

## HAUSFELD LLP FIRM RESUMÉ

Lawyers at Hausfeld LLP (the “Firm”) have represented businesses and individuals for decades in many of the major class actions litigated in the United States and abroad in areas such as antitrust/competition, securities fraud, environmental contamination, consumer protection, civil rights and human rights. Hausfeld LLP lawyers have been global leaders in developing numerous innovative legal theories that have expanded the quality and availability of legal recourse for aggrieved businesses and individuals in the United States and worldwide. The Firm is based in Washington, D.C., with offices in Philadelphia, New York, San Francisco, and London and affiliated offices in Europe, Asia, Latin America, Canada, and Australia.

Hausfeld LLP was founded by Chairperson Michael D. Hausfeld, who is widely acknowledged as one of the country’s top civil litigators and a leading expert in the field of private enforcement of competition and antitrust laws and international human rights. He has been referred to by The New York Times as one of the nation’s “most prominent antitrust lawyers” and by Washingtonian magazine as “a Washington lawyer determined to change the world - and succeeding.” Led by Mr. Hausfeld, Hausfeld LLP lawyers have been at the forefront of the development of international human rights and antitrust theory and the litigation of such claims. As the global economy has produced worldwide integrated markets, the nature of antitrust violations has caused worldwide integrated injuries. For example, in *Kruman v. Christie’s International PLC, et al.*, Docket No. 01-7309 (S.D.N.Y.) and *In re Vitamins Antitrust Litigation*, MDL 1285 (D.D.C.), both the parties and the anticompetitive actions were played out on an international stage. From Native Alaskans to Holocaust survivors, to victims of Apartheid in South Africa, Hausfeld LLP lawyers have also provided access to justice to individuals around the world by ensuring that global wrongs have global rights and remedies.

### **Key Cases**

In the short time since its formation, Hausfeld LLP and its attorneys have been appointed as Lead or Co-Lead Class Counsel in twenty-five class action cases:

- *In re Florida Cement and Concrete Antitrust Litigation*, 09-23187-CIV-ALTONAGA/Brown (S.D. Florida)
- *In re Air Cargo Shipping Services Antitrust Litigation*, 06-md-1775 (E.D.N.Y.)
- *In re Transpacific Passenger Air Transport Antitrust Litigation*, 3:07-cv-05634 (N.D. Cal.)
- *In re International Air Passenger Surcharge Antitrust Litigation*, M:06-cv-01793 (N.D. Cal.)
- *In re Flat Glass Antitrust Litigation*, 2:08-mc-00180 (E.D. Pa.)
- *In re OSB Antitrust Litigation*, No. 06-cv-826 (E.D. Pa.)
- *In re Processed Egg Products Antitrust Litigation*, 2:08-cv-04653 (E.D. Pa.)
- *In re Methyl Methacrylate Antitrust Litigation* (“MMA”), 06-md-1768 (E.D. Pa.)
- *In re Municipal Derivatives Antitrust Litigation*, 08-cv-2516 (S.D.N.Y.)

- *In re Hydrogen Peroxide Antitrust Litigation*, 05-cv-666 (E.D. Pa.)
- *Ace Delivery & Moving, Inc. v. Horizon Lines, LLC* (“Alaskan Shipping”), 08-cv-00207 (D. Ak.)
- *Molecular Diagnostics Labs. v. Hoffman-La Roche, Inc.* (“Taq”), 04-cv-01469 (D.D.C.)
- *In re Vitamins Antitrust Litigation*, MDL No. 1285 (D.D.C.)
- *In re Chocolate Confectionary Antitrust Litigation*, 08-mdl-1935 (M.D. Pa.)
- *In re Pressure Sensitive Labelstock Antitrust Litigation*, MDL No. 1556 (M.D. Pa.)
- *In re Endosurgical Products Direct Purchaser Antitrust Litigation*, No. SACV 05-8809 JVS (MLGx) (C.D. Cal.)
- *In re Ethylene Propylene* (“EPDM”), 3:03-md-01542-SRU (D. Conn.)
- *In re Automotive Aftermarket Lighting Products Antitrust Litigation*, No. 09-ML-2007-GW (PJW) (C.D. Cal.)
- *In re Rail Freight Fuel Surcharge Antitrust Litigation*, 1:07-mc-00489-PLF-JMF (D.D.C.)
- *Bruce Foods Corp. v. SK Foods, LP* (“Processed Tomatoes”), 2:09-cv-00027-MCE-EFB (E.D. Cal.)
- *Pelletz v. Advanced Environmental Technologies, Inc.* (“Choicedek”), No. C08-0334 (W.D. Wa.)
- *In re Tyson Foods, Inc., Chicken Raised Without Antibiotics Consumer Litigation*, 1:08-md-01982-RDB (D. Md.)
- *In re Fasteners Antitrust Litigation*, MDL No. 1912 (E.D. Pa.) (Co-lead for claims arising under non-US law)
- *In re Vitamin C Antitrust Litigation*, No. 1:06-md-01738-DGT-JO (E.D.N.Y.)
- *Ross v. Trex Co., Inc.*, No. 5:09-CV-00670 (N.D. Cal.)

## Notable Successes

The recent successes of Hausfeld LLP lawyers also include the following highlights:

- After being less than a year old, Hausfeld LLP has been listed by the US Legal 500 publication as one of the top antitrust plaintiffs’ firms in the country in 2009: “Hausfeld LLP brands itself as a global claimants firm, which includes antitrust plaintiff representation within a wider litigation offering. The firm is headquartered in Washington DC and also has offices in New York, [Philadelphia,] San Francisco and London . . . [It] has recorded several early successes - in March 2009 settlement was reached with one part of a US-based cartel without a court hearing when Parker ITR, a manufacturer and co-defendant in the cartel and price-fixing allegation concerning the marine hose used to transport oil between tankers and storage facilities, opted to automatically settle claims regardless of jurisdiction.” In particular, Legal 500 noted that “Michael Hausfeld, in Washington DC, is an outstanding antitrust litigator and is currently acting in cases such as the long-running air cargo price-fixing litigation against a dozen airlines.”
- In March 2009 the firm reached a historic global settlement agreement with Parker ITR regarding the company’s involvement in the marine hose cartel. The settlement agreement represented 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 provides a new model for global cartel settlements going forward. Major oil company purchasers and other significant marine hose purchasers have already signed or agreed to sign the settlement agreement.

- In listing the top antitrust plaintiffs' firms in the US, the publication Legal 500 has commented that: "The 'outstanding' Mike Hausfeld, in Washington, DC, is a titan of the antitrust bar and a 'very creative' advocate who is the architect behind the firm's expansion into Europe...." In particular, Legal 500 noted that the London office "has not been idle; this year the firm's offices on both sides of the Atlantic worked on the price-fixing scandal between BA and Virgin Atlantic, and achieved a ground-breaking \$200m settlement in the first-ever transatlantic recovery."

- Michael Hausfeld was the only US plaintiff's lawyer expressly invited by the European Commission's DG Competition to comment on its EC Antitrust Damages Actions Green Paper of March 28, 2006. He also responded to the OFT's White Paper on private damages actions for competition law infringement. Michael Hausfeld was invited to speak at the OFT's consultation meeting on September 24, 2007.

- On July 10, 2007, in the case of *Diamond Chemical Company, Inc. v. Akzo Nobel Chemicals B.V. et al.*, a U.S. federal judge in Washington, DC granted the motion by Hausfeld LLP lawyers to award \$5.1 million in undistributed settlement funds to The George Washington University Law School to endow a Center for Competition Law. The *cy pres* award resulted from a successful antitrust lawsuit brought by Hausfeld LLP lawyers on behalf of a plaintiff class harmed by an international anticompetitive conspiracy to fix prices for the sale of sodium monochloroacetate and monochloroacetic acid in the United States and elsewhere. This is a novel resolution in the face of increasing global trade; ill-gotten cartel profits will now be used to study and recommend improvements to global private anti-cartel enforcement.

In addition to the successes of Hausfeld LLP lawyers in the US, our pioneering antitrust work around the world has included the following highlights:

- Hausfeld LLP is serving as Lead Counsel having special responsibility for non-US claims in the Air Cargo Antitrust Litigation on behalf of air freight customers against a group of international flagship airlines for fixing prices on air freight shipping. This case has already resulted in a landmark \$85 million settlement with Lufthansa. The settlement will result in thousands of European businesses recovering damages for infringements of both US antitrust and EU competition law. Michael Hausfeld was the architect and lead settlement negotiator for the claimants.

- Hausfeld LLP is serving as Co-Lead Counsel in the Air Passenger Antitrust Litigation on behalf of thousands of air travelers around the world against British Airways and Virgin Atlantic Airways for fixing prices of air passenger transportation to and from the UK to all long-haul destinations in the world. Hausfeld LLP lawyers secured the first recovery for foreign citizens based on foreign antitrust law in a US antitrust case. European citizens and businesses will be significant beneficiaries of this settlement, which provides equal compensation for both domestic and foreign air passengers.

