mr Angiolillo served as a trustee of the Convent of the Sacred Heart School in Greenwich, Connecticut. He is currently a member of the board of directors and secretary of Common Ground Community, which provides innovative solutions to homelessness in New York City.

Mr Angiolillo joined Simpson Thacher in 1980 and became a partner in 1985. He received his BA *magna cum laude* from Amherst in 1974 and his JD from Columbia Law School in 1977. Mr Angiolillo is admitted to practice before the US Supreme Court, the US Courts of Appeals for the First, Second, Third, Fifth, Sixth, Seventh, Ninth and Eleventh Circuits, the US Tax Court and District Courts in various jurisdictions and the Courts of the State of New York.

ANDREW AMER**SIMPSON THACHER & BARTLETT LLP**

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 2953
Fax: 212 455 2502
Email: aamer@stblaw.com
Website: www.stblaw.com

Andrew Amer is a partner at Simpson Thacher & Bartlett in the firm's litigation department. He represents clients in a wide range of commercial litigation, with particular emphasis on reinsurance and insurance-related coverage disputes. He received his undergraduate degree in engineering from Cornell University and his law degree from the University of Pennsylvania, where he was an editor of the Law Review.

Mr Amer has served in the role of national coordinating counsel for various insurers with respect to insurance and reinsurance issues. He has represented insurers in a number of direct insurance coverage actions involving asbestos, pollution and other mass tort claims, as well as a number of significant reinsurance coverage arbitrations and lawsuits against domestic and foreign reinsurers, including *Cigna Re* (52 F3d 1194) and *Unigard* (79 NY2d 576; 4 F3d 1049). Mr Amer has been involved in a number of high-profile reinsurance disputes involving the worker's compensation carve-out market, including matters involving the insolvency of the largest California worker's compensation insurer and participants in the Unicover Pool. Mr Amer has been a frequent speaker at numerous insurance and reinsurance coverage seminars, and has contributed to the treatise *Modern Reinsurance Law and Practice* (Glasser Legal Works, 2000).

Mr Amer is a member of the insurance and reinsurance practice, which received the Award for Excellence in Insurance by *Chambers & Partners* in 2009. Mr Amer is admitted to practice before the US District Court for the Eastern and Southern Districts; the US Court of Appeals for the Second, Third, Fourth, Fifth, Seventh, Ninth and District of Columbia Circuits and the US Supreme Court. He is a member of the Association of the Bar of the City of New York and the American Bar Association (where he co-chaired the reinsurance subcommittee).

KEVIN J ARQUIT



SIMPSON THACHER & BARTLETT LLP

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 7680
Fax: 212 455 2502
Email: karquit@stblaw.com
Website: www.stblaw.com

Kevin Arquit is a partner in Simpson Thacher & Bartlett's litigation department. He focuses on antitrust litigation, transactional and counseling issues. Prior to joining private practice, Mr Arquit was General Counsel of the Federal Trade Commission (FTC), and then director of its Bureau of Competition. Mr Arquit represents a wide variety of companies in high-profile antitrust litigation as well as before Government competition regulatory authorities. He advised Sirius Satellite Radio in antitrust aspects of the announced merger with XM Radio. He also represented DoubleClick in its proposed acquisition by Google, and defended MasterCard in two related actions brought by American Express and Discover. He recently represented Weyerhaeuser in a series of monopolization cases concerning its purchases of logs in the Pacific Northwest. In February 2007, the Supreme Court vacated the original jury verdict in a unanimous decision which established the standard for evaluating the legality of a predatory buying claim. He also recently represented Rinker Group Limited in an antitrust investigation arising from a takeover offer by a competing firm, Cemex. He also has recently represented adidas in the antitrust aspects of its acquisition of Reebok, PanAmSat in the sale of its assets to IntelSat, Abbott in connection with acquiring assets divested during the sale of Guidant to Boston Scientific, Smithfield Foods in its acquisition of the Cook's Division of Con Agra Foods and its purchase of Premium Standard and Chevron USA in the FTC's investigation of pricing practices for gasoline in the US.

Mr Arquit is regularly recognized as one of the world's top antitrust attorneys. He was recently named to The BTI Client Service All-Star Team for Law Firms 2008, a list comprised of 148 attorneys recognized as delivering superior client service to Fortune 1000 clients. From 2007-2009, Mr Arquit was named a leading practitioner in his field by *The Legal 500*; "2005 Global Competition Lawyer of the Year" by *The International Who's Who of Business Lawyers* in its inaugural presentation of the award, and is ranked among the *Chambers* "Global 100" lawyers. Both PLC Competition Law and Global Counsel 3000 recently rated Mr Arquit as the leading individual competition/antitrust lawyer in New York. From 2007-2009, *Chambers USA* and *Chambers Global* gave Mr Arquit the highest ranking, and named him a leading individual lawyer in his field. In June, 2006, Mr Arquit was named co-winner of the US Antitrust Award at Chambers "Awards for Excellence" ceremony.

Mr Arquit is a member of the board of directors of The Appleseed Foundation, a nonprofit network of public interest law centers; the chairman of the board of Children for Children, a non-profit organization dedicated to service learning among children; and the chairman of the board of The Adirondack Museum.

MICHAEL J CHEPIGA



SIMPSON THACHER & BARTLETT LLP

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 2598
Fax: 212 455 2502
Email: mchepiga@stblaw.com
Website: www.stblaw.com

Michael Chepiga is a partner at Simpson Thacher & Bartlett in the firm's litigation department. He represents clients in securities litigation, class actions, derivative actions, and corporate control litigation. Mr Chepiga has handled securities litigation cases involving Fannie Mae, Freddie Mac, Lehman Brothers, Fairfield Greenwich Group, Merrill Lynch, Bear Stearns, AIG, HealthSouth, Hollinger, Vivendi, Winstar Communications, Royal Ahold, Dynegy, Travelers, American Electric Power, and KeySpan. Litigations arising from corporate acquisitions or transactions include Wyeth-Pfizer, Anheuser-Busch, Dollar General, HCA, Toronto Dominion-Banknorth, SunGard Data Systems, Instinet Group, Telecorp/ATT Wireless, Wachovia, Seagate Technologies, American Home Products/Warner Lambert/Pfizer, Chrysler/Kerkorian, KKR/RJR Nabisco, *Paramount v Time Warner*, *Paramount v QVC* and numerous others.

Mr Chepiga served as President of the Legal Aid Society of New York from 1996 to 1998, as a director from 1988 to 1998, and a member of the executive committee from 1992 to 1998. He is now a director of VOLS (Volunteers of Legal Services), a director of The City Bar Justice Center, on the board of advisors of the Yale Law School Center for the Study of Corporate Law, and a fellow of the American Bar Foundation. He is a frequent lecturer on continuing legal education panels and is the author of "Getting and Spending," a play produced at the Helen Hayes Theatre on Broadway in October 1998.

Mr Chepiga joined Simpson Thacher in 1981 and became a partner in 1986. He received a BA *cum laude* from Fordham University in 1970, a PhD in English from New York University in 1976 and a JD from Yale University in 1979. He was a Law Clerk to the Honorable Milton Pollack (SDNY) from 1979 to 1980 and to the Honorable Amalya Kearse (Second Circuit) from 1980 to 1981.

PAUL C CURNIN**SIMPSON THACHER & BARTLETT LLP**

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 2519
Fax: 212 455 2502
Email: pcurnin@stblaw.com
Website: www.stblaw.com

Paul Curnin is co-administrative partner of Simpson Thacher & Bartlett, a partner in the firm's litigation department, and a member of the firm's executive committee. He concentrates on securities matters, takeover litigation, and government and internal investigations. Mr Curnin has represented JPMorgan Chase, KKR, Travelers and WorldCom in securities matters, the US Ambassador to the United Nations in connection with federal investigations, and the deputy secretary of the Treasury in the Whitewater Hearings. He has handled numerous Securities and Exchange Commission enforcement proceedings and class and derivative actions in federal and state court, including the representation of Bear Stearns & Co in connection with In Re Cendant Securities Fraud Litigations. He has conducted numerous internal investigations.

Mr Curnin was lead counsel in *SEC v WorldCom* and negotiated WorldCom's settlement with the SEC. He also represented the outside directors of WorldCom, including its audit committee, in the civil securities class actions suits filed against them, obtaining the dismissal of the Section 10(b) claims against the Audit Committee and negotiating the resolution of all civil exposure facing the outside directors. Mr Curnin is now lead counsel for a major insurer that is the subject of SEC, New York Attorney General and other regulatory investigations, as well as multiple related civil actions.

Mr Curnin joined Simpson Thacher in 1990 and became a partner in 1995. In 2003, he was named one of the country's top "45 Lawyers Under 45" by *American Lawyer* magazine. He is cited in the 2004 through 2008 *Chambers USA* listings of Leading Business Lawyers in America for securities litigation and government investigations. In 2008, the Chief Judge of the Second Circuit appointed Mr Curnin to the Second Circuit's Committee on Admissions and Grievances. Prior to joining the firm, Mr Curnin was a Staff Attorney in the Federal Defenders Services Unit for the Southern District of New York, and served as a law clerk to the Hon Roger Wollman of the Eighth Circuit Court of Appeals as well as the late Hon Lloyd F MacMahon of the Southern District of New York.

Mr Curnin received his BA from Dartmouth College in 1983 and his JD from Fordham University School of Law in 1987.

AIMEE H GOLDSTEIN**SIMPSON THACHER & BARTLETT LLP**

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 7681
Fax: 212 455 2502
Email: agoldstein@stblaw.com
Website: www.stblaw.com

Aimee Goldstein is a partner at Simpson Thacher & Bartlett in the firm's litigation department. She regularly counsels corporate clients on a variety of antitrust issues including mergers, acquisitions, joint ventures and distribution practices.

Ms Goldstein has represented clients before the Federal Trade Commission, the antitrust division of the Department of Justice and numerous state and foreign competition authorities. Recent engagements include the representation of Sirius Satellite Radio in its \$13 billion merger with XM Satellite Radio; Smithfield Foods in the sale of its beef processing business to JBS and in its acquisitions of Premium Standard Farms, Cook's and Farmland; PanAmSat in the sale of its assets to Intelsat; adidas in its acquisition of Reebok; Abbott in connection with acquiring assets divested pursuant to the sale of Guidant to Boston Scientific; and Wellpoint Health Networks in its acquisition of Anthem. Ms Goldstein has also represented Chevron USA in a number of FTC investigations into gas and oil pricing in various regions of the US.

Ms Goldstein is currently representing HCA, and Methodist Healthcare of San Antonio in a class action litigation in the Western District of Texas, which alleges that San Antonio area hospital systems colluded to suppress nurses' wages. She also represented MasterCard in both *In re Visa Check/MasterMoney Class Action Litigation*, a class action lawsuit brought against MasterCard and Visa by a class of four million retailers alleging more than US\$40 billion in damages for antitrust violations, and in connection with a high-profile lawsuit brought by the Department of Justice against MasterCard and Visa alleging violations of Section 1 of the Sherman Act.

Ms Goldstein recently published a chapter in a book, *Meeting the Challenge, Winning Legal Strategies for Antitrust Law*, (Aspatore Books, Jan 2007). She has been recognized in various publications as a leading competition attorney, including *Chambers USA*, *PLC Competition Handbook* and *Who's Who Legal*.

Ms Goldstein received her JD from Harvard Law School in 1991 and her BA, *summa cum laude* and *Phi Beta Kappa*, from Emory University in 1988. She is currently a member of the board of directors of SCOPE, a non-profit organization dedicated to sending underprivileged children to summer camp.

