

HAUSFELD LLP FIRM SUMMARY

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

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

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

LEADERSHIP IN LANDMARK LITIGATION

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

Antitrust

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

- *In re Florida Cement and Concrete Antitrust Litig.*, No. 09-23187-CIV-ALTONAGA/Brown (S.D. Florida)
- *In re Fresh and Process Potatoes Antitrust Litig.*, No. 4:10-MD-2186-BLW (D. Id.)
- *In re Hydrogen Peroxide Antitrust Litig.*, No. 05-cv-666 (E.D. Pa.)
- *In re International Air Passenger Surcharge Antitrust Litig.*, No. M:06-cv-01793 (N.D. Cal.)
- *Kohlder Manufacturing Co., Inc. v. Kason Industries, Inc. et al*, No. 1:10-cv-01875-WSD (N.D. Ga.)
- *In re Methyl Methacrylate Antitrust Litig.* (“MMA”), No. 06-md-1768 (E.D. Pa.)
- *In re Municipal Derivatives Antitrust Litig.*, No. 08-cv-2516 (S.D.N.Y.)
- *In re NCAA Student-Athlete Name & Likeness Licensing Litig.*, No. C09-1967 VRW (N.D. Cal.)
- *In re Optical Disk Drive Antitrust Litig.*, No. 3:10-md-02143-VRW (N.D. Cal.)
- *In re OSB Antitrust Litig.*, No. 06-cv-826 (E.D. Pa.)
- *In re Polyurethane Foam Antitrust Litig.*, No. 1:10-md-02196-JZ (N.D. Ohio)
- *In re Pressure Sensitive Labelstock Antitrust Litig.*, MDL No. 1556 (M.D. Pa.)
- *In re Processed Egg Products Antitrust Litig.*, No. 2:08-cv-04653 (E.D. Pa.)
- *In re Rail Freight Fuel Surcharge Antitrust Litig.*, No. 1:07-mc-00489-PLF-JMF (D.D.C.)
- *In re Transpacific Passenger Air Transport Antitrust Litig.*, No. 3:07-cv-05634 (N.D. Cal.)
- *In re Vitamins Antitrust Litig.*, MDL No. 1285 (D.D.C.)
- *In re Vitamin C Antitrust Litig.*, No. 1:06-md-01738-DGT-JO (E.D.N.Y.)
- *In re LIBOR-Based Financial Instruments Antitrust Litig.*, No. 11-MD-2262 (S.D.N.Y.)

Consumer Protection

- *Kairoff v. Dropbox, Inc.*, No. 4:11-cv-02508-PJH (N.D. Cal.)
- *Radoski, et al. v. Envision EMI, LLC*, No. 1:09-CV-00887-CKK (D.D.C.)
- *Ross v. Trex Co., Inc.*, No. 5:09-CV-00670 (N.D. Cal.)
- *Savett v. Sealy Corp.*, No. 1:11-CV-336 (M.D.N.C.)
- *In re Sony PS3 “Other OS” Litig.*, No. CV-10-1811-RS (N.D. Cal.)
- *In re Tyson Foods, Inc., Chicken Raised without Antibiotics Consumer Litig.*, No. 1:08-md-01982-RDB (D. Md.)
- *Wolph v. Acer America Corp.*, No. CV-09-01314-VRW (N.D. Cal.)

Mass Tort

- *In re Chinese-Manufactured Drywall Products Liability Litig.*, MDL No. 2047 (E.D. La.) (Of Counsel to Plaintiffs’ Steering Committee)
- *In re Prempro Products Liability Litigation*, No. 4:03-cv-01507-WRW (E.D. Ark.) (Plaintiffs’ Steering Committee)

Financial Services

- *In re Commodity Exchange, Inc. Silver Futures and Options Trading Litig.*, No. 1:11-md-02213-RPP (S.D.N.Y.) (Interim Plaintiffs’ Steering Committee).

Sports & Entertainment

- *Dryer v. Nat'l Football League*, No. 0:09-cv-02182-PAM-AJB (D. Minn.)
- *Eller v. Nat'l Football League*, No. 11-CV-639 (D. Minn.)

RECENT ACCOLADES AND ACHIEVEMENTS

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

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

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

"Led by the renowned Michael Hausfeld, Hausfeld LLP has rapidly established itself at the plaintiff's bar since its inception in 2008, bringing to bear its '*crucial experience of the tactics which may be employed by both sides in litigation*'. The group has a dedicated focus on complex antitrust litigation and class actions, and 'provides creative advice to resolve issues'. In June 2010, the firm reached a \$25m settlement with defendants Land O'Lakes, Moark and Norco Ranch in *In re Processed Egg Products Antitrust Litigation*. The firm had filed the first case in this action alleging a national conspiracy of supply reduction and price fixing in the egg industry. The firm also saw *In re Ethylene Propylene Diene Monomer (EPDM) Antitrust Litigation* through to successful settlement in 2010 after seven years, winning class certification on summary judgment in 2009 and the subsequent Second Circuit appeal in 2010. The case was finally settled six months before the trial began. The firm also has a London office through which it is pursuing action against an alleged global cartel. Andrew Bullion and Megan Jones are recommended for having a '*good understanding of business and operational environments*'."