- Michael Hausfeld was the only plaintiff’s lawyer to appear before the European Commission in 2002 on behalf of European consumers in the Microsoft matter.
- Hausfeld LLP lawyers successfully litigated and settled foreign claims in the case of *Kruman v. Christie’s International PLC. et al.*, marking the first time that non-US claimants as a class received compensation for violation of competition laws (the fixing of auction commissions) – a milestone in both US antitrust jurisprudence and European recovery.
- In the landmark case of *Empagran v. F. Hoffman LaRoche, Inc., et al.*, Hausfeld LLP lawyers represented foreign purchasers in U.S. federal court to recover the billions of dollars in overcharges that resulted from a global conspiracy to fix vitamin prices and allocate market share. This case was litigated by Hausfeld LLP lawyers all the way to the United States Supreme Court, which delivered a ground breaking judgment on US Sherman Act jurisdiction. The scope of the jurisdiction was defined and confirmed that intertwined US and non-US claims against worldwide cartels may continue to be brought in the US courts. This case was designated as the “Matter of the Year” by the Global Competition Review.

### **A Record of Leadership**

Hausfeld LLP lawyers have hosted, lectured and participated in numerous international conferences on four different continents. They have spoken on issues such as: the pursuit of damage 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 the extraterritorial jurisdiction of the U.S. antitrust laws. Hausfeld LLP attorneys have presented before regulators, judges, business leaders, in-house counsel, private lawyers, consumer, environmental and human rights 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.

On the basis of Hausfeld LLP’s experienced lawyers, history, visibility and recent successes, the firm is widely considered to be a leader in the antitrust bar. Hausfeld LLP lawyers have a consistent track record of:

- Leading or participating in the world’s most significant plaintiffs’ private antitrust enforcement actions;
- Innovating at the cutting-edge of the private enforcement of antitrust in the US and globally; and
- Building a talented team of professionals representing one of the largest plaintiffs’ private antitrust enforcement teams in the US and the largest dedicated plaintiffs’ team in the UK and Europe.

Hausfeld LLP lawyers believe that, with the increasing incidence of global cartels and coordinated international enforcement of competition and antitrust laws, their firm is well positioned to provide unparalleled advice and the highest quality professional representation for claimants internationally. This

is increasingly recognized by the leading defense firms both publicly and in private as they seek to achieve global “peace” for their cartel clients.

### **Non-Competition Matters**

Aside from 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 is presently serving as lead counsel in an international environmental and human rights case involving drinking water contamination in Bhopal, India, as well as serving on the Plaintiff’s Steering Committee in the federal Hormone Replacement Therapy (“HRT”) mass tort litigation. Other recent successes of Hausfeld LLP lawyers in these areas include the following highlights:

- **Holocaust Litigation**

In the historic Swiss Banks 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. See *In re Holocaust Victim Assets Litig.*, Case No. CV 96-4849 (ERK) (MDG). 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 using 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 by multinational negotiations involving the defendants, plaintiffs’ counsel, and the governments of several countries.

- *In re The Exxon Valdez Litigation*, 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 that resulted in a jury verdict of more than \$5 billion (reversed and remanded; further proceedings pending).

- *In re Diet Drug Litigation (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. Richard 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 Litigation*, 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. However, StarLink was found in corn products sold in grocery stores across the country and was traced to widespread contamination of the U.S. commodity corn supply. The 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 the then-largest race discrimination settlement in history (\$176 million in cash, salary increases and equitable relief).

Annex 1 of this resume lists quotes from journalists and publications regarding the work of Hausfeld LLP lawyers, as well as awards and recognitions. Annex 2 lists many of the cases Hausfeld LLP lawyers have led and been involved in. Annex 3 includes the profiles of Hausfeld LLP lawyers. Annex 4 provides information about the firm's London affiliate Hausfeld & Co. LLP and its attorneys. Finally, Annex 5 lists publications by Hausfeld attorneys, and Annex 6 provides contact information for the firm's offices.

**Annex 1 – Quotes from journalists and publications regarding the work of Hausfeld LLP lawyers and recent awards and recognitions**

In 2009, *US Legal 500* described Michael Hausfeld as “an outstanding antitrust litigator.”

-*US Legal 500*, 2009

In 2008, *US Legal 500* discussed the work of Hausfeld LLP lawyers noting that the firm’s attorneys are “involved in the first antitrust case in the US against Chinese manufacturers, in which the plaintiffs are alleging that major Chinese pharmaceutical companies conspired to fix prices and control export output of Vitamin C. The case raises thorny issues about the government’s role in the defendants’ pricing, and its output decisions.”

*US Legal 500* also discussed the firm’s attorneys’ involvement in a “nationwide class action brought by the State of Mississippi, the City of Chicago and Fairfax County, Virginia against 37 leading banks, insurance companies and brokers alleging widespread price-fixing and bid-rigging in the multi-billion dollar municipal derivatives industry dating back to 1992.”

In conclusion, *US Legal 500* noted that the firm’s attorneys’ continue “to pick up instructions on some of the most significant cases around, both purely domestic and those with an international element. This impressive success, both nationally and away from home, prompts clients to confirm that the firm manages to get ‘a high percentage of the overall work’, and that the firm is ‘recognized as one of the top firms.’ ”

-*US Legal 500*, 2008

“Hausfeld haunts errant companies ranging from managed healthcare providers to makers of genetically engineered foods and bulk vitamins.”

-*Lawdragon*, January 2008

In 2007, *US Legal 500* noted that Hausfeld LLP lawyers have:

“been particularly active in cases surrounding the aviation industry in recent times and is, for instance, currently representing distribution company Niagara Frontier Distribution in class-action litigation pertaining to allegations that a group of major air cargo carriers conspired to inflate airfreight surcharges, a case that has already yielded an initial settlement in the region of \$80m. Lawyers at the firm are furthermore acting on behalf of Swedish furniture chain Ikea in a proposed class action suit involving similar claims. . . . Further recent highlights include the recovery of \$28.8m for a class of retailers in a monopolization suit against tape manufacturer 3M, and a lead role in litigation surrounding an alleged hydrogen peroxide cartel.”

-*US Legal 500*, 2007

“Wins for Valdez victims and Holocaust survivors built [Michael Hausfeld’s] reputation.”

-*Lawdragon*, March 2006

“I want to mention on the record the extraordinary work of the Hausfeld firm in the preparation and the submission of this claim. Mr. Hausfeld in numerous other claims as well has exhibited the type of professionalism and skill that have made the Fund a success and my job that much easier. I am grateful to him for his zeal, competence and professionalism.”

-Ken Feinberg, Special Master, 9/11 Victim’s Compensation Fund.

“Antitrust defense lawyers view Michael Hausfeld as among the top three or four antitrust litigators in the country on the plaintiffs' side. The reason: his ability to score multimillion-dollar recoveries from major corporations over alleged monopolistic and price-fixing conduct. Seen as "really a very, very aggressive" litigator, Hausfeld is not one to shy away from a tough fight and has supplemented his antitrust focus with a broad range of cases focusing on civil rights and international human rights. He represented Holocaust survivors in their suits to get World War II-era assets back from European Banks.”

-*Lawdragon*, October 2005

“More importantly, the ingenuity here comes heavily from the lawyers on the plaintiff’s side. It was they who spotted something others had missed – based on an ambiguity in a ‘foreign assistance’ statute – and ran with it, all the way to the Supreme Court. Indeed the amazing aspect of *F. Hoffman-LaRoche, Ltd. v. Empagran* is not so much the answers it provided but that some of the questions needed answering at all.”

-David Samuels, from “Matter of the Year,” *Global Competition Review*, Feb. 2005, in reference to the *Empagran* case.

“Hausfeld could be sweetness and light one moment and anger and darkness the next. He was unpredictable and at times unreasonable. . . . But he was central to any successful negotiation because he had a keen sense of where the bottom line was.”

-Stuart Eizenstat on the Holocaust cases, *The London Times*, Sept. 28, 2004.

The Washingtonian has listed Michael Hausfeld for the past several years as one of Washington’s 75 best lawyers, saying he “consistently brings in the biggest judgments in the history of law” and that he is “a Washington lawyer determined to change the world - and succeeding.” The magazine has also referred to Michael Hausfeld as “the country’s best-known litigator of big lawsuits with hundreds of plaintiffs and multiple defendants.”

#### Representative Awards and Recognitions

“40 under 40”

*Legal Times*; July, 2009

Brian Ratner named one of the top Washington-area lawyers under forty years of age

2009 Attorneys Who Matter

The Ethisphere Institute

Michael Hausfeld named in a short list of “attorneys who matter” in the field of corporate compliance

2009 Chambers USA

Michael Hausfeld cited in category of Products Liability: Plaintiffs Fellow, Litigation Counsel of America

*Competition Law 360*

Jon T. King, Editor

Women Antitrust Plaintiffs Attorneys

A national trade organization founded by Megan E. Jones in 2008.

500 Leading Lawyers in America

*Lawdragon*; Fall 2008

Michael Hausfeld

ABA Antitrust Section's Transition Taskforce

The taskforce, of which Michael Hausfeld was a member, advised the incoming Obama Administration

Legal Times Visionaries

May 19, 2008

Michael Hausfeld listed among 30 "Visionaries" in the Washington legal community.

50 Most Powerful People in DC

*GQ Magazine*; September, 2007

Michael Hausfeld named #40.