DAVID W ICHEL



SIMPSON THACHER & BARTLETT LLP

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 2563
Fax: 212 455 2502
Email: dichel@stblaw.com
Website: www.stblaw.com

David W Ichel has spent more than 30 years at Simpson Thacher & Bartlett litigating complex commercial disputes and advising companies, boards of directors, industry associations and institutions on litigation-related issues, including JPMorgan Chase, Heineken, Toys "R" Us and Vivendi/Seagram among others. He has been particularly active in areas of commercial fraud claims, securities litigation, product liability defense, distributor termination, antitrust and unfair trade practice claims, libel/slander, advertising/labeling claims, insurance coverage and insurance company insolvency litigation. He is admitted to practice in New York, New Jersey, Washington, DC, the US Supreme Court and numerous other federal Circuit and district courts throughout the US.

Recent representations have included: Obtaining for clients Heineken NV and Heineken USA and other alcohol beverage manufacturers the complete dismissals of class actions in ten state and federal courts across the country alleging that alcohol beverage marketing targeted underage consumers and seeking over \$2 billion in damages; Reversal of class certification and negotiation of a favorable settlement for JP Morgan Securities Inc. in the largest consolidated securities litigation proceeding in history, the *Initial Public Offering Securities Litigation*; Representation of Bank of America and various investment funds in one of the two largest US life insurance company insolvencies in history, Mutual Benefit Life Insurance Company, in which he obtained more than 100 cents-on-the-dollar recovery for his creditor clients; Representation of Seagram in a RICO lawsuit brought against Seagram, Diageo and Pernod Ricard by the Republic of Colombia; and Dismissal of the defamation and related tort lawsuit brought by "anti-gangsta rap" activist C Delores Tucker against Universal Music and Warner Music arising out of lyrics on the Tupac Shakur album "All Eyez on Me."

Mr Ichel joined Simpson Thacher in 1978 and was elected a partner in 1985. He received his BA in 1975, *summa cum laude* from Duke University, where he was elected to *Phi Beta Kappa*. He received his JD from Duke University School of Law in 1978, where he was a member of the *Duke Law Journal*.

Mr Ichel is a member of the board of visitors of Duke Law School (chair, 2009-11), American Law Institute, Product Liability Advisory Council, MFY Legal Services, (chair, 2000-02, board member since 1994), New York City Bar Association (chair, Products Liability Committee (2005-08)), UJA Federation Lawyers Division (executive committee since 1995), Federal Bar Council, NJ Bar Association and American Bar Association. He is a frequent speaker on litigation topics.

Mr Ichel is cited in a number of publications, including *Who's Who* (World and America), *Chambers USA*, *Legal 500*, *Euromoney Benchmark Litigation Survey*, *Best Lawyers in America* and *Super Lawyers*.

BARRY R OSTRAGER



SIMPSON THACHER & BARTLETT LLP

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 2655
Fax: 212 455 2502
Email: bostrager@stblaw.com
Website: www.stblaw.com

Barry R Ostrager is a senior litigation partner at Simpson Thacher & Bartlett and head of the litigation department. He has tried dozens of cases and argued scores of appeals throughout the country and has been prominently involved in many high-profile securities, antitrust and commercial cases. Most recently, he was lead trial counsel for Swiss Re in the highly publicized insurance coverage dispute involving the World Trade Center tragedy which resulted in a unanimous jury verdict in favor of Swiss Re, and lead counsel for Hanwha in a multi-billion dollar dispute with the Korean government that was the subject of a multi-week trial. Mr Ostrager successfully argued before the US Supreme Court the closely followed *Epstein v Matsushita* case that arose out of Matsushita's successful tender offer for MCA. He also successfully argued before the Supreme Court the *Travelers v Bailey* case, which resolved important issues relating to the rights of settling insurers in asbestos-related bankruptcy. Another major trial victory was Mr Ostrager's representation of Andersen Consulting against a \$14 billion claim by Arthur Andersen in connection with Andersen Consulting's successful bid to win a separation without cost from the Andersen Worldwide organization in the largest ICC arbitration in history. And, Mr Ostrager successfully represented JPMorgan Chase in a breach of guarantee contract action against Motorola in which JPMorgan Chase obtained a \$370 million verdict against Motorola.

Mr Ostrager has been prominently involved in supervising the firm's major insurance and reinsurance practices in both its New York and Los Angeles offices. He has been lead trial counsel in more than a dozen major insurance coverage cases, including *Shell Oil Co v Winterthur Swiss Insurance Company*, a multi-billion dollar environmental insurance coverage dispute in which the jury returned a verdict for the insurers after a sixteen-month trial.

In June 2006, Mr Ostrager was named the "Leading US Litigation Business Trial Lawyer" by *Chambers & Partners*. For the third consecutive year, Mr Ostrager was recently recognized as one of the "Top Ten Trial Lawyers" in the US by *The Legal 500*.

Mr Ostrager has been a member of the firm since 1980. He received his BA from City College of the City University of New York in 1968 and his MA in 1973. He earned his JD from New York University School of Law in 1972 and served as a judicial clerk in the US District Court for the Southern District of New York. Mr Ostrager is admitted in the New York and California State Bars; US District Courts in jurisdictions across the country; US Courts of Appeal for numerous circuits nationwide; and the US Supreme Court. He is also a member of the Association of the Bar of the City of New York, The American Bar Association and The American Law Institute.

ROY L REARDON**SIMPSON THACHER & BARTLETT LLP**

425 Lexington Avenue
 New York, NY 10017-3954
 Tel: 212 455 2840
 Fax: 212 455 2502
 Email: rreardon@stblaw.com
 Website: www.stblaw.com

Roy L. Reardon is a member of Simpson Thacher & Bartlett's litigation department. His trial and litigation experience covers a wide gamut of areas, including jury trials in state and federal trial courts around the country and arguing numerous appeals, including in the US Supreme Court. His areas of particular specialty include commercial law, antitrust, product liability, professional responsibility, securities law, arbitration and mediation.

Mr. Reardon is a fellow in the American College of Trial Lawyers and is active in a number of bar associations. He serves as an arbitrator and mediator in domestic and international arbitrations and has lectured widely on a variety of litigation topics. He is Chair of the Disciplinary Committee, Appellate Division, First Department and a Special Master in the Appellate Division, First Department.

Mr. Reardon joined Simpson Thacher in 1954 after receiving his JD from St. John's University Law School. He has been a member of the firm's executive committee for many years, as well as chairman of the litigation department.

ROBERT H SMIT**SIMPSON THACHER & BARTLETT LLP**

425 Lexington Avenue
 New York, NY 10017-3954
 Tel: 212 455 7325
 Fax: 212 455 2502
 Email: rsmit@stblaw.com
 Website: www.stblaw.com

Robert H. Smit is a partner at Simpson Thacher & Bartlett in the firm's litigation department. He represents clients in a wide range of complex commercial litigations and arbitrations, concentrating in the areas of international commercial arbitration, bilateral investment treaty, joint venture, agency and distributorship matters, fraud, securities, banking and insurance disputes.

Mr. Smit's recent experience includes representation of Hanwha Group and ORIX Corporation in a billion dollar ICC arbitration arising out of the sale of Korea Life Insurance Company; General Electric and Bechtel in ICC, AAA and bilateral investment treaty international arbitrations arising out of India's alleged expropriation of the multi-billion dollar Dabhol Power Project in Maharashtra, India; Moody's Investor Services in connection with lawsuits by investors against Moody's in Latin America; Swiss Re in US federal court litigation to determine the amount of property insurance coverage for the September 11, 2001 attack on the World Trade Center; Andersen Consulting (now Accenture) in one of the largest-ever ICC arbitrations, based in Geneva, Switzerland, in which Andersen Consulting achieved its alimony-free divorce from the global Andersen organization; DHL in various ICC arbitrations, including an ICC arbitration in Paris concerning the transfer of a significant share interest in DHL under a shareholder's agreement and an ICC arbitration in Paris, Miami and Buenos Aires involving DHL's independent agent in Argentina; and Blackstone in several arbitrations in which Blackstone served as arbitrator to resolve disputes concerning the valuation of major commercial enterprises. Mr. Smit has also served as arbitrator in several ICC, AAA and ad hoc international arbitrations in the US, Europe and Latin America, and is listed as one of the leading international arbitration lawyers in the world by *Chambers Global*, *Chambers USA*, *International Who's Who of Business Lawyers*, *Euromoney*, *Law Business Research*, *Legal Media Group Expert Guides*, and *PLC Global Counsel Handbooks*.

Mr. Smit is a former US Member of the ICC International Court of Arbitration, the premiere international arbitration institution in the world. He is also chair of the New York City Bar Association's International Commercial Disputes Committee, a former chair of the Center for Public Resource's Arbitration Committee and a former vice chair of the International Bar Association's Committee on International Arbitration and ADR.

He received his BA (*magna cum laude*, *Phi Beta Kappa*) from Cornell University in 1981 and his JD (Harlan Fiske Stone Scholar) from Columbia University School of Law in 1986. Mr. Smit also has a graduate law degree (Diplôme d'Etudes Approfondies, with honors) in private international law and international arbitration from the Sorbonne in Paris, and taught US Commercial Law at the Sorbonne. He is a frequent speaker at conferences on international arbitration and litigation, and has written and published extensively in the field.

JOSEPH F TRINGALI



SIMPSON THACHER & BARTLETT LLP

425 Lexington Avenue
New York, NY 10017-3954
Tel: 212 455 3840
Fax: 212 455 2502
Email: jtringali@stblaw.com
Website: www.stblaw.com

Joseph F. Tringali is a partner at Simpson Thacher & Bartlett in the firm's litigation department. He has represented clients in general commercial litigation with an emphasis on antitrust matters. He has represented both plaintiffs and defendants in jury and bench trials and argued appeals in federal and state appellate courts in diverse areas, including antitrust, breach of contract, copyright infringement, false advertising, employment discrimination and civil rights. Primarily, he has litigated antitrust actions on behalf of both plaintiffs and defendants and counsels clients under the Sherman, Clayton, Robinson-Patman and Hart-Scott-Rodino Acts, including cases alleging monopolization, price fixing, market and bid allocations and other restraints of trade, as well as price discrimination. He has also handled numerous merger transactions before the Department of Justice, the Federal Trade Commission, various state antitrust enforcement agencies, and the European Commission, including representing Wyeth in its proposed sale to Pfizer, Blackstone in its acquisition of Hilton Hotels, KeySpan in its acquisition by National Grid, Kmart in its acquisition of Sears, and Gerdau Ameristeel in its acquisition of Chaparral. In addition, he represents Kohlberg Kravis Roberts in a civil antitrust action alleging collusion among private equity firms, Viacom in a putative consumer class action challenging the alleged bundling of cable programming services, and has recently represented MasterCard in antitrust actions brought against it by rivals American Express and Discover, Weyerhaeuser in several monopolization cases, and Lehman Brothers and JP Morgan Chase in a lawsuit alleging price-fixing regarding the fee charged in certain IPOs. He has been recognized in the antitrust field by the following publications: *Chambers USA*, *The Legal 500*, *Who's Who Legal (Competition)*, and *The Guide to the World's Leading Competition and Antitrust Lawyers*.

Mr. Tringali joined the firm in 1983 and became a partner in 1989. He received his BA from Wesleyan University in 1977 and his JD from the New York University School of Law in 1980, where he was an editor of the *Law Review*.

SULLIVAN & CROMWELL LLP

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: +1 212 558 4000
Fax: +1 212 558 3588
Website: www.sullcrom.com

Chairman: H Rodgin Cohen
Vice-Chairman: Joseph C Shenker
Number of partners worldwide: 167
Number of lawyers worldwide: 696

Other offices:

Beijing, Frankfurt, Hong Kong, London, Los Angeles, Melbourne, Palo Alto, Paris, Sydney, Tokyo, Washington, D.C.