- The National Law Journal recognized Hausfeld LLP as a premier plaintiffs' firm in 2010 ("2010 Plaintiffs' Hot List"):

"Since its inception in 2008, 23-attorney Hausfeld has quickly positioned itself as a leader in antitrust and class action litigation. Washington-based Chairman Michael Hausfeld's firm has established new frontiers for plaintiffs' legal recovery, while pursuing global cartels and representing victims of apartheid. That case resulted in a groundbreaking ruling by the U.S. Court

of Appeals for the 2d Circuit that aiding and abetting violations of international law are actionable under the Alien Tort Claims Act. The firm claims recoveries worth \$300 million during the past 12 months.”

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

“Hausfeld LLP brands as a global plaintiff representation firm, targeted at providing justice to both individuals and businesses, and antitrust litigation is one of five key areas of expertise....[T]he firm has been appointed co-lead counsel in over 20 significant cases. The firm is headquartered in Washington DC, and also has offices in New York, Philadelphia, San Francisco and London. One client ranks the firm as *‘the best I have ever worked with’*. Recent successes include two cases in the airline industry, firstly as co-lead counsel in the British Airways/Virgin Atlantic Fuel Surcharge Price-Fixing Cartel Case, which resulted in a \$200m settlement for the aggrieved plaintiffs; the precedent-setting case allowed UK citizens equal footing with US citizens in US courts. The firm also acted as co-lead counsel in negotiating and agreeing a \$85m court-approved settlement with Lufthansa in an air cargo shipping price-fixing cartel case; the action against other plaintiffs continues. Other significant work included taking a leading part include the “Chinese dry-wall” litigation, and an action on behalf of victims of the South African apartheid regime against multinational corporations which allegedly aided and abetted crimes against humanity... Recommended lawyers include the firm’s founder, Washington DC-based Michael Hausfeld, an experienced veteran who is *‘inventive and determined’*. Also in Washington DC, Brian Ratner is an *‘engaging, highly competent professional who can simplify complex antitrust matters and make them comprehensible to a non-antitrust attorney’*, and Andrew Bullion, *‘experienced, knowledgeable and easy to communicate with’*. In Philadelphia, Brent Landau is *‘very professional and personable’*. ”

- The US Legal 500 publication honored Hausfeld LLP as one of the top antitrust plaintiffs’ firms in the country in 2009.
- In March 2009 the firm finalized a historic global-settlement agreement with Parker ITR concerning the company’s involvement in an international marine-hose cartel. The settlement agreement was the first private resolution of a company’s global-cartel liability without any arbitration, mediation, or litigation. It thus signaled opportunities never before possible for dispute resolution, and it provides a new model for global-cartel settlements going forward. Major oil-company purchasers and other significant marine-hose purchasers have signed or agreed to sign the settlement agreement.
- Hausfeld LLP is court-appointed lead counsel (with special responsibility for stewardship of non-US claims) in the *Air Cargo Antitrust Litigation* on behalf of air-freight customers opposing a group of international airlines who allegedly fixed prices on air-freight shipping. This case has already resulted in settlements worth over \$450 million. Michael Hausfeld is one of the lead settlement negotiators for the claimants.
- Hausfeld LLP is also court-appointed co-lead counsel in the *Air Passenger Antitrust Litigation* representing thousands of air travelers worldwide opposing British Airways and Virgin

Atlantic Airways for allegedly fixing prices of air-passenger transportation from the UK to all long-haul destinations in the world (as well as the opposite routes). Hausfeld LLP lawyers secured in this action the first recovery for foreign citizens based on foreign antitrust law in a US antitrust case. European citizens and businesses will benefit significantly from this settlement, which provides equal compensation for domestic and foreign air passengers.

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

STERLING REPRESENTATION

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

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

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

LEGAL INNOVATION

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

NON-COMPETITION MATTERS

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

Highlights:

- *Holocaust Litigation*

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

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

Richard Lewis helped try the *Germano v. Taishan* property damages and remediation matter on behalf of seven Virginia homeowners. The Court ordered plenary relief for the seven homeowners in the amount of \$2.6M and determined the standard for remediation of a damaged Chinese drywall home. Mr. Lewis was instrumental in the *Daubert* briefing and argument as well as the trial testimony of several experts, and was successful in excluding significant portions of the defense experts' opinions.

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

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

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

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

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

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

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

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