Fierce Sister Award

Summer 2007

For Michael Hausfeld's work on the Japanese Comfort Women case.

500 Leading Plaintiffs' Lawyers in America

*Lawdragon*; Winter 2007

Michael Hausfeld

International World-shakers

*The Lawyer* (UK); February 8, 2007

Michael Hausfeld named as one of top 40 international lawyers "making waves" in the UK.

500 Leading Lawyers

*Lawdragon*; Fall 2007 & Fall 2006

Michael Hausfeld

500 Leading Litigators

*Lawdragon*; Spring 2006

Michael Hausfeld

100 Most Influential Lawyers

*The National Law Journal*; June 19, 2006

Michael Hausfeld is named as one of “the most influential lawyers in America.”

Runner up for Matter of the Year

*Global Competition Review*; February, 2005

On Empagran matter, Michael Hausfeld praised for ingenuity in how the case was prosecuted.

**Annex 2 – Case Digest**

Hausfeld LLP lawyers have served or are serving as lead or co-lead counsel, or on Plaintiffs' Executive Committee(s), in dozens of antitrust, human rights, civil rights, mass tort, environmental, and consumer protection actions, presenting numerous innovative legal theories and obtaining landmark judgments and settlements for individuals and businesses in the United States and abroad. Some of these significant past and present cases include:

**Antitrust/Competition**

*In re Vitamins Antitrust Litigation*, MDL No. 1285 (D.D.C.). Hausfeld LLP lawyers served as co-lead counsel for two certified classes of businesses that directly purchased bulk vitamins and were overcharged as a result of a ten year global price-fixing and market allocation cartel. Chief Judge Hogan approved eight major settlements between certain vitamin defendants and the Class Plaintiffs, including a landmark partial settlement of \$1.1 billion. In a later trial before Chief Judge Hogan concerning four of the Class Plaintiffs' remaining unsettled Vitamin B4 (choline chloride) claims, a federal jury in Washington unanimously found Japan's second largest trading company, Mitsui & Co., Ltd., its wholly-owned U.S. subsidiary Mitsui & Co. (U.S.A.), Inc., DuCoa, LP, a choline chloride manufacturer based in Highland, Illinois, and DuCoa's general partner, DCV, Inc. liable for participating in the cartel and ordered them to pay \$49,539,234, which was trebled to \$148,617,702 under the federal antitrust laws. The case was subsequently settled against the Mitsui defendants.

*In re Domestic Air Transportation Antitrust Litigation* (N.D. Ga.). Plaintiffs alleged a conspiracy among major airlines to set prices. In one of the largest consumer class actions ever brought to a successful conclusion, Hausfeld LLP lawyers were one of the lead counsel and obtained a settlement of travel discounts and cash totaling \$458 million for the class of individuals and businesses using US domestic airlines.

*In re Rubber Chemicals Antitrust Litigation*, Master Docket No. C-03-1496 (N.D. Cal.). In 2006, Hausfeld LLP lawyers, serving as Co-Lead Counsel, settled the direct purchaser class's global price-fixing claims with defendants Flexsys N.V., Flexsys America L.P., Akzo Nobel Chemicals International B.V., Akzo Nobel Chemicals, Inc., Crompton (now Chemtura) and Bayer for more than \$300 million. In December 2005, the EC fined four firms a total of €75.86 million. Individual fines were as follows: Flexsys - €0 (immunity for initial cooperation); Bayer - €8.88 million; Crompton - €13.6 million; General Quimica+Repsol - €3.38 million.

*In re Relafen® Antitrust Litigation*, No. 01-12239-WGY (D. Mass.). Hausfeld LLP lawyers have served as co-lead counsel on behalf of a class of direct purchasers of Relafen — a non-steroidal anti-inflammatory drug sold by SmithKline Beecham Corporation PLC and GlaxoSmithKline Beecham Corporation PLC (collectively, "GSK"). As alleged in the complaint, GSK unlawfully extended its monopoly in the U.S. market for Relafen and its generic equivalents by fraudulently procuring an invalid patent and using that invalid patent to prevent generic competition. On April 9, 2004, after significant litigation, the United States District Court for the District of Massachusetts approved the \$175 million settlement of this action.

*In re Buspirone Antitrust Litigation*, MDL No. 1413 (S.D.N.Y.). Plaintiffs alleged that Bristol Myers-Squibb Company, a producer of the drug BuSpar<sup>7</sup>, unlawfully maintained a monopoly in violation of federal and state antitrust and unfair competition laws. A \$90 million settlement was approved in 2003. Hausfeld LLP lawyers served as one of four co-lead counsel.

*In re Ethylene Propylene Diene Monomer (EPDM) Antitrust Litigation*, No. 3:03-md-01542-SRU (D. Conn.). Hausfeld LLP lawyers, serving as co-lead counsel, obtained class settlements totaling more than \$73 million in this global price-fixing case on behalf of direct purchasers of EPDM, a synthetic rubber.

*In re Commercial Explosives Antitrust Litigation* (D. Utah). Plaintiffs alleged a conspiracy among manufacturers of explosives to set prices. Hausfeld LLP lawyers were co-lead counsel in this price-fixing case that resulted in a class settlements totaling over \$72 million.

*Oncology & Radiation Associates, P.A. v. Bristol Myers Squibb Co., et al.*, Case No. 1:01CV02313 (D.D.C.). Hausfeld LLP lawyers served as co-lead counsel in this case. Plaintiffs alleged that Bristol-Myers Squibb unlawfully monopolized the United States market for paclitaxel, a cancer drug discovered and developed by the United States government, which Bristol sells under the brand name Taxol. Bristol's scheme included a conspiracy with American BioScience, Inc., a generic manufacturer, to block generic competition. Hausfeld LLP lawyers' investigation and litigation of this case on behalf of direct purchasers of Taxol led to a settlement of \$65,815,000 that was finally approved by U.S. District Judge Emmet G. Sullivan on August 14, 2003 and preceded numerous Taxol-related litigation brought by the Federal Trade Commission and State Attorneys General offices.

*In re Infant Formula Consumer Antitrust Litigation* (multiple state courts). Hausfeld LLP lawyers instituted price-fixing cases on behalf of indirect-purchasers in 17 states under state antitrust laws against three companies who conspired to drive up the price of infant formula. The cases resulted in settlements of \$64 million for purchasers of infant formula.

*In re Flat Glass Antitrust Litigation*, MDL No. 1200 (W.D. Pa.). The plaintiffs alleged that the five major manufacturers of float glass and automotive replacement glass conspired to fix prices on a wide variety of glass products. Hausfeld LLP lawyers served as co-lead counsel and obtained a total of \$ 61.7 million in settlement funds on behalf of glass shops, window manufacturers, and others who directly purchased the affected products from the defendants.

*Nate Pease, et al. v. Jasper Wyman & Son, Inc., et al.*, Civil Action No. 00-015 (Knox County Superior Court, Maine). In 2004, a state court jury from Maine found three blueberry processing companies liable for participating in a four-year price-fixing and non-solicitation conspiracy that artificially lowered the prices defendants paid to approximately 800 growers for wild blueberries. The jury ordered defendants Cherryfield Foods, Inc., Jasper Wyman & Son, Inc., and Allen's Blueberry Freezer, Inc. to pay \$18.68 million in damages, the amount which the growers would have been paid absent the defendants' conspiracy. After a mandatory trebling of this damage figure under Maine antitrust law, the total amount of the verdict for the plaintiffs is just over \$56 million. Hausfeld LLP lawyers served as co-lead counsel.

*In re Commercial Tissue Antitrust Litigation* (N.D. Fla). Hausfeld LLP lawyers joined forces with the State of Florida and other plaintiffs' attorneys to bring this class action against the major manufacturers of commercial tissue products which included commercially sold paper towels, toilet tissue and napkins. The case was scheduled to go to trial in Gainesville, Florida just a few months before it was settled for \$56 million.

*In re Urethane Antitrust Litigation*, No. 2:04-MD-1516-JWL-DJW (D. Kan.). Hausfeld LLP lawyers, as co-lead counsel, obtained a class settlement totaling more than \$55 million in this global price-fixing case on behalf of direct purchasers of Polyether polyols, intermediate chemicals used in the manufacture of rigid and flexible foams, among other applications.

*Kruman v. Christie's International PLC, et al.*, Docket No. 01-7309 (S.D.N.Y.). A \$40 million settlement on behalf of all persons who bought or sold items through Christie's or Sotheby's auction houses in non-internet auctions was recently approved. Michael Hausfeld served as co-lead counsel on behalf of non-US plaintiffs. The settlement marks the first time that claims on behalf of non-US plaintiffs under U.S. antitrust laws have received compensation through a settlement in a U.S. court.

*In re Polychloroprene Rubber (PCP) Antitrust Litigation*, No. 3:05-md-01642-SRU (D. Conn.). Hausfeld LLP lawyers, as co-lead counsel, obtained class settlements totaling more than \$40 million in this global price-fixing case on behalf of direct purchasers of PCP, a synthetic elastomer developed as a substitute for natural rubber.

*In re Lorazepam and Clorazepate Antitrust Litigation*, MDL No.1290 (D.D.C.). Generic drug maker Mylan Pharmaceuticals, Inc. entered exclusive deals to lock up supply of the raw ingredients for two popular anti-anxiety medications. Mylan then raised the prices of the drugs several times over. Hausfeld LLP lawyers served as co-lead counsel and obtained a \$35 million settlement for direct purchasers of the affected medications.