Firm profile:

Sullivan & Cromwell LLP provides the highest quality legal advice and representation to clients around the world. The results achieved for clients have set the firm apart for 130 years and become a model for the modern practice of law. Today, S&C is a leader in each of its core practice areas and in each of its geographic markets.

S&C comprises approximately 700 lawyers who conduct a seamless, global practice through a network of 12 offices located in key financial centers in Asia, Australia, Europe and the United States.

Clients of the firm are nearly evenly divided between U.S. and non-U.S. entities and include leading industrial and commercial companies; financial institutions; private funds; educational, charitable and cultural institutions; governments; and a select group of individuals, estates and trusts.

Litigation practice

Managing partner: David H Braff

Deputy managing partner: Richard C Pepperman II

Sullivan & Cromwell is widely known for handling the highest-profile and most complex matters before courts, arbitration panels and regulators in jurisdictions around the world, including many representations and investigations that have never become public. Our litigators have achieved an extraordinary level of success in truly important and precedent-setting matters while working on an extremely diverse array of matters spanning the firm's global practice. Drawing on S&C's deep experience and leadership position as a corporate, financial and transactional firm, the firm's lawyers form seamlessly integrated teams across relevant practice areas and are prepared to handle any related or follow-on matters that arise in the course of litigation. S&C's litigators are recognized leaders in a wide range of practice areas, including antitrust, appellate, arbitration, banking, bankruptcy and creditors' rights, commodities, futures and derivatives litigation, criminal defense and investigations, environmental law, estates, litigation, intellectual property, labor and employment litigation, products liability and securities litigation.

Highlights of the firm's litigation work

In 2008 and 2009, Sullivan & Cromwell has advised major clients in the financial services industry in what Federal Reserve Chairman Ben Bernanke has called the most serious financial crisis since the Great Depression. Our litigators have worked collaboratively with lawyers in our corporate banking and regulatory practices to represent clients on many significant matters related to the global credit crisis.

This close integration across all our practice areas is a hallmark of S&C's approach to client service, and has been instrumental to our success in assisting clients through challenging times. Our litigators were part of the team representing AIG and Fannie Mae in their rescue financings, and American Express and Goldman Sachs in their conversions to bank holding companies; as well as advising on major M&A transactions, such as the sales of Bear Stearns, Sovereign Bancorp, Wachovia, National City, Lehman Brothers' North American investment banking and capital markets operations and Washington Mutual's banking operations. S&C has been lead or liaison counsel in matters critical to the industry,

including representations of Goldman Sachs, UBS, Barclays, JPMorgan, Wachovia and Moody's, on matters involving the fallout from investments in the subprime mortgage market, questions of director and board responsibility in the wake of market downturns and the unraveling of structured products.

Outside the financial services industry, S&C maintains a leading role in many high-profile matters, including hotly contested litigation stemming from the Chrysler bankruptcy; intellectual property disputes for client Philips; and litigation over real estate projects involving Donald Trump.

S&C continues to handle significant securities litigation work on behalf of many of the world's leading financial institutions and corporations, including representing Goldman Sachs and the 55 underwriter investment banks in *In re Initial Public Offering Securities Litigation*, one of the most intricate and long-running securities litigation matters in history, UBS in class action and derivative litigation arising out of UBS's role as lead investment banker for HealthSouth and CA, Inc in shareholder litigation arising out of the alleged accounting misconduct by prior management.

S&C litigators represent clients in every phase of litigation and handle highly complex matters from start to finish, often over a period of many years. For example the firm persevered for seven years on behalf of client Barclays in the Enron securities class action, widely considered to be the largest and most complex securities class action in history. Despite settlements by several other financial institutions involved in the action totaling in excess of \$6.6 billion, the firm pursued and achieved the dismissal of the plaintiffs' claims.

Other notable representations

Collective Brands, Inc. (formerly Payless ShoeSource) for post-trial briefing following a \$305 million jury verdict – believed to be the largest trademark infringement verdict ever – against Collective in a lawsuit brought by adidas in the District of Oregon in which S&C did not participate. Based upon the post-trial motions, the court reduced the award to approximately \$65 million.

UBS in both international regulatory matters and private litigation relating to UBS's losses in securities related to U.S. residential subprime mortgages, in a putative securities fraud class action brought by certain purchasers of UBS common stock on worldwide exchanges and in a number of regulatory inquiries and investigations related to UBS's subprime losses and disclosures.

Twenty major financial institutions as plaintiffs in a complex action against monoline insurer MBIA seeking to reverse a restructuring that MBIA engineered in 2009.

Moody's Corporation in several matters relating to the ratings of mortgage-backed securities and Moody's Investor Services in an industry-wide investigation into practices for rating subprime instruments.

Microsoft in an action brought by Novell claiming that allegedly anticompetitive conduct by Microsoft in the PC operating system market injured Novell's business productivity applications, WordPerfect and Quattro Pro.

Goldman Sachs in litigation in federal and state courts in New York, California, Florida and Georgia brought against the largest prime brokers in the country challenging practices related to short-sale transactions.

Swedish mobile phone provider TeliaSonera, on whose behalf S&C achieved significant arbitration victories in its efforts to obtain a controlling interest in Turkcell, Turkey's biggest mobile phone service provider.

CA in an important victory in the Delaware Supreme Court, holding that a CA shareholder bylaw that would require companies to reimburse challengers who succeed in getting elected to the board was invalid. The Court resolved an important question of Delaware law, holding that bylaws may not mandate how the board should decide specific substantive business decisions.

MAITE AQUINO**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 4869
Fax: (1) 212 291 9005
Email: aquinom@sullcrom.com
Website: www.sullcrom.com

Maite Aquino has been a partner of Sullivan & Cromwell since 2003. She has a broad litigation practice that includes civil litigation and regulatory and white-collar investigations.

Ms. Aquino has represented financial institutions, corporations and officers and directors in numerous securities class and derivative actions. She has worked extensively in securities investigations involving the Securities and Exchange Commission, Financial Industry Regulatory Authority and a variety of bank regulators, including the Federal Reserve, Federal Deposit Insurance Corporation and the Office of Thrift Supervision.

Ms. Aquino also has represented clients in complex disputes involving antitrust claims, intellectual property rights and claims of unfair competition. Most recently, she has been counsel to RG Financial Corporation, a bank holding company, in connection with settlement of securities fraud class action and shareholder derivative action, representing the company and advising the board in connection with the restatement of financial statements, an internal investigation conducted by the audit committee and the settlement of claims asserted by the Securities and Exchange Commission; served as counsel to Royal Philips Corporation and U.S. Philips Corporation in connection with patent infringement claims asserted against manufacturers of recordable compact discs and antitrust and unfair competition counterclaims, achieving a summary judgment in favor of Philips of a patent infringement claim and antitrust and unfair competition counterclaims; and served as counsel to U.S. Philips Lighting Corporation in connection with unfair competition claims based on Philips' lighting products, achieving the dismissal of all claims.

Ms. Aquino is a graduate from New York University School of Law (J.D., 1994) and State University of New York at Binghamton (B.A., 1991).

DAVID H. BRAFF**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 4705
Fax: (1) 212 291 9015
Email: braffd@sullcrom.com
Website: www.sullcrom.com

David Braff is the managing partner of Sullivan & Cromwell's Litigation Group. He is a member of the Firm's Management Committee, Administrative Committee and Strategic Planning Committee.

Mr. Braff has worked on a wide variety of matters, with a particular emphasis on banking and securities litigation, including securities class actions. He also has litigated intellectual property, tax and employment matters, and handled a wide variety of regulatory and criminal matters.

Mr. Braff serves as lead counsel for Barclays in the nationwide Enron litigation, including a securities class action and related proceedings. His other notable representations include: Goldman Sachs in securities cases relating to alleged analyst conflicts of interest and antitrust cases relating to auction rate securities; public companies and directors in challenges to executive compensation; and numerous clients in internal investigations and related regulatory investigations and proceedings.

Mr. Braff joined Sullivan & Cromwell LLP in 1984 and became a partner in 1993. He graduated from The Ohio State University (J.D., 1984) and Cleveland State University (B.A., 1980).

JAMES H. CARTER**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 4000
Fax: (1) 212 291 9020
E-mail: carterj@sullcrom.com
Website: www.sullcrom.com

James Carter joined Sullivan & Cromwell in 1970 and became a partner in 1977. He is a member of the Litigation, Antitrust, and Project Finance Groups and is co-coordinator of the International Arbitration Practice. He previously headed the Intellectual Property Group.

Mr. Carter is a widely recognized authority on international arbitration, with 35 years of experience as arbitrator or counsel in more than 100 cases, typically involving joint ventures or international trade or investment disputes. He is a leading exponent as well as a practitioner of international law and dispute resolution. Featured in *The Lawdragon 500 Leading Judges in America* (2006), Mr. Carter was singled out as being "on the short list of must-have international arbitrators."

Long active in the American Arbitration Association (AAA), of which he is immediate past chairman of the board, Mr. Carter chaired or served as sole arbitrator in several recent cases, involving: (1) a dispute between Asian investors and an Asian government concerning development of electric power plants; (2) a dispute between U.S. and Swiss companies arising from a metals tolling agreement; (3) a dispute between Canadian and U.S. biopharmaceutical companies involving a license agreement for patented compounds; and (4) a dispute between U.S. and European aerospace companies regarding a weapons system workshare agreement.

Mr. Carter serves as counsel in arbitration proceedings. Among other cases, he represents a Canadian gold mining company in an UNCITRAL Rules arbitration with the Kyrgyz Republic in Stockholm. In addition, he serves as counsel in U.S. litigation involving commercial, corporate, antitrust, securities and intellectual property matters.

Mr. Carter is a former chair of the American Bar Association Section of International Law and Practice and served as chair of its Committee on International Commercial Arbitration. He has chaired both the International Affairs Council and the Committee on International Law of the Association of the Bar of the City of New York, as well as the International Law Committee and the International Dispute Resolution Committee of the New York State Bar Association. Mr. Carter also has served as a member of the London Court of International Arbitration and vice president of its North American Council and is a member of the Court of Arbitration for Sport.

Mr. Carter graduated from Yale University (B.A., 1965) and Yale Law School (LL.B., 1966), attended Cambridge University as a Fulbright Scholar (1966) and served as law clerk to the Honorable Robert P. Anderson of the U.S. Court of Appeals for the Second Circuit.

GANDOLFO V. DIBLASI**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 3836
Fax: (1) 212 291 9040
E-mail: diblasig@sullcrom.com
Website: www.sullcrom.com

Vince DiBlasi is a member of Sullivan & Cromwell's Litigation Group. After joining the Firm in 1978, he built a global reputation representing clients in several of the largest financial services industry cases of the past two decades.

Mr. DiBlasi is presently representing a major financial institution and serving as liaison counsel to 55 investment banks in the IPO allocation class actions, one of the most intricate and long-running securities litigation matters in history. He has served as lead counsel to clients in major investigations, including the insider trading and market manipulation cases of the late 1980s, the government securities investigations arising from the Salomon Brothers Treasury auction scandal, the "pay-to-play" investigations in the municipal securities market, the Orange County litigation and investigation, various Enron matters, investigations into practices related to IPOs and research analysts, investigations relating to market timing of mutual funds, and representation of several clients in connection with litigation and investigations concerning allegedly backdated options. He currently is representing clients in litigation arising from mortgage-related securities, liquidity concerns and auction rate securities.

Mr. DiBlasi has handled many investigations by the Securities and Exchange Commission and self-regulatory organizations such as the New York Stock Exchange, National Association of Securities Dealers and Chicago Board Options Exchange, including trials.

He also regularly represents leading investment banking firms in connection with major legal developments affecting the investment banking industry.

Mr. DiBlasi has earned many of the legal industry's top rankings and is recognized as a leading authority on securities and commodities class actions and derivatives suits. He frequently is retained to consult with board committees and board members.

ROBERT J. GIUFFRA, JR.**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 3121
Fax: (1) 212 291 9064
E-mail: giuffrar@sullcrom.com
Website: www.sullcrom.com

Robert Giuffra is a partner in Sullivan & Cromwell's Litigation Group. His practice focuses on complex securities, white-collar criminal, class action, commercial, insurance, banking and tax litigation. He is the coordinator of the Firm's Securities Litigation Practice, the co-head of Business Development and a member of the Firm's Management Committee.

Mr. Giuffra has represented corporations and individuals at trial and on appeal in federal and state civil and criminal litigation, before arbitration panels and in investigations and proceedings involving the Securities and Exchange Commission, the U.S. Department of Justice, the U.S. Congress, the Internal Revenue Service and the New York State Attorney General. He regularly advises senior executives and boards of directors on significant litigation and regulatory matters.

Mr. Giuffra's corporate clients have included The Bank of New York, Biovail Corporation, Computer Associates, Exxon Corporation, Goldman Sachs, ING Group, Oxford Health Plans, Philips Electronics, Tudor Investment Corporation, UnitedHealth Group, Van der Moolen and Vornado Realty Trust. His individual clients have included prominent executives, lawyers and government officials.

Mr. Giuffra currently represents clients in government investigations and securities class actions arising out of the subprime mortgage crisis, the bankruptcy of Enron, the accounting fraud at HealthSouth Corporation and specialist trading on the New York Stock Exchange.

Since September 21, 2007, Mr. Giuffra has served as one of 13 members of the New York State Commission on Public Integrity, which interprets, administers and enforces the ethics and lobbying laws governing New York state government. From 1998-2007, he served as one of the five commissioners of the New York State Ethics Commission, which interpreted, administered and enforced the ethics law governing the executive branch of New York State government. From 1995 to 1996, Mr. Giuffra served as the chief counsel of the U.S. Senate Committee on Banking, Housing, and Urban Affairs. He was a primary drafter of the Private Securities Litigation Reform Act of 1995. Mr. Giuffra is president of The Federal Bar Council.

Mr. Giuffra joined Sullivan & Cromwell in 1989 and became a partner in 1998. He served as a law clerk to Chief Justice William H. Rehnquist of the U.S. Supreme Court (1988 to 1989) and Judge Ralph K. Winter, Jr. of the U.S. Court of Appeals for the Second Circuit (1987 to 1988). He graduated from Yale Law School (J.D., 1987) and Princeton University (A.B., 1983).

STEVEN L. HOLLEY**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 4737
Fax: (1) 212 291 9117
E-mail: holleys@sullcrom.com
Website: www.sullcrom.com

Steven Holley is a member of Sullivan & Cromwell's Litigation Group and has been a partner of the Firm since January 1991. Mr. Holley's practice focuses on antitrust counseling and litigation, but also includes copyright, patent and securities litigation, as well as complex commercial disputes. He has considerable experience advising clients in connection with competition issues, including reviews of prospective mergers and acquisitions and other investigations conducted by the Federal Trade Commission, the Antitrust Division of the U.S. Department of Justice, the Directorate-General for Competition of the European Commission and state Attorneys General. He has handled cases in state and federal courts and has extensive experience with arbitration and other forms of alternative dispute resolution.

Mr. Holley's practice has addressed a wide variety of industries, including oil and gas exploration and production, extraction and refining of primary metals, distilled spirits, automotive components, microprocessors, pharmaceuticals, electricity generation, medical imaging equipment, newspaper publishing and computer software. He has represented Microsoft since 1992 in the series of government enforcement actions in the United States and other countries, as well as private antitrust litigation brought by competitors and consumers of various Microsoft products. He was on the trial team in *United States v. Microsoft* and argued portions of the appeals to the D.C. Circuit Court of Appeals. He currently is representing Microsoft in a case brought by Novell in connection with harm allegedly inflicted on the WordPerfect and Quattro Pro business productivity applications and in the European Commission's challenge to Microsoft's integration of web browsing functionality into Windows PC operating systems.

In recent years, Mr. Holley has represented Fiat in its acquisition of substantially all of the assets of Chrysler, J.C. Flowers & Co. in litigation surrounding the proposed acquisitions of Sallie Mae and Direct Response Corporation, Alcon Laboratories in connection with Novartis' acquisition of a substantial part of Nestle's stake in Alcon, UnitedHealth Group in its acquisitions of Sierra Health and John Deere Health, Diageo in its acquisition of a 50% interest in Ketel One Vodka and Rio Tinto in connection with the unsolicited offer made by BHP Billiton and the proposed sale of the Alcan Food Americas business to Bemis.

Mr. Holley joined Sullivan & Cromwell's Litigation Group in 1984, following a clerkship with the Honorable José A. Cabranes, then a judge of the U.S. District Court for the District of Connecticut. He has been a partner of the Firm since 1991. He graduated from New York University School of Law (J.D., 1983) and Indiana University (B.A., 1980).

SHARON L. NELLES**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 4976
Fax: (1) 212 558 9104
Email: nelless@sullcrom.com
Website: www.sullcrom.com

Sharon Nelles, a partner in the Sullivan & Cromwell's Litigation Group, represents leading global companies and financial institutions in antitrust, securities, mergers and acquisitions and other complex commercial litigation, as well as in regulatory inquiries and criminal investigations. Ms. Nelles has substantial experience handling matters involving the interplay between enforcement proceedings and the civil lawsuits that follow.

Ms. Nelles has represented Microsoft Corporation, JPMorgan Chase, Goldman Sachs, Standard Chartered Bank, Diageo, MBNA America Bank and SBC Communications in high-profile class action litigation and shareholder derivative suits, including the Microsoft indirect purchaser cases, the JPMorgan Chase/Bank One merger litigations and the Goldman Sachs mutual funds fee disputes. She has tried cases in state and federal courts on behalf of such clients as Microsoft, Eastman Kodak Company and General Bank, and has represented prominent firms and individuals in proceedings before the U.S. Congress, the Securities and Exchange Commission, the Department of Justice, several state attorneys general, the Commodity Futures Trading Commission, the New York Stock Exchange and the Internal Revenue Service. She recently has been active in matters involving the subprime mortgage crisis, executive compensation practices, OFAC compliance, market timing and "pay-for-play."

Ms. Nelles frequently conducts investigations for corporate clients, special committees and boards of directors.

Ms. Nelles became a partner of the Firm in 2003. She graduated from Boston College Law School (J.D., 1993), New York University (M.A., 1990) and Mount Holyoke College (A.B., 1987).

JOSEPH E. NEUHAUS**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 4240
Fax: (1) 212 291 9105
Email: neuhausj@sullcrom.com
Website: www.sullcrom.com

Joe Neuhaus joined Sullivan & Cromwell in 1987 and became a partner in 1992. His practice is focused on international commercial litigation in both arbitral and court settings, with particular emphasis on Latin American matters. He is co-coordinator of Sullivan & Cromwell's arbitration practice and has served as counsel and arbitrator in numerous arbitral proceedings, including ad hoc proceedings, arbitrations administered by the International Chamber of Commerce and the American Arbitration Association and arbitrations involving sovereign entities. He also has served as counsel in a variety of arbitration-related disputes in court, as well as other commercial litigation and regulatory investigations.

Mr. Neuhaus is the coauthor of *A Guide to the UNCITRAL Model Law on International Commercial Arbitration: Legislative History and Commentary* (Kluwer 1989), and is a member and former chair of the Committee on Professional Ethics of the New York State Bar Association.

He graduated from Columbia Law School (J.D., 1982) and Dartmouth College (A.B., 1979). He served as a law clerk to The Honorable Lewis F. Powell Jr. of the U.S. Supreme Court (1983-84).

STEVEN R. PEIKIN**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 7228
Fax: (1) 212 291 9112
Email: peikins@sullcrom.com
Website: www.sullcrom.com

Steven Peikin is a member of Sullivan & Cromwell's Criminal Defense and Investigations Group. He represents institutions and their senior executives in a wide variety of criminal and regulatory investigations and proceedings, including those involving alleged securities and commodities fraud, violations of the Foreign Corrupt Practices Act, price-fixing, health care fraud and money laundering offenses.

Mr. Peikin joined Sullivan & Cromwell in 2004, after serving for eight years as an assistant U.S. attorney in the Southern District of New York. He served as chief of the Office's Securities and Commodities Fraud Task Force, where he supervised the investigation and prosecution of some of the nation's highest-profile financial statement fraud, insider trading and obstruction of justice cases, as well as the largest undercover investigation of fraud in the foreign exchange markets.

As a prosecutor, Mr. Peikin investigated and prosecuted a wide variety of securities, commodities and other investment fraud schemes; an insider trading and money laundering case that resulted in the seizure abroad and repatriation of \$200 million; and cases involving RICO, murder, narcotics trafficking and other violent crimes. He tried 16 felony cases and briefed and argued numerous cases before the U.S. Court of Appeals for the Second Circuit.

Recent representations include a client in the DOJ and CFTC investigations of alleged manipulations of the markets of propane, crude oil and other energy commodities; and Vitol SA, Akzo Nobel and a European manufacturing conglomerate in DOJ, SEC and New York County District Attorney investigations arising from the United Nations Oil-for-Food Programme.

Mr. Peikin is a member of the Criminal Justice Act Panel, U.S. District Court for the Southern District of New York and is a frequent presenter to bar associations and professional organizations on issues relating to securities and commodities fraud and internal investigations, including the ABA, the Federal Bar Council and the Practising Law Institute. He is also a visiting instructor for Harvard Trial Advocacy Workshop.

RICHARD C. PEPPERMAN II**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 3493
Fax: (1) 212 291 9113
Email: peppermanr@sullcrom.com
Website: www.sullcrom.com

Rick Pepperman is deputy managing partner of Sullivan & Cromwell's Litigation Group and has been a partner of the Firm since January 1999.

Mr. Pepperman clerked for Chief Justice William H. Rehnquist of the U.S. Supreme Court (1992-93) and Judge Edward R. Becker of the U.S. Court of Appeals for the Third Circuit (1990-91).

Mr. Pepperman has worked on a variety of antitrust, intellectual property, securities, and investigative matters, representing clients in many fields, including the communications, financial services, insurance, manufacturing, oil and gas, and technology industries. He is well known for representing Microsoft in antitrust litigation between 1993 and 2004, including the Department of Justice's landmark antitrust action against Microsoft.

After 2004, Mr. Pepperman represented Morgan Stanley in numerous actions arising out of the merger of America Online, Inc. and Time Warner, Inc. He won the dismissal of all claims against Morgan Stanley in the class action brought on behalf of Time Warner shareholders. Mr. Pepperman also represented Willis Group Holdings Inc., a large insurance broker, in a high profile investigation conducted by the New York Attorney General concerning bid-rigging and other misconduct in the insurance industry. This investigation was followed by numerous related inquiries by attorneys general and insurance departments of more than 20 other states. Mr. Pepperman then successfully represented Willis in related class-action litigation filed by insurance policyholders against various insurance carriers and brokers. These class actions were dismissed in 2007.

More recently, Mr. Pepperman has represented Dyson in a patent infringement trial against Hoover and Dartmouth College in a lawsuit brought by Dartmouth's Alumni Association. Mr. Pepperman currently is representing Goldman Sachs in an action arising out of the sale of General American Life Insurance Company to MetLife and in numerous actions challenging short selling of certain stocks; and Bank of America in securities fraud litigation.

Mr. Pepperman graduated from University of Pennsylvania Law School (J.D., 1990) and Dartmouth College (A.B., 1987).

YVONNE S. QUINN**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 3736
Fax: (1) 212 291 9117
Email: quinny@sullcrom.com
Website: www.sullcrom.com

Yvonne Quinn is a member of Sullivan & Cromwell's Litigation Group and one of two partners in charge of coordinating the Firm's Antitrust Group. She focuses on antitrust litigation, merger analysis and review, and counseling work.