*In re NBR Antitrust Litigation*, No. 2:03-cv-01898-DSC-ARH (W.D. Pa.). Hausfeld LLP lawyers, as co-lead counsel, obtained class settlements totaling \$34.5 million in this price-fixing case on behalf of direct purchasers of nitrile rubber, a form of synthetic rubber.

*Molecular Diagnostics Laboratories v. Hoffmann-La Roche, Inc., et al.*, Civil Action No. 1:04CV01649 (D.D.C.). Hausfeld LLP lawyers obtained a settlement of \$33 million on behalf of a class of purchasers of an enzyme ("Taq") used in DNA amplification, human genome research, and medical diagnostics who allege unlawful monopolization.

*IVAX Corp. v. Atofina Chemicals, Inc., et al.*, Civ. No. 02-00593 (D.D.C.). Hausfeld LLP lawyers served as lead counsel and obtained class settlements totaling \$21 million on behalf of direct purchasers of certain chemicals known as organic peroxides.

*Diamond Chemical Co., Inc. v. Atofina Chemicals, Inc., et al.*, Case No. 02CV1018 (D.D.C.). Plaintiffs alleged that the major global producers of certain chemicals known as Monochloroacetic Acid ("MCAA") have conspired to fix prices on their products. Hausfeld LLP lawyers served as lead counsel and obtained

settlements of more than \$14 million against the defendants. The settlements led to a distribution to approved claimants of a remarkable 45% of approved MCAA purchases. (See above regarding recent cy pres distribution in this matter.)

### Human Rights/Civil Rights

*Khulumani v. Barclay National Bank Ltd.*, (Nos. 05-2141 & 05-2326) (S.D.N.Y.). Hausfeld LLP represents the plaintiffs, direct victims and an Apartheid support group, who sued dozens of major corporations, both U.S. and foreign, alleging liability for aiding and abetting the South African system of Apartheid. The district court dismissed the plaintiffs' claims under the Alien Tort Statute (absence of subject matter jurisdiction) and the Torture Victim Protection Act (failure to state a claim). On appeal, the Second Circuit Court of Appeals affirmed dismissal of the TVPA claims, but vacated the district court's dismissal of the ATS claims. The claims are currently proceeding in the district court.

*September 11th Victim Compensation Fund*, Hausfeld LLP lawyers helped a number of survivors as well as the families of those who perished in the September 11th terrorist attack on the Pentagon obtain compensation from the September 11th Compensation Fund. We achieved significant awards - including one of the highest awards granted by the fund to a catastrophically injured survivor.

*Hwang v. Japan (Japanese Comfort Women)*, 00-cv-02233 (D.D.C.). Hausfeld LLP lawyers represented survivors of the system of sexual slavery instituted by the Government of Japan in the territories it conquered in World War II. The women, euphemistically known as "comfort women," were recruited by force, coercion, or deception into sexual slavery for the Japanese Military – victims of what is now known and condemned as trafficking in persons. Of the estimated 200,000 women enslaved by the Japanese military, only a few thousand survived the harsh treatment.

*Alexander v. Governor of Oklahoma (Tulsa Race Riots)*, No. 02-cv-133 (Ok.) Hausfeld LLP lawyers, as part of team of lawyers organized by Professor Charles Ogletree of Harvard Law School, represented the survivors of the nation's worst race riot. On the night of May 31, 1921 through the morning of June 1, 1921, the African-American district of Tulsa, Oklahoma, then known as the "Black Wall Street," was invaded and burned to the ground by a white mob, with the participation of City and State authorities. As many as 300 African Americans were killed, African-American homes and businesses burned to the ground, and the residents who were not killed or did not escape were rounded up and confined in detention centers. The survivors brought suit and asked the State and City to include information about the Riot in history classes, for educational scholarships for children of survivors, and a memorial. Michael Hausfeld's efforts were recently highlighted in the documentary film, *Before They Die*.

### Mass Torts / Environmental / Consumer

*Pelletz v. Advanced Environmental Recycling Technologies, Inc.*, No. C08-0334 JCC (W.D. Wa.). Hausfeld LLP serves as co-lead counsel in a preliminarily approved nationwide settlement on behalf of owners of Choicedek decking materials which exhibited mold/mildew spots. The settlement, which involves free cleanings and full refunds if the spots return, is remarkable given that the product warranty specifically excludes mold/mildew from its coverage.

*In re Louisiana-Pacific Co. Inner-Seal Siding Litigation*, No. CV-95-879 JO-LEAD (U.S.D.C. Oregon). Hausfeld LLP lawyers served as co-lead counsel in a nationwide settlement class involving defective siding installed on 800,000 homes that soaked up moisture, resulting in swelling and cracking. The settlement provided up to \$325 million to homeowners as replacement costs.

*Cox v. Shell*, Civil No. 18,844 (Obion County, Tennessee). This litigation charged Shell Oil Company, E.I. du Pont de Nemours, and Hoescht Celanese with manufacturing and marketing defective polybutylene pipes and plumbing systems. Hausfeld lawyers served as co-lead counsel for the class and secured a settlement providing a minimum of \$950 million in relief, which was the largest class action settlement of its kind in U.S. history.

*In re Phenylpropanolamine (PPA) Products Liability Litigation*, MDL No. 1407 (W.D. Wa.). Hausfeld LLP lawyers served as co-lead counsel in this mass tort litigation involving OTC medication that led to strokes and numerous product recalls, which resulted in the nationwide settlement in 2004 of all PPA-related injury claims resulting from the ingestion of Dexatrim.

*West Virginia v. Purdue Pharma Co.*, (Cir. Ct. WV). Hausfeld LLP lawyers represented West Virginia Attorney General Darrell V. McGraw, Jr. in a suit against Purdue Pharma and Abbott Laboratories, the manufacturers and promoters of the painkiller OxyContin. The complaint alleged that Pharma and Abbott engaged in negligent aggressive marketing practices which encouraged over-prescription of this powerful narcotic, resulting in addiction and overdoses. The lawsuit sought to stop the aggressive and deceptive marketing techniques used in West Virginia, as well as monies to help record, prevent, and halt OxyContin abuse. After two years of litigation, and just before a jury was selected to try the case, Purdue Pharma settled the case with the State of West Virginia for \$10 million.

*In re iPod Cases*, JCCP No. 4355 (San Mateo Cty. Ct., Cal.). Hausfeld LLP lawyers were involved with the nationwide settlement in this case on behalf of purchasers of early generation iPods which contained defective batteries and would no longer retain a charge. The settlement, approved in 2005, provided cash, discounts, and extended warranties for affected consumers.

*Harman v. Rohm & Haas Co., Inc.*, (Gloucester County, New Jersey). The Lipari Landfill in Pitman, NJ, was number one on the EPA's Superfund list of toxic waste sites in the 1970s. Hausfeld LLP lawyers obtained a multi-million dollar medical monitoring fund on behalf of hundreds of residents who lived near the landfill site in New Jersey.

*City of Milwaukee v. NL Industries, Inc.* (Mil. Cir. Ct.). Hausfeld LLP lawyers teamed with the City of Milwaukee to sue the manufacturers of lead pigment used in lead paint due to the lead poisoning hazards these products present to children. The City is seeking abatement damages to fund the City's lead paint removal efforts. The Wisconsin Court of Appeals became the first court in the country to recognize a municipality's right to bring these public nuisance claims. In 2007, a jury found that the lead paint on homes in Milwaukee was a public nuisance, but found that the manufacturers were not responsible. The case is currently on appeal.

*Stockbridge Community Ass'n v. Star Enterprise*, Case No. (Law) 108514, (Cir. Ct. Fairfax County, Va). Michael Hausfeld secured a real estate protection program from oil companies for damages caused by leaking storage tanks in the Mantua section of Fairfax, Virginia. Star Enterprise, a Texaco affiliate paid \$50 million to settle medical and other damage claims made by about 180 families who alleged that their neighborhood was made almost uninhabitable by an underground oil leak from a Fairfax County tank farm. The company also agreed to compensate as many as 450 families in the Mantua and Stockbridge neighborhoods for the dramatic dip in the value of their homes since the leak was discovered up to \$150 million.

*Hunter v. Abex Corp.* (Norfolk Lead Smelter Litigation), (Cir. Ct., Norfolk, Va). Hausfeld LLP attorneys recovered monetary damages for 82 children, teenagers and young adults who suffered lead poisoning caused by exposure to lead wastes from a lead smelter in their low-income neighborhood in Portsmouth, VA.

*South Africa Silicosis* - Hausfeld LLP has been invited to participate in precedent-setting litigation on behalf of South African gold miners who have suffered a disabling lung disease called silicosis. The cases will be filed in the South African courts and allege that the workers suffered uncontrolled exposures to silica dust in mining operations managed by Anglo American Corp. The litigation is designed to establish the workers' rights to compensation under the South African Constitution and various statutory compensation schemes, as well as to establish a medical monitoring program to benefit the workers. It has been estimated that one in four South African gold miners suffer from this disabling disease. The first "test case" was dismissed in 2008 and is presently on appeal.