Ms. Quinn's clients include leading commercial banks, equity funds, investment banks, insurance companies, cable television operators, television programming suppliers, newspapers, publishers, sports franchise owners, advertising sales and healthcare companies, pharmaceutical and chemical companies and many others.

Ms. Quinn has been a co-chair of the Practising Law Institute's Annual Antitrust Law Institute in New York since 2001 and has taught the mergers and acquisitions portion of the Institute since 1995. She is a member of the executive committee of the Antitrust Section of the New York State Bar Association and a vice chair of the Financial Services Committee of the Antitrust Section of the American Bar Association. From 1989 to 1992, she was the chair of the Antitrust and Trade Regulation Committee of the Association of the Bar of the City of New York.

Ms. Quinn has been recognized as a leading antitrust practitioner in *Euromoney's Benchmark Litigation: America's Leading Litigation Firms and Attorneys* (2008-2010); in *Chambers USA* (2003-2009); in *Chambers Global* (2003-2005); in Law Business Research's *The International Who's Who of Competition Lawyers* (2004-2007) and *The International Who's Who of Business Lawyers* (2005-2006); in *Euromoney's Guide to the World's Leading Competition and Antitrust Lawyers* (2008, 2006, 2002); in *The Best Lawyers in America* (2007-2009); and in *Lawdragon 500: Leading Lawyers in America* (finalist), among other guides to the legal profession.

Ms. Quinn joined Sullivan & Cromwell LLP in 1980. She graduated from the University of Illinois (B.A., 1973), where she was a Bronze Tablet Scholar, the highest distinction for graduating seniors, and as part of a joint law and economics program, Ms. Quinn received a law degree *magna cum laude* in 1976 and an M.A. in Economics in 1977 from the University of Michigan. She became a partner of the Firm in 1984.

KAREN PATTON SEYMOUR**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 3196
Fax: (1) 212 291 9139
E-mail: seymour@sullcrom.com
Website: www.sullcrom.com

Karen Patton Seymour is the head of Sullivan & Cromwell's Criminal Defense and Investigations Group. Her practice focuses on white-collar criminal defense and internal investigations.

Ms. Seymour has represented individuals and corporate and financial organizations in state and federal investigations and proceedings involving allegations of securities fraud, money laundering, obstruction of justice, insider trading, Foreign Corrupt Practices Act violations, OFAC sanctions, healthcare fraud, and criminal antitrust violations. She also has advised international corporations and individuals in responding to U.S. inquiries and investigations.

Ms. Seymour has tried numerous jury and bench trials in federal court and argued many appeals before the U.S. Court of Appeals for the Second Circuit. She is admitted to practice before the U.S. Supreme Court, two U.S. Courts of Appeal, the Court of Federal Claims, the New York State Courts and the U.S. District Courts for the Southern and Eastern Districts of New York.

Ms. Seymour served as chief of the Criminal Division, U.S. Attorney's Office, Southern District of New York, from February 2002 through November 2004, supervising 165 federal prosecutors and overseeing all criminal investigations and prosecutions in the District, including the corporate fraud investigations involving WorldCom, Adelphia and ImClone. She was lead trial counsel for the government in the prosecution of Martha Stewart and Peter Bacanovic.

During her first tenure in the U.S. Attorney's Office from 1990 to 1996, she prosecuted a wide variety of cases and served as chief of the General Crimes Unit.

Ms. Seymour joined Sullivan & Cromwell in 1987 after graduating from the University of London (L.L.M., 1987), the University of Texas (J.D., 1986) and Southern Methodist University (B.S., B.A., 1983). She was elected a partner of the Firm in 1999.

SAMUEL W. SEYMOUR**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 3156
Fax: (1) 212 291 9140
E-mail: seymours@sullcrom.com
Website: www.sullcrom.com

Sam Seymour is a partner in Sullivan & Cromwell's Criminal Defense and Investigations Group. He concentrates on white-collar criminal defense, regulatory enforcement matters and internal investigations.

Mr. Seymour has represented clients in numerous high-profile investigations involving allegations of accounting fraud, securities fraud, foreign bribery, price fixing, trade sanctions violations, money laundering and obstruction of justice. He represents individuals and institutions in a broad range of financial and industrial business sectors worldwide. His practice also encompasses commercial litigation and arbitration matters, including derivative cases, shareholder actions and complex contract disputes.

Mr. Seymour's representative matters include: handling the resolution of government investigations for The Bank of New York, Spiegel, Inc., Bankers Trust Company, Statoil ASA, Moody's Investors Service, Assicurazioni Generali SpA, Banco Popular de Puerto Rico and Morgan Crucible plc; representing David Duncan, formerly the lead Arthur Andersen engagement partner for Enron, in the criminal probe of Enron and Andersen; serving as lead trial counsel in 15 criminal jury trials in federal courts, and arguing numerous appeals in the Second Circuit; and conducting numerous internal investigations for corporations, financial institutions and audit committees.

Mr. Seymour served as an assistant U.S. attorney and deputy chief appellate attorney in the Southern District of New York from 1988 through 1991.

Widely recognized for his professional achievements, Mr. Seymour has held leadership positions in numerous organizations serving the legal and educational communities.

Mr. Seymour recently co-authored a white paper with Deloitte Financial Advisory Services LLP entitled "Forensic Investigations: When Money, Image, or Top Execs Are Implicated, Involvement from the Audit Committee Is Key."

Mr. Seymour joined Sullivan & Cromwell after graduating from Columbia Law School (J.D., 1982) and Dartmouth College (A.B., 1979). He rejoined Sullivan & Cromwell from the U.S. Attorney's Office in 1991 and became a partner in 1994.

PENNY SHANE**SULLIVAN & CROMWELL LLP**

125 Broad Street
New York, NY 10004-2498
U.S.
Tel: (1) 212 558 4837
Fax: (1) 212 291 9141
E-mail: shanep@sullcrom.com
Website: www.sullcrom.com

Penny Shane's practice focuses on litigation involving financial institutions, including class actions and state and federal governmental investigations arising out of the issuance and trading of securities and alleged fraudulent or unfair practices in connection with lending activities, trust administration and investment advisory services.

She also has handled commercial litigation and arbitrations for manufacturing concerns and real estate investment companies, including arbitrations before the New York Stock Exchange, the National Association of Securities Dealers, international arbitral tribunals and courts, arising out of employment and other disputes.

In addition, Ms. Shane has extensive constitutional litigation experience, including landmark cases involving First Amendment rights.

Ms. Shane is admitted to practice in the New York State First Department, U.S. Court of Appeals for the Second Circuit, U.S. District Court for the Eastern District of New York, U.S. District Court for the Southern District of New York, U.S. Court of Appeals for the District of Columbia Circuit, U.S. District Court for the Western District of New York and the U.S. Supreme Court.

She joined the Firm in 1990 as its first "pro bono fellow" after graduating from New York University Law School (J.D., 1988) and Barnard College (B.A., 1985). She was elected a partner of the firm in 2000.

MICHAEL T. TOMAINO JR.**SULLIVAN & CROMWELL LLP**

125 Broad Street
 New York, NY 10004-2498
 U.S.
 Tel: (1) 212 558 4715
 Fax: (1) 212 291 9154
 E-mail: tomainom@sullcrom.com
 Website: www.sullcrom.com

Mr. Tomaino has been involved in a wide variety of litigation matters, with a focus on securities and commodities litigation. He has represented corporations, financial institutions and officers and directors in securities and commodities class and individual actions in federal and state courts around the country including, most recently, class actions involving Enron, HealthSouth, Fannie Mae, mortgage-backed securities and other subprime mortgage issues, and Wall Street research analysts. His clients in such matters have included Barclays, Goldman Sachs, Merrill Lynch and Sandler O'Neill. He also has represented individuals and financial services clients in a number of major SEC and CFTC investigations and has handled a number of regulatory enforcement proceedings involving allegations of fraud and manipulation in connection with trading on various New York, Chicago and London exchanges.

Mr. Tomaino has participated in bench and jury trials and arbitrations in securities, commodities, antitrust and intellectual property cases. His trial experience includes representing Microsoft in a seven-week jury trial in its successful defense of antitrust claims asserted by Bristol Technologies; representing Labatt Brewing Company as plaintiff in a multi-week patent infringement bench trial; representing Cablevision in a multi-week AAA arbitration against the YES Network; representing a NYMEX futures trader in an administrative enforcement proceeding before a CFTC ALJ; and representing various clients in preliminary injunction hearings.

Mr. Tomaino joined the Firm in 1988 after graduating from Cornell Law School (J.D., 1989) and Duke University (B.A., 1986). He was elected a partner of the Firm in 1998.

DAVID B. TULCHIN**SULLIVAN & CROMWELL LLP**

125 Broad Street
 New York, NY 10004-2498
 U.S.
 Tel: (1) 212 558 3749
 Fax: (1) 212 291 9158
 Email: tulchind@sullcrom.com
 Website: www.sullcrom.com

David Tulchin has an active litigation practice, focusing on antitrust, contract, patent, trademark and securities matters.

Mr. Tulchin has handled high-stakes business litigation for a varied roster of clients. His recent clients include American Express Company, CA, Inc., Datascope, Eisai Co., InBev, IntercontinentalExchange, Merrill Lynch & Co., Microsoft, Novo Nordisk, Phoenix Capital, Regions Financial, Sandler O'Neill + Partners, Tower Research, Vornado Realty Trust and Wachovia Corporation.

Mr. Tulchin is well known for serving as Microsoft's lead national counsel in the corporation's defense of private antitrust damages actions around the country brought by both consumers and competitors. He has won dismissals with prejudice in 20 major antitrust actions against Microsoft, and victories in all seven appeals he has argued for Microsoft in U.S. Courts of Appeal. Mr. Tulchin has also argued and won appeals for Microsoft in the supreme courts of five states.

Mr. Tulchin has acted as lead trial lawyer in federal and state courts and in AAA, NYSE, ICC and NASD arbitrations. He has tried more than 20 cases, and has a highly successful track record in arbitrations, trials and appeals. This record of success has been widely recognized, as evidenced in part by the fact that Mr. Tulchin is a Fellow of the American College of Trial Lawyers.

Mr. Tulchin joined Sullivan & Cromwell in 1975. He graduated from Harvard Law School (J.D., 1973) and University of Rochester (B.A., 1970). Mr. Tulchin became a partner in 1982.

JOHN L. WARDEN

**SULLIVAN & CROMWELL LLP**

125 Broad Street
 New York, NY 10004-2498
 U.S.
 Tel: (1) 212 558 3610
 Fax: (1) 212 291 9592
 Email: wardenj@sullcrom.com
 Website: www.sullcrom.com

John Warden was a partner in Sullivan & Cromwell's Litigation Group from 1973 through 2008 and is now of counsel to the Firm. He has an active practice covering the corporate governance, antitrust, banking, contract and securities areas. He served for many years on the Firm's Executive Committee and as head of the Litigation Group.

A leading practitioner in the field of corporate governance, Mr. Warden has advised global clients on issues of corporate structure, board processes and responses to shareholder demands. He also has advised special litigation and audit committees in internal investigations and defended proxy statement disclosure on executive compensation.

Mr. Warden has advised and represented many of the world's leading business and financial enterprises, including Amax, Bank of New York, British Airways, Eastman Kodak, First Boston, Goldman Sachs, Gulf Oil, Kennecott, TW Services and Union Carbide in board-level litigation. Major cases in which Mr. Warden has been involved include *Berkey Photo v. Eastman Kodak*, the Union Carbide/GAF takeover litigation, the Bank of New York/Irving Trust takeover litigation and *FMC v. Goldman Sachs*. He represented Goldman Sachs in the antitrust litigation and investigations regarding the NASDAQ Stock Market, British Airways in the antitrust case brought by Virgin Atlantic, and Microsoft in *United States v. Microsoft*.

In addition to civil litigation, Mr. Warden represented Amax in *United States v. Amax, et al.*, a criminal antitrust case involving the potash industry, and has represented clients in various antitrust grand jury investigations. He also has had an extensive appellate practice, including constitutional cases and the successful appeal in *United States v. D'Amato*, and has acted for The Clearing House LLP as *amicus curiae* in numerous cases in Courts of Appeals and the U.S. Supreme Court.

Mr. Warden is a fellow of the American College of Trial Lawyers and a member of the American Law Institute and served as a commissioner of the U.S. Antitrust Modernization Commission. He is also an honorary trustee and former president of the University of Virginia Law School Foundation and an honorary trustee of American Ballet Theatre.

Mr. Warden has been recognized as one of the United States' top competition/antitrust lawyers in every edition of *Chambers Global: The World's Leading Lawyers for Business* (1999-2009) and *Chambers USA: America's Leading Lawyers for Business* (2003-2009). He also has been named a leading litigator in Euromoney's *Benchmark Litigation: America's Leading Litigation Firms and Attorneys* (2008, 2010), *Guide to the World's Leading Competition and Antitrust Lawyers* (2006), *Guide to the Leading United States Litigation Lawyers* (2005), and *Guide to the World's Leading Litigation Lawyers* (2005, 2002); in Law Business Research's *The International Who's Who of Commercial Litigation* (2008, 2006, 2004/2005, 2000), *The International Who's Who of Competition Lawyers* (2007, 2006, 2005, 2004, 2001, 2000), *The International Who's Who of Corporate Governance Lawyers* (2006, 2003) and *The International Who's Who of Business Lawyers* (2006, 2005, 2003/2004, 2002); in Practical Law Company's *PLC Global Counsel Dispute Resolution Handbook* (2005, 2004, 2002), *PLC Cross-border Dispute Resolution Handbook* (2007/2008, 2006/2007), and *Global Counsel 3000* (2003/2004, 2002/2003, 2001/2002) and its successor *PLC Which Lawyer? Yearbook* (2008, 2007, 2006, 2005); in *The Best Lawyers in America* (2010, 2009, 2008, 2007, 2006); and in *New York Super Lawyers* (2008, 2007, 2006).

John Warden joined Sullivan & Cromwell in 1965 after graduating from Harvard College (A.B., 1962) and Virginia Law School (LL.B., 1965), where he was editor-in-chief of the Law Review. He became a partner of the Firm in 1973.

STEPHEN R DIPRIMA**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 Tel: 212 403 1382
 Fax: 212 403 2382
 Email: SRDiPrima@wlrk.com
 Website: www.wlrk.com

Stephen R DiPrima is a partner in the litigation department at Wachtell, Lipton, Rosen & Katz. He specializes in M&A litigation and derivative and class action litigation involving breach of fiduciary duty and federal securities claims.

Mr DiPrima received his BA, with honors, from Wesleyan University in 1989, and a JD from Columbia Law School in 1995, where he was a Harlan Fiske Stone Scholar and a member of the *Columbia Law Review*. Following law school, Mr DiPrima was a law clerk to the Honorable Jerome Farris of the United States Court of Appeals for the Ninth Circuit.

BERNARD W NUSSBAUM**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 Tel: 212 403 1266
 Fax: 212 403 2266
 Email: BWNussbaum@wlrk.com
 Website: www.wlrk.com

Bernard W Nussbaum is a partner at Wachtell, Lipton, Rosen & Katz, which he joined in 1966 one year after the firm was formed. He specializes in corporate and securities litigation. Mr Nussbaum has been active in both the public and private sectors throughout his legal career. In 1994, during the Clinton Administration, he was Counsel to the President of the United States. In 1974, he was a senior member of the staff of the House Judiciary Committee, which conducted the 1974 Watergate Impeachment Inquiry. His first position in the public sector was as an Assistant United States Attorney for the Southern District of New York, an office he joined after completing law school.

Mr Nussbaum graduated from Columbia College in 1958, where he was a member of Phi Beta Kappa. In 1961 he graduated from Harvard Law School. In 1993 he was awarded an honorary LLD from The George Washington University National Law Center. While at Harvard Law School he served as notes editor of *The Harvard Law Review*, and, upon graduation, was awarded a Harvard University Sheldon Traveling Fellowship. Mr Nussbaum has also served on a number of philanthropic boards and has been a lecturer at Columbia University Law School.

THEODORE N MIRVIS**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 Tel: 212 403 1204
 Fax: 212 403 2204
 Email: TNMirvis@wlrk.com
 Website: www.wlrk.com

Theodore Mirvis is a partner in the litigation department at Wachtell, Lipton, Rosen & Katz. Mr Mirvis has been with the firm for over 30 years, and, during that time, has litigated some of the landmark cases regarding corporate governance issues, mergers and acquisitions, stockholder's rights and numerous other matters involving corporate and securities litigation. He is an expert on corporate defense. He has written extensively on topics ranging from white-collar crime, corporate governance, mergers and acquisitions and stockholder derivative suits, and is a regular lecturer at the Harvard Business School and the Harvard Law School.

Mr Mirvis received a BA, *summa cum laude*, from Yeshiva University in 1973 and received a JD, *magna cum laude*, from the Harvard Law School in 1976. At the Law School, he served as case officer and as a member of the editorial board of *The Harvard Law Review*. Upon graduation, Mr Mirvis was a law clerk to the Honorable Henry J Friendly of the United States Court of Appeals for the Second Circuit. He is a member of the American Law Institute, the Planning Committee of the Tulane Corporate Law Institute, and the advisory board of the Harvard Law School Program on Corporate Governance.

JONATHAN M MOSES**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 Tel: 212 403 1388
 Fax: 212 403 2388
 Email: JMMoses@wlrk.com
 Website: www.wlrk.com

Jonathan M Moses is a member of the firm's litigation department which he joined in 1998. He has represented clients in diverse industries, including banks and financial institutions, media companies, and industrial firms. His practice includes government investigative proceedings and complex commercial, insurance and securities litigation.

Prior to joining the firm, Mr Moses served as an attorney for the *New York Daily News*, where he worked on First Amendment issues among other matters, and a law clerk to the Hon Stephen F Williams of the United States Court of Appeals for the District of Columbia Circuit.

Mr Moses is also a former journalist having served, among other positions, as a staff reporter for *The Wall Street Journal*. From 1990 to 1991, Mr Moses served as a speechwriter to Gov Jim Florio of New Jersey.

Mr Moses received an AB from Harvard University in 1988 and a JD from Columbia Law School in 1996, where he was an editor of the Law Review and a James Kent Scholar. Following graduation from Harvard, Mr Moses was the recipient of a Fulbright Fellowship in Hong Kong.

Mr Moses is admitted to practice in the State of New York, the Southern and Eastern Districts of New York, the District of New Jersey, and the US Court of Appeals for the DC Circuit. He is a member of the Association of the Bar of the City of New York, where he now serves on the Committee on the Judiciary, the Federal Bar Council and the American Bar Association. In 2007, he was among the Partnership for New York City's David Rockefeller Fellows.

LAWRENCE B PEDOWITZ**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
New York, NY 10019
Tel: 212 403 1231
Fax: 212 403 2231
Email: LBPedowitz@wlrk.com
Website: www.wlrk.com

Lawrence Pedowitz has been a partner at Wachtell, Lipton, Rosen & Katz since 1980. He specializes in complex civil and corporate litigation, and regulatory, white collar criminal and professional liability matters. Mr Pedowitz heads Wachtell Lipton's white collar and regulatory practice group, and often is involved in internal investigations and corporate governance and compliance reviews. His clients include securities firms, investment banks, defense contractors, pharmaceutical companies, law firms and corporate officers. Mr Pedowitz is regularly ranked as a leading lawyer by directories that evaluate law firms.

Prior to joining Wachtell Lipton, Mr Pedowitz was a law clerk to Second Circuit Court of Appeals Chief Judge Henry J Friendly (1972-1973) and to United States Supreme Court Justice William J Brennan (1973-1974). He also served as Chief Appellate Attorney (1976-78) and as chief of the criminal division (1982-1984) in the United States Attorney's Office for the Southern District of New York.

Mr Pedowitz has lectured at numerous continuing education programs. He also taught trial practice and acted as a director of the Brennan Center at New York University Law School. Mr Pedowitz has served on several committees of the Bar of the City of New York, including: the Criminal Law, the Federal Legislation and the Federal Courts Committees. In addition, he served as a vice chairman and director of the Legal Aid Society, and is a co-founder of New York Law Firms for the Homeless, which is the financial support organization for the New York Coalition for the Homeless.

He received a Bachelor of Arts degree from Union College, *summa cum laude*, in 1969. He serves as a trustee of Union College and is on its executive committee. He received a Juris Doctor, *cum laude*, from New York University in 1972, where he served as editor-in-chief of the *New York University Law Review*.

ERIC M ROTH**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
New York, NY 10019
Tel: 212 403 1257
Fax: 212 403 2257
Email: EMRoth@wlrk.com
Web: www.wlrk.com

Eric M. Roth has been a partner in the litigation department of Wachtell, Lipton, Rosen & Katz since 1984. Mr Roth's practice has included corporate, securities, insurance, creditors' rights and other complex commercial litigation matters. He has been involved in several landmark cases involving mergers and acquisitions including, among others, defending the legality of the poison pill, obtaining specific performance of a merger agreement on behalf of the selling corporation and enjoining a defensive restructuring on behalf of a hostile bidder. He has recently represented the insureds in the World Trade Center coverage litigation.

Mr Roth received a BA, with distinction in all subjects, from Cornell University in 1974, and a JD from New York University School of Law in 1977. He served as a member of The New York University Law Review and was the note and comment editor during his last year. After graduating, he clerked for the Honorable Lee P Gagliardi of the United States District Court for the Southern District of New York, before joining Wachtell, Lipton, Rosen & Katz in 1979.

Mr Roth is the former chairman and current member of the board of directors of the MFY Legal Services, which provides free legal representation in civil matters to the poor and the mentally ill in New York City. He also serves as a member of the Cornell University Council and both the board of trustees of the Law Center Foundation and the Dean's Strategic Council at New York University School of Law.

Mr Roth is admitted to practice in the State of New York and the District of Columbia. His court admissions include the United States District Courts for the Southern and Eastern Districts of New York, the United States District Court for the Eastern District of Wisconsin, the United States Courts of Appeals for the Second, the Fourth, the Fifth, the Eighth, the Ninth and the Eleventh Circuits, and the United States Supreme Court. He is a member of the New York State Bar Association, the District of Columbia Bar, the American Bar Association and the Federal Bar Council.

JOHN F SAVARESE**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 USA
 Tel: 212 403 1235
 Fax: 212 403 2235
 Email: JFSavarese@wlrk.com
 Website: www.wlrk.com

John F Savarese has been a partner in the litigation department of Wachtell, Lipton, Rosen & Katz in New York for over fifteen years. He has represented numerous Fortune 500 corporations, major financial institutions and senior executives in SEC and other regulatory enforcement proceedings, as well as white collar criminal investigations, complex securities litigation, and internal investigations. His extensive experience includes major investigations concerning accounting fraud, insider trading, criminal tax, criminal antitrust, and the Wall Street research-analyst allegations.

Mr Savarese joined Wachtell Lipton in 1988, after working in the United States Attorney's Office for the Southern District of New York, where he tried numerous jury trials, received the Attorney General's John Marshall Award for Outstanding Legal Achievement, and also served as Chief Appellate Attorney. Prior to his work with the United States Attorney's Office, Mr Savarese served as a law clerk to Justice William J Brennan of the United States Supreme Court, and to the Honorable Louis H Pollak of the United States District Court for the Eastern District of Pennsylvania.