*Sahu, et. al v. Union Carbide Corporation, et al.* (Bhopal Litigation), Index No.04 CV. 08825 (S.D.N.Y.). Hausfeld LLP lawyers represent residents of Bhopal, India, who were exposed to toxic wastes which have contaminated the soil and drinking water surrounding the infamous Union Carbide Plant, which was the site of the 1984 gas leak which killed and injured thousands of nearby residents. Since the gas leak disaster in 1984, Union Carbide has abandoned the plant, causing the remaining chemicals to enter the surrounding groundwater and resulting in high rates of cancer and neurological disorders in neighborhoods surrounding the plant. In 1999, an initial lawsuit was filed in the Southern District of New York, seeking to compel Union Carbide to clean up the plant site and to provide medical monitoring to the surrounding communities and pay damages to those who have been injured by the extensive pollution. Although this lawsuit was ultimately dismissed because the Court found that the named plaintiffs lacked standing (due to a lack of beneficial interest in the surrounding land), another case - filed in 2004 - is now pending. In the 2004 action, the District Court granted summary judgment in favor of Union Carbide in 2006, but in 2008, the Second Circuit Court of Appeals reversed. The case has now returned to the District Court for further proceedings and the plaintiffs will be seeking discovery in accordance with the Second Circuit's opinion.

Members of the Firm have played a prominent role in most of the major antitrust class actions since the Fed. R. Civ. R. 23 was amended in 1966. These additional antitrust cases, organized by type of claims advanced, include:

#### Price-Fixing Cases

*In re Commercial Explosives Antitrust Litigation*, Consolidated Case No. 2:96md 1093S (D. Utah). Hausfeld LLP lawyers, as co-lead counsel, obtained a settlement of \$77 million;

*Ocean Shipping Antitrust Litigation*, M.DL No. 395 (S.D.N.Y.). Hausfeld LLP lawyers, as co-lead counsel, obtained a class settlement of approximately \$50 million;

*In re North Atlantic Air Travel Antitrust Litigation*, Civ. Action No. 84-1103 (D.D.C.). Hausfeld LLP lawyers, as co-lead counsel, obtained a class settlement of \$30 million in coupons for air travelers between the United States and England;

*In re Screws Antitrust Litigation*, MDL No. 443 (D. Mass.). Hausfeld LLP lawyers, as co-lead counsel, obtained a class settlement of approximately \$20 million;

*In re Methyl Methacrylate (MMA) Antitrust Litigation*, Direct Purchaser Action File; 2:06-md-01768-TJS (E.D. Pa.). Hausfeld LLP is serving as co-lead counsel in this global cartel case;

*In re Hydrogen Peroxide Antitrust Litigation*, No. 2:05-cv-00666-SD (E.D. Pa.). Hausfeld LLP serves as co-lead counsel in this global cartel case;

*In re Ampicillin Antitrust Litigation*, MDL No. 50 (D.D.C.). Hausfeld LLP lawyers represented the State of Michigan in a multidistrict litigation alleging a price-fixing conspiracy by manufacturers of ampicillin;

*In re Sugar Antitrust Litigation*, MDL No. 210 (N.D. Cal.). Hausfeld LLP lawyers represented small businesses/consumers alleging a price-fixing conspiracy among sugar refiners and obtained a multi-million dollar settlement;

*In re Travel Agent Commission Antitrust Litigation*, MDL No. 1058 (D. Minn.). Hausfeld LLP lawyers represented a class of travel agents claiming a horizontal price-fixing agreement by major airlines and obtained a multi-million dollar settlement;

*Nasdaq Market Makers Antitrust Litigation*, MDL No. 1023 (S.D.N.Y.). Hausfeld LLP lawyers focused on discovery and expert work in this case where a billion dollar settlement was obtained for the class of purchasers of certain stock on NASDAQ;

*In re Compact Disc Antitrust Litigation*, MDL No. 1216 (C.D. Cal.). Represented direct purchasers of compact discs on price-fixing allegations;

*In re Infant Formula Antitrust Litigation*, MDL No. 878 (N.D. Fla.);

*Carbon Dioxide Antitrust Litigation*, MDL No. 940 (M.D. Fla.);

*Catfish Antitrust Litigation*, MDL No. 928 (N.D. Miss.);

*Chain Link Fence Antitrust Case*, Master File No. CLF-1 (D. Md.);

*Ocean Shipping Antitrust Litigation*, M.DL No. 395 (S.D.N.Y.);

*High Fructose Corn Syrup Antitrust Litigation*, MDL No. 1087 (C.D. Ill.);

*Commercial Tissue Products Antitrust Litigation*, MDL No. 1189 (N.D. Fla.);

*In re Bulk Popcorn Antitrust Litigation*, No. 3-89-710 (D. Minn.);

*In re Polypropylene Carpet Antitrust Litigation*, MDL No. 1075 (N.D. Ga.);

*Drill Bits Antitrust Litigation*, No. H-91-627 (S.D. Tex.);

*Paper Systems Inc., et al. v. Mitsubishi Corp., et al.* (E.D. Wisc.);

*In re Flat Glass Antitrust Litigation*, MDL No. 1200 (W.D. Pa.);

*In re Lease Oil Antitrust Litigation*, MDL No. 1206 (S.D. Tex.);

*In re Cigarette Antitrust Litigation*, MDL No. 1342 (N.D. Ga.) (Hausfeld LLP lawyers served as co-lead counsel representing class of cigarette purchasers in price-fixing case against tobacco industry.);

*In re Mercedes -Benz Antitrust Litigation*, Master File No. 99-4311 (AMW);

*In re Linerboard Antitrust Litigation*, MDL. No. 1261 (E.D. Pa.).

### Monopolization

*Cothran v. Brunswick Corp.* (S.D. Ill.). Hausfeld LLP lawyers took a lead role in representing a nationwide class of boat dealers on claims of monopolization of the inboard and stern drive marine engine market. The case resulted in a settlement of over \$20 million;

*In re Smokeless Tobacco Antitrust Litigation*, Civ. A. Nos. 00-1415 and 00-1454 (D.D.C.). Hausfeld LLP lawyers represented direct purchasers of smokeless tobacco against United States Tobacco Co.;

*In re Microsoft Corp. Antitrust Litigation*, MDL No. 1332 (D. Md.). Hausfeld LLP lawyers represented putative classes of direct purchasers of Microsoft operating system software and applications software;

*Amo Marine Products, Inc., et al. v. Brunswick Corp.*, No. 99-243 (D. Minn.). Represented nationwide class of boat dealers on claims of monopolization of the inboard and stern drive marine engine market;

*Chastain v. AT&T*, Civ. Action No. 2088-70 (D.D.C.). As a prelude to AT&T's breakup, Hausfeld LLP lawyers achieved large judgments on behalf of small independent interconnect telephone companies in

two matters challenging various aspects of AT&T's abuse of monopoly power when AT&T was represented by Covington & Burling and Dickstein Shapiro Morin & Oshinsky;

*Societe Liz v. Charles of the Ritz*, Civ. Action No. 85-1129 (D.D.C.). Represented a small retailer against one of the world's largest perfume manufacturers alleging monopolization of the perfume market;

*Cox v. Champion*. Represented a small lumber company against an international pulp manufacturer alleging a price-fixing scheme and monopolization of the lumber market.

### Tying

*McGeorge v. British Leyland* (E.D. Va.). Represented an automobile dealership charging a British automobile manufacturer with an illegal tie-in;

*In re Clozapine Antitrust Litigation* (N.D. Ill.). Represented class of purchasers of psychotropic drug in tying case that resulted in settlement representing nearly 100 percent of damages.

### Group Boycott

*In re Lower Lake Erie Iron Ore Antitrust Litigation*, MDL No. 587 (E.D. Pa.). Represented a small trucking company in a group boycott case which after trial resulted in a \$12 million award to the client.

### Territorial Allocation

*In re Cardizem CD Antitrust Litigation*, MDL No. 1278 (E.D. Mich.). Represented a putative class of indirect purchasers alleging unlawful efforts to delay entry of generic prescription drug competition;

*In re Terazosin Hydrochloride Antitrust Litigation*, MDL No. 1317 (S.D. Fla.). Represented a putative class of indirect purchasers against brand name drug manufacturer for delaying entry of generic substitutes.

### Supply Restrictions

*Erie Forge and Steel, Inc. v. Cyprus Minerals Co., et al.*, No. 94-404 (W.D. Pa.). (Nationwide class action on behalf of direct purchasers alleging conspiracy to restrict production of molybdenum.);

*California Sales and Marketing v. Satoshi Iue*, No. C738971 (Cal. Sup. Ct.). Retained by 33 sales representatives of the Sanyo Fisher (USA) Corporation alleging, inter alia, conspiracy among Japanese VCR manufacturers to under-supply the United States market with low-end VCRs.

### Exclusive Dealing

*In re Lorazepam and Clorazepate Antitrust Litigation*, MDL No. 1290 (D.D.C.). Represented a putative class of direct purchasers alleging conspiracy to tie up supply of prescription drug active ingredient.

Franchise

*Call Carl, Inc. v. British Petroleum*, Civ. No. 73-1059-4 (D. Md.). Retained by independent gasoline dealer franchisees of British Petroleum alleging unlawful termination;

*Vaughn v. General Foods* (N.D. Ind.). Retained by Burger Chef franchisees who claimed a fraud/deception scheme in their franchise relationship;

*Entre Computers* (E.D. Va.). Retained by franchisees alleging grey market sales/resale price maintenance by their franchiser.

**Annex 3 – Members of the Firm****Michael D. Hausfeld**

Mr. Hausfeld's career has included some of the largest and most successful class actions in the fields of human rights, discrimination and antitrust law. He has long had an abiding interest in social reform cases, and was among the first lawyers in the U.S. to assert that sexual harassment was a form of discrimination prohibited by Title VII; he successfully tried the first case establishing that principle. He represented Native Alaskans whose lives were affected by the 1989 Exxon Valdez oil spill; later, he negotiated a then-historic \$176 million settlement from Texaco, Inc. in a racial-bias discrimination case.

In *Friedman v. Union Bank of Switzerland*, Mr. Hausfeld represented a class of victims of the Holocaust whose assets were wrongfully retained by private Swiss banks during and after World War II. The case raised novel issues of international banking law and international human rights law. He successfully represented the Republic of Poland, the Czech Republic, the Republic of Belarus, the Republic of Ukraine and the Russian Federation on issues of slave and forced labor for both Jewish and non-Jewish victims of Nazi persecution during World War II. He currently represents Khulumani and individuals in litigation involving abuses under apartheid law in South Africa.

Mr. Hausfeld has a long record of successful litigation in the antitrust field, on behalf of both individuals and classes, in cases involving monopolization, tie-ins, exclusive dealings and price fixing. He is or has been co-lead counsel in antitrust cases against manufacturers of genetically engineered foods, managed healthcare companies, bulk vitamin manufacturers, technology companies and international industrial cartels. He is actively involved in ongoing investigations into antitrust cases abroad, and was the only private lawyer permitted to attend and represent the interests of consumers worldwide in the 2003 closed hearings by the EU Commission in the Microsoft case.

Mr. Hausfeld has been profiled in, and recognized by, many articles and surveys. Most recently, a *Forbes* magazine article reported on Mr. Hausfeld's work to establish an international alliance for the protection of consumers and investors worldwide. He was named one of thirty master negotiators in *Done Deal: Insights from Interviews with the World's Best Negotiators*, by Michael Benoliel, Ed.D. The Wall Street Journal profiled him and his practice, and he has been recognized by *The National Law Journal* as one of the "Top 100 Influential Lawyers in America." He has been described by one of the country's leading civil rights columnists as an "extremely penetrating lawyer", and by a colleague (in a *Washington Post* article) as a lawyer who "has a very inventive mind when it comes to litigation" and one who "thinks of things most lawyers don't because they have originality pounded out of them in law school."

*The New York Times* referred to Mr. Hausfeld as one of the nation's "most prominent antitrust lawyers," and *Washingtonian Magazine* has listed Mr. Hausfeld in several surveys as one of Washington's 75 best lawyers, saying he "consistently brings in the biggest judgments in the history of law" and that he is "a Washington lawyer determined to change the world – and succeeding."

Other than those listed above, his recent awards include the 2002 B'Nai Brith Humanitarian of the Year award; the Simon Wiesenthal Center Award for Distinguished Service; and the U.S. Department of

Energy's Human Spirit Award, presented "in tribute to a person who understands the obligation to seek truth and act on it is not the burden of some, but of all; it is universal."

He is a frequent speaker on antitrust, human rights and international law, most recently participating in a panel discussion at the Spring Meeting of the ABA Section of Antitrust Law entitled "International Antitrust: Developments After Empagran and Intel" and at the School of Oriental and African Studies (SOAS) Annual Meeting in London entitled "Human Rights in An Integrated World: The Apartheid Reparations Litigation in the USA." He taught Masters Degree courses at Georgetown University Law Center from 1980 to 1987, and was an Adjunct Professor at the George Washington University Law School from 1996 to 1998 and now sits on its Board of Directors.

Mr. Hausfeld has written numerous articles including: "Managing Multi-District Litigation," *Global Competition Review - Antitrust Review of the Americas*; "Private Recovery Actions in the US: Reducing - and Recouping - the 'Cartel Tax,'" *Global Competition Review - Antitrust Review of the Americas*; "Collective Redress for Competition Law Claimants," *Global Competition Review*; "A Victim's Culture," *European Business Law Review*; "The Importance of Corporate Legal Accountability for Human Rights," *Business & Human Rights Resource Centre*; and "Perspectives on the Future Direction of Antitrust," *Antitrust* (Vol. 22, No. 3) (Summer 2008).

Mr. Hausfeld is a graduate of Brooklyn College, receiving a B.A. in Political Science with a minor in Russian History (cum laude, 1966) and the National Law Center, George Washington University (J.D., with honors, 1969). He was a member of the Order of the Coif and the Board of Editors for the George Washington Law Review (1968-69).

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

### **Michael P. Lehmann**

Mr. Lehmann brings to the firm 29 years of experience as a business litigator, with a practice that ranged from class action litigation to business litigation on behalf of individual clients, and from extensive regulatory work before federal, state and international bodies to domestic and international arbitration.

Prior to joining Hausfeld LLP, Mr. Lehmann had worked since graduating from law school at what became Furth Lehmann LLP, where he eventually served as Managing Partner and in recent years has served as lead counsel for direct or indirect purchaser classes in numerous antitrust cases.

### **Richard S. Lewis**

Mr. Lewis has been appointed to serve as co-lead counsel in mass tort and product liability class action cases including *In re StarLink Corn Products* (N.D. Ill) (asserting claims by farmers for genetic modification contamination of the U.S. corn supply) and *In re PPA* (asserting claims by users of unsafe

over-the-counter medicines). He has also been appointed to the MDL Steering Committee in *In re Prempro Products Liability Litigation*.

In addition, Mr. Lewis served as lead counsel in numerous actions to obtain medical monitoring relief for communities exposed to toxic chemicals from hazardous waste disposal practices or unsafe drugs. These include *In re Diet Drug Litigation* (Fen-Phen), which resulted in a \$4 billion settlement providing medical monitoring in addition to individual personal injury awards, and *Harman v. Lipari*, a Superfund case that resulted in a settlement providing medical monitoring for thousands of residents who lived on or played near a landfill. He has litigated both individual and class childhood lead poisoning cases and he is presently lead counsel in a case against the lead pigment industry, *City of Milwaukee v. NL Industries Inc.* Mr. Lewis is also handling mass tort cases involving Vioxx, and environmental cases in India, South Africa, and Barbados.

Mr. Lewis graduated from Tufts University with a B.A. in English (*cum laude*, 1976), and earned his Master's in Public Health degree from the University of Michigan (1981) and his law degree from the University of Pennsylvania (J.D., *cum laude*, 1986). He was Comments Editor for the University of Pennsylvania Law Review (1985-86) and authored the Comment, *O.C.A.W. v. American Cyanamid: The Shrinking of the Occupational Safety and Health Act*, U. Pa. L. Rev. (July, 1985). After law school, he was a law clerk for the Honorable Stanley S. Brotman, U.S. District Court for the District of New Jersey.

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

### **Robert G. Eisler**

Robert Eisler is a partner in the Philadelphia and Washington offices whose practice focuses on antitrust, securities fraud and complex commercial litigation. Mr. Eisler has extensive experience in class action and complex litigation at the trial and appellate levels.

Mr. Eisler has been involved in many of the most significant antitrust class action cases in recent years, and has frequently served as court-appointed lead or co lead counsel. His experience spans industries including pharmaceuticals, paper products, construction materials, industrial chemicals, processed foods, and municipal securities, as well as consumer goods such as compact disks, automotive parts, and agricultural products, among many others. Mr. Eisler has also been involved in securities and derivative litigation on behalf of public pension funds, municipalities, mutual fund companies, and individual investors in state and federal courts.

Mr. Eisler is a member of the Bar of the Commonwealth of Pennsylvania and the State of New York, as well as numerous federal district and appellate courts. He graduated from LaSalle University in 1986 and Villanova University Law School in 1989.

### **William P. Butterfield**

A partner at Hausfeld LLP, Mr. Butterfield concentrates on antitrust litigation and is an internationally recognized authority on electronic discovery. Mr. Butterfield's recent achievements include settlements of

over \$120 million in a lawsuit alleging output restrictions in the wood products industry (*In Re OSB Antitrust Litigation*, (E.D. Pa.)), and almost \$100 million in an antitrust case involving the chemical industry (*In Re Hydrogen Peroxide Antitrust Litigation*, (E.D. Pa.)).

Previously, Mr. Butterfield was one of the principal attorneys involved in nationwide litigation challenging lending practices conducted by one of the nation's largest sub-prime lenders. In that case, Mr. Butterfield worked extensively with the FTC, and was responsible for bringing nationwide media and Congressional attention to lending practices conducted by Associates Finance. The plaintiffs and FTC eventually settled with Citigroup (which had acquired Associates Finance) for \$240 million (*In Re Citigroup Loan Cases*, J.C.C.P. 4197).