Mr Savarese teaches a course on white collar criminal law and procedure at Harvard Law School. He also is a frequent lecturer and panelist for the American Bar Association, Stanford Law School's Directors' College program, the Practising Law Institute, and the Securities Industry and Financial Markets Association concerning a wide variety of topics, including defending civil and criminal litigation, handling corporate crises and conducting internal investigations. He has written numerous articles on those subjects and serves as a member of the board of editors of the *Securities Litigation Report*. He also is a member of the Dean's Advisory Board at Harvard Law School, as well as the board of trustees of the Vera Institute of Justice in New York and the Lawyers' Committee for Civil Rights Under Law.

Mr Savarese graduated, *magna cum laude*, from Harvard University in 1977 and received his JD, *cum laude*, from Harvard Law School in 1981, where he was an editor of the *Harvard Law Review*.

WARREN R STERN**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 Tel: 212 403 1239
 Fax: 212 403 2239
 Email: WRStern@wlrk.com
 Website: www.wlrk.com

Warren Stern has been a member of the litigation department at Wachtell, Lipton, Rosen & Katz since 1979, and a partner since 1985. At Wachtell, Lipton, Rosen & Katz Mr Stern concentrates on corporate and securities litigation, and has been particularly active in cross-border matters and the financial services area.

Mr Stern is admitted to practice in a number of federal courts around the country, including the Supreme Court of the United States, the United States Court of Appeals for the Second Circuit and the United States Court of Appeals for the Third Circuit. Mr Stern received his BA, *summa cum laude*, from Columbia in 1974 and received his law degree, *magna cum laude*, from Harvard in 1978, where he served on the *Harvard Law Review*. Prior to joining Wachtell Lipton, Mr Stern clerked for the Hon Henry J Friendly of the United States Court of Appeals for the Second Circuit. Mr Stern was a Covington & Burling distinguished visitor and lecturer on law at Harvard Law School in 2008, and will continue to teach securities litigation at Harvard in 2009. He also has taught securities law at New York Law School and has made a number of presentations on securities law topics before professional organizations. He was named in 2008 as one of *Lawdragon's* "100 Lawyers You Need to Know in Securities Litigation" and was selected by SuperLawyers in 2009 as a leading New York lawyer in securities and business litigation.

Mr Stern is a member of the American Law Institute, the American Bar Association, the New York State Bar Association and the New York City Bar Association. He is on the editorial advisory board of *Securities Litigation Report*. Mr Stern's pro bono activities have included human rights work with the Lawyers Committee for Human Rights and the New York City Bar Association.

PAUL VIZCARRONDO**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 Tel: 212 403 1208
 Fax: 212 403 2208
 Email: PVizcarrondo@wlrk.com
 Website: www.wlrk.com

Paul Vizcarrondo has been a partner in the litigation department of Wachtell, Lipton, Rosen & Katz specializing in corporate and securities litigation and regulatory and white collar criminal matters since 1981. He has tried significant cases in courts throughout the US. He joined the firm in 1979, after having worked as law clerk to the Honorable Edward Weinfeld, US District Judge for the Southern District of New York (1973-1974), and as an Assistant US Attorney in the Southern District of New York (1974-1978). He was awarded the Department of Justice's Special Achievement Award for his work in the Securities and Commodities Fraud Unit of the US Attorney's Office.

Mr Vizcarrondo has taught trial practice as an adjunct assistant professor of law at New York University School of Law and as a faculty member at the National Institute for Trial Advocacy. Since 1985 he has lectured on the federal securities laws for the Practising Law Institute. He also has spoken on litigation issues as a member of numerous continuing legal education panels. Mr Vizcarrondo wrote the chapter on "RICO" in Obermaier & Morvillo's *White Collar Crime: Business and Regulatory Offenses*. He has served on several committees of the Association of the Bar of the City of New York, including the Criminal Law and Federal Courts Committees, and is a member of the Securities Litigation Committee; and has been a Master of the Federal Bar Council's Inn of Court. Mr Vizcarrondo is recognized by *Chambers USA Guide*, *Best Lawyers in America*, *Lawdragon 500* and *Benchmark Litigation* as one of the top litigation lawyers in the country.

Paul Vizcarrondo graduated with a BS from Cornell University in 1970 and from Columbia University School of Law with a JD in 1973. While at Columbia, he was a Harlan Fiske Stone Scholar and articles and book reviews editor of the *Columbia Law Review*. He has been a member of the Columbia Law School Board of Visitors since 1998.

HERBERT M WACHTELL**WACHTELL, LIPTON, ROSEN & KATZ**

51 West 52nd Street
 New York, NY 10019
 Tel: 212 403 1216
 Fax: 212 403 2000
 Email: HMWachtell@wlrk.com
 Website: www.wlrk.com

Mr Wachtell is a founding and senior partner of the law firm of Wachtell, Lipton, Rosen & Katz in New York. He is a graduate of New York University (1952) and its Law School (1954), has a Masters of Law degree from the Harvard University School of Law (1955) and has represented a wide range of clients in major commercial litigations throughout the US, including extensive appearances in Federal and State appellate courts.

Mr Wachtell was editor of the *New York University Law Review*, from 1953 to 1954 and an assistant US Attorney for the Southern District of New York from 1955 to 1957. He is the author of *New York Practice Under the CPLR*, first edition, 1963, second edition, 1966, third edition, 1970, fourth edition, 1973, fifth edition, 1976, sixth edition, 1986, Practising Law Institute.

He is a fellow of the American Bar Foundation, and the American College of Trial Lawyers. He is also a member of the American Law Institute, American Bar Association, The Association of the Bar of the City of New York, and the New York Bar Foundation.

MARC WOLINSKY



WACHTELL, LIPTON, ROSEN & KATZ

51 West 52nd Street
New York, NY 10019
Tel: 212 403 1226
Fax: 212 403 2226
Email: MWolinsky@wlrk.com
Website: www.wlrk.com

Marc Wolinsky has been a member of the litigation department at Wachtell, Lipton, Rosen & Katz since 1987. His practice includes corporate governance, contracts, insurance and securities litigation.

Most recently, Mr Wolinsky led the successful representation of Rohm and Haas in compelling Dow Chemical to close on the acquisition of that company. Mr Wolinsky was a lead member of the trial team that successfully defeated Tyson's claim that IBP had suffered a "material adverse change" in its business. The case, *IBP v Tyson*, is the lead precedent on what constitutes a "material adverse change." Mr Wolinsky also was the lead lawyer representing JC Flowers, Bank of America and JPMorgan Chase in Delaware Chancery Court litigation with Sallie Mae over whether Sallie Mae had suffered a material adverse change in its business.

Mr Wolinsky recently led the representation of JPMorgan Chase in Delaware Chancery Court and New York Supreme Court litigation over JPMorgan's acquisition of Bear Stearns, and participated in the successful defense of Delaware Chancery Court litigation between IAC/Interactive and Barry Diller against Liberty Media and John Malone.

Following 9/11, Mr Wolinsky was a lead member of the team representing Larry Silverstein in insurance litigation arising out of the destruction of the World Trade Center. As part of that representation, Mr Wolinsky was a member of the trial team that successfully convinced a New York jury that the attacks on the World Trade Center should be treated as two "occurrences" for insurance purposes. He then led the effort to settle the case, which resulted in the May 24 2007 announcement by then-Governor Spitzer of what was reported to be the largest property insurance settlement in history. Mr Wolinsky is continuing to represent Silverstein in its continuing disputes with the Port Authority.

As part of his pro bono work, Mr Wolinsky was the lead lawyer representing Joseph Steffan in his challenge to the ban on the service of gay men and women in the military, arguing the case to the DC Circuit sitting en banc.

Marc Wolinsky joined Wachtell after clerking for the Honorable Henry J Friendly of the United States Court of Appeals for the Second Circuit from 1980 - 1981. He received his BA with High Honors from Swarthmore College in 1977, and his JD with Honors from the University of Chicago Law School. While in Law School, he was a member of *The University of Chicago Law Review* and served as a comment and articles editor. Mr Wolinsky has argued appeals in the DC Circuit, the New York Court of Appeals and the Appellate Division of the New York State Supreme Court. He is admitted to practice in the State of New York, the United States District Court for the Southern and Eastern Districts of New York, the United States Courts of Appeals for the Second, Seventh and DC Circuits and the United States Supreme Court.

PAUL FRIEDLAND



WHITE & CASE LLP

1155 Avenue of the Americas
New York, New York 10036-2787
United States
Tel: 212-819-8200
Fax: 212-354-8113
E-Mail: pfriedland@whitecase.com
Website: www.whitecase.com

Paul Friedland is head of the White & Case international arbitration practice group. He has served as counsel or arbitrator in numerous international arbitrations, principally involving the oil and gas, power, telecommunications and construction sectors. Mr Friedland holds leadership positions in several arbitration institutes (including the American Arbitration Association, the LCIA and the Institute for Transnational Arbitration), and is repeatedly ranked by industry publications among the top arbitration practitioners.

Mr Friedland regularly advises clients at the contract drafting stage on options for dispute resolution mechanisms, and at the pre-arbitral stage on options for mediation or other alternative dispute resolution processes. He has represented clients in several international mediations.

Mr Friedland also has broad experience of US litigation, having secured favorable verdicts on behalf of his clients in two jury trials and one bench trial.

Mr Friedland is the author of *Arbitration Clauses for International Contracts* (2d ed 2007), described as a "must-have for all practitioners working in the burgeoning field of international arbitration" (*NY Law Journal*, April 2008).

GLENN M. KURTZ**WHITE & CASE LLP**

1155 Avenue of the Americas
New York, New York
10036-2787
United States
Tel: +1 212 819 8252
Fax: +1 212 354 8113
Web: www.whitecase.com

Glenn Kurtz is the Global Chair of Commercial Litigation at White & Case LLP. Mr. Kurtz is a very experienced trial and appellate lawyer, who handles complex cases, primarily class action and multi-district litigations, in federal and state courts throughout the United States. Mr. Kurtz also handles arbitrations.

Mr. Kurtz focuses on commercial cases, typically arising out of debt and equity investments, financing agreements, acquisition agreements, shareholder agreements, technology licenses, franchise and distributorship contracts and other significant agreements or arrangements. Mr. Kurtz has substantial trial experience in cases involving financial instruments, valuations and pricing.

Mr. Kurtz handles M&A related and other fiduciary litigation, and major securities fraud, RICO and other class action cases.

- Mr. Kurtz represents Walter Noel, a founder of the Fairfield Greenwich Group, in connection with the highly publicized consolidated putative class actions in federal court, state courts and in related investigations arising out of the multibillion dollar Madoff Ponzi scheme.
- Mr. Kurtz is counsel to Royal Ahold and certain affiliates in Royal Ahold Securities and ERISA litigations, among the largest multi-district litigation class action securities fraud/ERISA cases ever filed, involving billions of dollars.

Mr. Kurtz has extensive experience in major bankruptcy cases. He has represented debtors, creditors' committees, creditors, litigation trusts and equity holders in a number of significant bankruptcies, including in connection with parallel proceedings brought in the United States and abroad.

Mr. Kurtz litigates trade secret cases involving computer software, chemical formulations and general business matters. He also represents manufacturers in product liability actions, including as national coordinating counsel for asbestos cases.

Mr. Kurtz represents insurers and insureds in coverage litigation. Mr. Kurtz represented a major financial institution in connection with a nine-figure insurance claim arising out of the WorldCom securities cases. He has also represented The Prudential Insurance Company of America, the Chubb Insurance Companies, The Equitable Life Assurance Society and The Home Insurance Company. Mr. Kurtz was involved in the settlement of all asbestos-related personal injury liabilities of a significant asbestos manufacturer in one of the original mandatory class action settlements establishing a trust and elaborate mechanisms for future claims resolution, and providing bar orders and full releases to the defendant and its insurers. Mr. Kurtz has litigated bad faith actions in numerous jurisdictions.