Mr. Butterfield was also a principal attorney for the plaintiff classes in *In re Prudential Securities Limited Partnerships Litigation*, MDL No. 1005 (S.D.N.Y.), which settled for \$137 million, and *In re PaineWebber Securities Litigation*, 94 Civ. 8547 (S.D.N.Y.), which settled for \$200 million.

Mr. Butterfield has been a leader in the field of e-discovery since the early 1990s, when he helped design and implemented an electronic document repository to manage more than 15 million pages of documents produced in *In re Prudential Securities Limited Partnerships Litigation*, MDL No.1005 (S.D.N.Y.). In 2005, Mr. Butterfield testified before the U.S. Judicial Conference Rules Committee regarding proposed electronic discovery amendments to the Federal Rules of Civil Procedure. Mr. Butterfield is on the Steering Committee of The Sedona Conference® Working Group on Electronic Document Retention and Production. He is also a member of the Sedona Conference® Working Group on International Electronic Information Management, Discovery and Disclosure. Mr. Butterfield also serves on the faculty of Georgetown University Law Center's Advanced E-Discovery Institute.

Mr. Butterfield began his legal career as an assistant prosecuting attorney for Montgomery County, Ohio. In private practice, he has served extensively as outside counsel for federal banking agencies, where he investigated and litigated claims in connection with failed financial institutions. He has also defended individuals and companies in federal courts and administrative tribunals in matters involving securities and commodities fraud, insider trading, takeover litigation, broker-dealer violations and registration issues.

Mr. Butterfield graduated from the University of Toledo, College of Law in 1978, and earned his undergraduate degree from Bowling Green State University in 1975.

Mr. Butterfield is admitted to practice in the District of Columbia, the U.S. Court of Appeals for the Third Circuit, and the U.S. District Courts for the District of Columbia and the Eastern District of Michigan.

### **Christopher L. Lebsack**

Mr. Lebsack has worked on a number of computer technology antitrust cases including *In re Flash Memory Antitrust Litigation* (N.D. Cal.), *In re TFT-LCD (Flat Panel) Antitrust Litigation* (N.D. Cal.), and *In re Intel Corp. Microprocessor Antitrust Litigation* (D. Del.).

Prior to joining the Firm, Mr. Lebsock was a principal attorney with The Furth Firm, LLP where he specialized in complex business litigation, particularly antitrust and labor and employment class actions. Mr. Lebsock was a principal member of the plaintiffs' trial team in *Savaglio v. Wal-Mart*, a class action of nearly 119,000 Wal-Mart hourly employees who sued their employer for wrongfully denying them meal periods and rest breaks. After more than three months of trial, the jury returned a verdict for the plaintiff class of more than \$172 million, including \$115 million in punitive damages. Mr. Lebsock was also the primary attorney at the firm responsible for litigating *In re Automobile Antitrust Cases I & II*, (S.F. Superior Court), a California class action in which the plaintiffs alleged that major automobile manufacturers illegally conspired to prevent the export of Canadian vehicles to the United States. Mr. Lebsock authored and argued an appeal in that case before California's First District Court of Appeals. The decision is published at 135 Cal.App.4th 100 (2005).

Mr. Lebsock graduated from the University of Colorado, Boulder (1993), where he received a B.A. in Economics and was a member of Phi Beta Kappa. He obtained his law degree from the University of California, Hastings College of the Law (1996). He was Senior Managing Editor of the Hastings Constitutional Law Quarterly.

### **Andrew B. Bullion**

Andrew Bullion has extensive complex litigation experience on both the plaintiff and defense sides. Prior to joining the firm, Mr. Bullion spent several years as a litigator in private practice in Philadelphia, handling complex commercial matters, including class actions, as well as tort law and intellectual property matters.

He is currently working on several national and international antitrust actions, including: *In re Air Cargo Shipping Services Antitrust Litigation* (E.D.N.Y.), alleging price-fixing of rates for airfreight shipping services by dozens of major international flagship airlines; and the *In re Air Passenger Antitrust Litigation* (N.D.Ca.), alleging price-fixing by British Airways and Virgin Atlantic airlines of surcharges added to the price of passenger tickets for long-haul flights.

Mr. Bullion is a graduate of Villanova University School of Law (J.D. 1996) and Villanova University (B.A. 1989). During law school he clerked for the Federal Trade Commission's Bureau of Competition, and with Advokatfirman Vinge KB, Sweden's largest law firm. Mr. Bullion is admitted to practice in Pennsylvania, New Jersey, and the District of Columbia.

### **Jon T. King**

Mr. King is a partner at Hausfeld LLP's San Francisco office, and represents plaintiffs in competition matters, including antitrust cases, and in other complex litigation including investor arbitrations and securities class actions. Mr. King also has counseled numerous individual, corporate and governmental entities regarding proposed mergers in several industries, has counseled a leading winery with respect to a distributor dispute before a state alcoholic beverage commission, and has served as co-lead arbitration counsel in a two week arbitration regarding the distribution of financial products.

Mr. King currently represents the Golden Gate Bridge, Highway & Transportation District, the governmental entity that operates the world famous Golden Gate Bridge and various transit systems, as one of the plaintiffs in *In re Insurance Brokerage Antitrust Litigation*, MDL No. 1663 (D.N.J.), a case that has resulted in approximately \$220 million in settlements to date. Mr. King also counseled a federal governmental entity, a leading California utility company, and various large corporations with respect to settlement rights in that matter. Other active matters of Mr. King's include antitrust litigation regarding the LCD, auto lighting, tomato, Alaska shipping, auction rate securities, and industrial door industries.

With respect to international disputes, Mr. King represented the leading French consumer association UFC-Que Choisir in connection with its efforts to gather evidence to prepare European antitrust litigation against Intel Corporation related to the litigation in the United States captioned *In re Intel Corporation Microprocessor Antitrust Litigation*, MDL No. 1717 (D. Del.), in which plaintiffs allege monopolization of the market for x86 microprocessors. Mr. King also worked on an international arbitration matter for ARCO oil company relating to a contractual dispute.

Prior to joining the firm, Mr. King practiced antitrust law for eight years at The Furth Firm LLP, a San Francisco plaintiffs' firm, and for one year at Cohen Milstein Hausfeld & Toll, P.L.L.C., out of which the Hausfeld firm was born. At those firms, Mr. King has worked on dozens of direct and indirect purchaser actions that resulted in hundreds of millions of dollars in settlements. He began his legal career in Los Angeles at Skadden, Arps, Slate, Meagher & Flom LLP, one of the largest law firms in the world, where he worked on matters for the National Football League and various entertainment industry companies.

At The Furth Firm, Mr. King was appointed as plaintiffs' interim liaison counsel in the complex antitrust case captioned Hydrogen Peroxide Cases (San Francisco Superior Court, JCCP No. 4416), and he has been quoted on antitrust class action topics in Rubber & Plastics News and Competition Law 360. Mr. King also is serving on the 2009 Editorial Advisory Board for Competition Law360 as the only representative from a plaintiffs' firm.

With respect to merger issues, Mr. King advised the City and County of San Francisco regarding the proposed merger of two hospital groups, advised numerous individuals, a hospital association, a medical center, a doctors' association and an insurance company trade association with respect to challenges to a proposed insurance company merger, and has consulted on issues regarding the merger of media entities.

Published opinion: *Jackson v. Kincaid, et al.*, 122 S.W. 3d 440 (Tex.-App.-Corpus Christi 2003). In that legal malpractice action, Mr. King represented the plaintiffs against the largest law firm in Oklahoma and various partners, and successfully obtained an appellate reversal establishing that Texas had personal jurisdiction over the defendant partners. The case subsequently was settled for a confidential sum.

Mr. King obtained his undergraduate degree from Santa Clara University, where he majored in Political Science and was a member of Pi Sigma Alpha, the national political science honor society. He received his law degree from the University of California, Hastings College of the Law in San Francisco, where he was Editor in Chief of the Hastings Law Journal, the school's law review, and graduated cum laude and as a member of the Order of the Coif. While in law school, Mr. King also served as a summer intern for the Honorable John M. Munter in San Francisco Superior Court.

Mr. King is admitted to practice in all California state courts, the U.S. District Courts for the Northern, Central and Eastern Districts of California, and the U.S. Court of Appeals for the Ninth Circuit, and has been admitted pro hac vice in numerous state and federal courts around the country including in Alaska, Arizona, Delaware, Connecticut, New Jersey, New York, Oklahoma, Texas, and Washington.

### **Brian A. Ratner**

Mr. Ratner has extensive experience representing domestic and foreign businesses and individuals in complex litigation at the trial and appellate levels, particularly in the prosecution of antitrust class actions in state and federal courts throughout the United States. Mr. Ratner has litigated and is currently involved in numerous major antitrust class actions on behalf of direct and indirect purchasers alleging price-fixing and monopolization.