Mr. Kurtz also has substantial experience in employment cases, including employee raiding claims, noncompete and nonsolicitation claims, misappropriation of trade secrets claims, and significant ERISA cases.

Mr. Kurtz represents religious corporations in various novel litigations, including First Amendment claims, church governance and property disputes and sexual misconduct cases, and prevailed at trial on a very difficult case for the right to a church and its property arising out of a schism at the Bulgarian Eastern Orthodox Archdiocese.

JEFFREY J. OELKE**WHITE & CASE LLP**

1155 Avenue of the Americas
New York, New York
10036-2787
United States
Tel: +1 212 819 8200
Fax: +1 212 354 8113
Web: www.whitecase.com

Mr. Oelke represents some of the world's preeminent life sciences companies in patent litigation. He also counsels clients on patent and other intellectual property issues in the pharmaceutical, chemical, biotech and mechanical fields.

Mr. Oelke has represented clients in all phases of patent litigation, including appeals to the U.S. Court of Appeals for the Federal Circuit. He has extensive experience in Hatch-Waxman patent litigation. He is a registered patent attorney and has experience before the U.S. Patent and Trademark Office, filing and prosecuting patent applications. He has also conducted due diligence on the patent portfolios of companies.

He has been recognized as a leading attorney in Patent Litigation (Life Sciences/Chemical) in the *Legal 500* Vol. II (Intellectual Property, Media, Technology and Telecoms) and in Vol. III (Litigation) (2007). He has also been recognized as a "Future Star" in New York by the *Benchmark Litigation Guide* (2009).

In addition to lecturing frequently on various patent law issues, he has been cited in *Chief Executive* magazine concerning changes to the U.S. patent system. "Surviving the Patent Shakeup," Eric Sherman, *Chief Executive*, July/Aug 2008.

Representative Cases:

- *Pfizer Inc. v. Teva Pharmaceuticals, Inc.*, 2008 WL 518838 (D.N.J. 2008).
- *Teva Pharmaceuticals USA, Inc. v. Pfizer Inc.*, 395 F.3d 1324 (Fed. Cir. 2005).
- *Massachusetts Eye & Ear Infirmary v. Novartis Ophthalmics, Inc.*, 353 F. Supp. 2d 170 (D. Mass 2005).
- *Mutual Pharmaceutical Co. v. Pfizer Inc.*, 307 F. Supp. 2d 88 (D.D.C. 2004).
- *ICN Pharmaceuticals, Inc. v. Geneva Pharmaceuticals, Tech. Corp.*, 272 F. Supp. 2d 1028 (C.D. Cal. 2003).
- *Monsanto Co. v. Mycogen Plant Science*, 261 F.3d 1356 (Fed. Cir. 2001).

Representative Lectures:

"Managing Worldwide Pharmaceutical Patent Litigation -- Advanced Legal and Practical Considerations," Pharmaceutical Patent Life Cycles Conference, January 19, 2006 (London).

"Inventorship: Considerations for Pharmaceutical Patents," Henry Stewart Conference: Attacking/Defending Patents in the U.S. Pharmaceutical Market, September 30, 2003 (San Francisco).

"Preliminary Injunctions in Pharmaceutical Patent Cases: When Is It Worth the Gamble?" Pharmaceutical Law Conference, January 16, 2002 (Philadelphia).

"Business Method Patents and Their Role in the New Marketplace," Legal and Business Aspects of E-Commerce Seminar, October 12, 2000 (New York).

CHRISTOPHER SHORE**WHITE & CASE LLP**

1155 Avenue of the Americas
New York, New York
10036-2787
United States
Tel: + 1 212 819 8200
Fax: + 1 212 354 8113
Web: www.whitecase.com

Mr Shore is a member of the commercial litigation practice group, specializing in trials of contract and other complex business disputes. Mr Shore has tried jury and bench trials in federal and state courts as well as before arbitral and administrative bodies in a wide array of disputes, including those involving shareholder agreements, bank finance agreements, intercreditor agreements, derivative instruments and structured financings. Mr Shore has been lead trial counsel in more than a dozen of these disputes.

Mr Shore's current engagements include acting as trial counsel for Appaloosa Management in its dispute with Delphi Corporation over a failed \$2.65 billion M&A transaction and for Old Ladder Litigation Company, a litigation trust established in the bankruptcy case of Werner Ladder, in efforts to recover in excess of US \$1 billion from more than 200 defendants.

Recently, Mr Shore acted as trial and appellate counsel for the ad hoc Committee of Arahova Noteholders, a committee of bondholders in the Adelphia bankruptcy cases pending in New York. Described as among the most complex and contentious bankruptcy cases ever litigated, the Adelphia disputes involved the allocation of over US \$17 billion in assets to creditors of estates involved in one of the most significant and wide-ranging corporate frauds in US history. Following extended trials, Mr Shore and his trial team were able to secure an additional US \$2 billion of distributions for Arahova bondholders, resulting in a full recovery for the firm's clients.

Prior to the Adelphia engagement, Mr Shore acted as lead bankruptcy litigation counsel for Mirant Corporation and was responsible for conducting all bankruptcy litigation and managing outside litigation relating to Mirant's bankruptcy proceedings in Fort Worth, Texas. As litigation counsel, Mr Shore developed and implemented a series of custom claim, trial and estimation procedures to resolve over US \$260 billion in disputed claims filed against Mirant. That process resulted in the disallowance or material impairment of approximately US \$250 billion in filed claims. The Mirant engagement was a critical component of the firm being named the 2006 IFLR "Restructuring Team of the Year."

In the past five years, Mr Shore has also undertaken material litigation engagements in many of the largest and most prominent bankruptcy cases in the US, including those of Dana Corporation, Delphi Corporation, Delta Airlines, Solutia, Dreier LLP, and Lehman Brothers.

Mr Shore is admitted to the State Bars of New York and Rhode Island and the United States Courts of Appeal for the Second, Fifth and Federal Circuits, as well as the United States Supreme Court. He received his BA from Brown University and JD from Georgetown University.

SHAWN P NAUNTON**ZUCKERMAN SPAEDER LLP**

1540 Broadway
Suite 1604
New York, NY 10036-4039
Tel: 646.746.8655
Fax: 212.704.4256 fax
Email: snaunton@zuckerman.com
Web: www.zuckerman.com

Shawn P Naunton's practice focuses on complex commercial litigation, securities litigation and white collar defense. Mr Naunton has extensive experience handling complex matters in federal and state courts, including shareholder class litigation, derivative litigation, bond indenture litigation, complex arbitrations, corporate control contests, and corporate governance matters. Mr Naunton also has worked extensively on investigations by the US Securities and Exchange Commission (SEC), the New York Stock Exchange, and the Financial Industry Regulatory Authority.

Mr Naunton recently secured a significant trial victory in the Delaware Court of Chancery on behalf of a broker who sued to compel his former employer to advance defense costs in connection with an SEC proceeding arising out of his employment by the brokerage house. He also represented a broker in a recent SEC enforcement proceeding in which his client was accused of using deceptive practices to time mutual funds. During the proceeding, Mr Naunton won a landmark ruling from the SEC that ensured his client's access to evidence that previously would not have been discoverable. Commentators in the New York Law Journal predicted that the ruling will have far-reaching effects on the way in which the SEC authorizes cases and engages in litigation.

Prior to joining Zuckerman Spaeder, Mr Naunton was an associate in the New York office of Skadden, Arps, Slate, Meagher & Flom. Before entering private practice, Mr Naunton served as law clerk to the Honorable J Frederick Motz of the US District Court for the District of Maryland.

Mr Naunton received his law degree from the University of Virginia School of Law in 1997. While in law school, Mr Naunton served on the articles review board of the Virginia Law Review and also wrote for the Virginia Law Weekly. Mr Naunton received his undergraduate degree from Princeton University, *cum laude*, in 1993.

Bar Admissions

New York, Maryland

Court Admissions

- US Court of Appeals, 4th Circuit
- US District Court, Southern District of New York
- US District Court, District of Maryland
- US District Court, District of Colorado

Education

- University of Virginia School of Law, JD, 1997
- Articles Review Board, Virginia Law Review
- Princeton University, B.A., *cum laude*, 1993

Recognitions

- Local Litigation Star, *Benchmark Litigation*, 2010

C EVAN STEWART**ZUCKERMAN SPAEDER LLP**

1540 Broadway, Suite 1604
 New York, NY 10036-4039
 Tel: 212.704.4348
 Fax: 212.704.4256 fax
 Email: estewart@zuckerman.com
 Web: www.zuckerman.com

C Evan Stewart handles litigation matters on behalf of domestic and international clients before the US Supreme Court, the Judicial Panel on Multidistrict Litigation, as well as federal and state appellate and trial courts. Mr Stewart also represents clients in arbitration proceedings before the American Arbitration Association, Financial Industry Regulatory Authority, National Association of Securities Dealers, and New York Stock Exchange.

Concentrating primarily in securities litigation and regulatory enforcement matters, he practices antitrust (civil and criminal), takeover and other forms of emergency litigation, trademark, employment, and general corporate and commercial law. He was featured by the *New York Law Journal* in the "Top Trials of 2005" for his successful representation of Theodore Sihpol, the first person in US history to be criminally charged for late trading mutual funds.

Mr Stewart has substantial experience in the financial services industry. He served 12 years as executive vice president, general counsel and secretary for The Nikko Securities Co. International, and he also served as a director of Nikko Financial Services. In addition, Mr Stewart was first vice president and associate general counsel of EF Hutton & Company, serving as head of its litigation department.

Bar Admissions New York

Court Admissions US Supreme Court, US Claims Court, US Court of International Trade, US District Court, Eastern District of New York, US District Court, Southern District of New York, US Court of Appeals, District of Columbia Circuit, US Court of Appeals, 2nd Circuit, US Court of Appeals, 3rd Circuit, US Court of Appeals, 5th Circuit, US Court of Appeals, 6th Circuit, US Court of Appeals, 7th Circuit, US Court of Appeals, 9th Circuit, US Court of Appeals, 10th Circuit

Education Cornell Law School, JD, 1977; Cornell University, BA, *cum laude*, 1974

Related Professional Activities

- Adjunct Professor, Fordham University School of Law
- Adjunct Professor, Brooklyn Law School
- Visiting Professor, Cornell University
- Member, Council on Foreign Relations
- Member, Pace Law School Investor Rights Project Advisory Board
- Arbitrator, Financial Industry Regulatory Authority
- Mediator, U.S. District Court for the Eastern District of N.Y.
- Advisory Panel, U.S. District Court for the Eastern District of N.Y.
- Chair, Practising Law Institute Program
- Advisory Board, BNA's *Class Action Litigation Report*
- Advisory Board, *New York Business Law Journal*
- Contributing Editor, *The Encyclopedia of Venture Capital*
- Board of Editors, *Federal Bar Council News*
- Former Special Assistant District Attorney (New York City)
- Former Chair, Federal Regulation Committee, Securities Industry Association
- Former member, Securities Regulation Committee, Association of the Bar of the City of New York
- Former Trustee, Federal Bar Council
- Cornell University (Board of Trustees; Chair, University Council; Advisory Councils: Cornell Law School, Johnson Museum of Art, University Library, and College of Arts & Sciences)

Recognitions

- Local Litigation Star, *Benchmark Litigation*, 2010
- Dyson Society of Fellows, Pace University, Fall 2007
- Top Trials of 2005, *New York Law Journal*, February 2006
- AV® Peer Review Rated, Martindale-Hubbell