Specifically, Mr. Ratner has litigated the matter of *In re Vitamins Antitrust Litigation* (D.D.C.) on behalf of two certified classes of vitamin direct purchasers who were overcharged as a result of a ten-year global price-fixing and market allocation conspiracy, which settled for over \$1 billion. Mr. Ratner was a key member of a 2003 trial team in the case, in which a jury awarded a class of choline chloride purchasers more than \$148 million in trebled damages. *The National Law Journal* ranked this verdict as the 12th largest in 2003. Mr. Ratner has also litigated, among other matters: *Empagran, S.A. et al. v. F. Hoffmann-LaRoche, Ltd., et al.* (D.D.C.), a case alleging a global vitamins price-fixing and market allocation conspiracy on behalf of foreign purchasers (remanded by U.S. Supreme Court); *Oncology & Radiation Associates v. Bristol-Myers Squibb Co.* (D.D.C.), alleging monopolization against a drug manufacturer, which settled for \$65 million; *Molecular Diagnostics Laboratories v. Hoffmann-La Roche, Inc., et al.* (D.D.C.), alleging unlawful monopolization on behalf of a class of purchasers of an enzyme used in DNA amplification, human-genome research, and medical diagnostics; and *In re Vitamin C Antitrust Litigation* (E.D.N.Y.), alleging a conspiracy by Chinese manufacturers to fix prices and control the supply of vitamin C for export.

Mr. Ratner's substantial international work has included lecturing, organizing conferences, and writing articles and papers on issues such as the private civil enforcement of competition laws around the world and the mechanisms for collective redress in Europe.

Prior to joining Hausfeld LLP, Mr. Ratner worked for Jones, Day, Reavis & Pogue where he focused on complex civil and commercial litigation, antitrust counseling, and merger clearance work related to the CBS/Viacom and AOL/Time Warner mergers.

Mr. Ratner graduated from Indiana University-Bloomington with a B.A. in Journalism (1996) and a second major in Political Science, where he was a member of the Mortar Board National Honor Society. Mr. Ratner obtained his law degree from the University of Pittsburgh School of Law (1999), where he was the Managing Editor of the *Journal of Law and Commerce*. During law school, Mr. Ratner externed for the Hon. Donetta W. Ambrose (W.D. Pa.).

Mr. Ratner is admitted to practice in New Jersey, Pennsylvania, the District of Columbia, numerous federal courts around the country, and the United States Supreme Court.

**Megan E. Jones**

Megan E. Jones has been involved in, among other class actions: *In re Polyester Staple Antitrust Litigation* (W.D.N.C), which recovered over \$30 million on behalf of the class; *In re Compact Disc Antitrust Litigation* (C.D.Ca.); *In re Rubber Chemicals Antitrust Litigation* (N.D. Ca.); *In re MMA Antitrust Litigation* (E.D. Pa.); *In re EPDM Antitrust Litigation* (D. Conn.); *In re Processed Egg Products Antitrust Litigation* (E.D. Pa.) and *ERC v. Archstone* (D.Md.), which was recognized by the Washington Lawyers' Committee for Civil Rights. Ms. Jones was also involved in the \$300 million global settlement with Bayer (resolving EPDM, Rubber Chemicals and NBR liability).

In addition to her antitrust expertise, Ms. Jones has developed an expertise in electronic discovery. She is the co-author of *The Sedona Conference Glossary: E-Discovery and Digital Management* (2nd Ed). (Dec. 2007) and *Navigating the Vendor Proposal Process: Best Practices for the Selection of Electronic Discovery Vendors*. She is often asked to speak on electronic discovery issues.

Ms. Jones chairs the New Case Committee at the firm, which is responsible for overseeing all new case investigations at the firm. She is also the founder of the Women Antitrust Plaintiffs' Attorney networking group.

Prior to coming to the Firm, Ms. Jones litigated intellectual property matters and represented clients before Congress at a Washington, D.C. law firm. She received her B.A. in English from North Carolina State University in Raleigh, N.C. in 1995 (*magna cum laude*) and her J.D. from the University of North Carolina at Chapel Hill School of Law in 1999. Ms. Jones is admitted to practice in North Carolina, Maryland and the District of Columbia.

**Hilary K. Scherrer**

Ms. Scherrer is a partner in Hausfeld LLP's Washington, DC office. She has extensive experience representing businesses and individuals in antitrust, consumer fraud, and other complex litigation matters, at both the trial court and appellate court levels. She also has experience working on international settlement matters.

Ms. Scherrer is one of the principal attorneys in several high-profile domestic and international antitrust cases. She manages all day-to-day aspects of the litigation in *In re Chocolate Confectionary Antitrust Litigation* (M.D. Pa.), a case alleging that the major chocolate manufacturers, Nestle, Mars, Cadbury and Hershey conspired to fix the prices of chocolate candy and *Animalfeeds International Corp. et al. v. Stolt-Nielsen SA et al.*, an arbitration regarding alleged customer allocation and bid rigging in the parcel tankers shipping industry. Additionally, she manages electronic discovery in *In re Air Cargo Shipping Services Antitrust Litigation* (E.D.N.Y.), in which a partial settlement of \$85 million was reached with defendants Deutsche AG, Lufthansa Cargo AG, and Swiss International Air Lines Ltd.

Ms. Scherrer works on a number of other antitrust cases, including: *Bruce Foods Corporation v. SK Foods, LP et al.* (E.D. Cal.); *In re Aftermarket Filters Antitrust Litigation* (N.D. Ill.); *In re Municipal Derivatives Antitrust Litigation* (S.D.N.Y.); *In re Publication Paper Antitrust Litigation* (D. Conn.); and *Ace Delivery and Moving, Inc. v. Horizon Lines LLC et al.* (D. Alaska).

In addition to her current work on antitrust cases, Ms. Scherrer represents Holocaust victims in a breach of contract case alleging certain German corporations failed to pay appropriate interest due on their payments to a reparations fund.

Prior to joining Hausfeld LLP, Ms. Scherrer litigated antitrust, consumer fraud, employment, and ERISA cases at firms in Washington, DC, and San Francisco, CA. Among other cases, Ms. Scherrer was involved in *Schwab v. Philip Morris USA et al.* (E.D.N.Y.), the largest class action ever certified, in which the plaintiffs alleged a RICO conspiracy and fraud in connection with the marketing and sale of “light” cigarettes.

Ms. Scherrer received a B.A. in Environmental Studies from the University of Colorado, Boulder in 1996 and a J.D. from the American University Washington College of Law in 2000 (*cum laude*). During law school, Ms. Scherrer interned at the United States Supreme Court in the Office of Legal Counsel and for the Honorable Ricardo M. Urbina of the United States District Court for the District of Columbia.

Ms. Scherrer is admitted to practice in California and the District of Columbia.

### **James J. Pizzirusso**

Mr. Pizzirusso is a partner in Hausfeld LLP’s Washington, DC office. His practice focuses primarily on consumer protection, antitrust, environmental health, and product liability/mass torts. In addition to practicing law, Mr. Pizzirusso has served as a Visiting Associate Professor of Clinical Law at George Washington University Law School and is currently serving as an Adjunct Professor of Environmental and Toxic Torts.

Mr. Pizzirusso is one of the court-appointed, co-lead counsel in *In re Tyson Foods, Inc., Chicken Raised Without Antibiotics Consumer Litigation* (D. Md.). He was also recently involved in *Pelletz v. Advanced Environmental Recycling Technologies, Inc.* (“In re Choicedek Litigation”), (W.D. Wa.), a nationwide settlement involving mildew spotting on decking materials. Mr. Pizzirusso is currently investigating and litigating claims involving defective Chinese Drywall, which releases sulfur fumes and corrodes metal surfaces in homes.

In the antitrust field, Mr. Pizzirusso represents clients alleging price fixing and collusion in various retail and transportation sectors. Mr. Pizzirusso is one of the principal attorneys in *In re Processed Egg Products Antitrust Litigation* (E.D. Pa.).

Mr. Pizzirusso’s practice also includes domestic and international environmental and public health litigation. He is currently representing numerous farmers and landowners in Barbados who have suffered reduced crop yields and property damages as a result of leaking jet fuel from an underground pipeline.

Mr. Pizzirusso has been asked to appear as a panelist at several conferences around the country and presented on topics including consumer protection law, toxic torts, lead paint litigation, and public interest litigation. Mr. Pizzirusso is also the author of several published papers including: Utilizing Novel Technologies to Sustain Trespass and Battery as Toxic Torts, *The Environmental Litigator* (Spring, 2008); Agency Rule-Making Power and the Clean Air Act: Putting the Brakes on American Trucking, Spring 2001 Term: *Whitman v. American Trucking Associations, Inc.*, 7 *Envtl. Law.* 729 (June, 2001); and Increased Risk, Fear of Disease and Medical Monitoring – Are Novel Damage Claims Enough to Overcome Causation Difficulties in Toxic Torts, 7 *Envtl. Law.* 183 (September, 2000).

Mr. Pizzirusso graduated from the University of Tennessee-Knoxville (*summa cum laude*) with a B.A. in Environmental Policy. He obtained his law degree from George Washington University Law School (with honors). He is admitted to practice in the District of Columbia, Virginia, the Supreme Court of the United States, the Fourth Circuit Court of Appeals, and several federal district courts.

### **Brent W. Landau**

Mr. Landau's practice focuses on representing plaintiffs in complex antitrust and consumer protection litigation. He has litigated claims of price-fixing and monopolization involving products and industries as varied as vitamins, microprocessors, transparent tape, medical devices, and stock car racing. In other cases, his clients have included consumers defrauded by manufacturers of "light" cigarettes and Indonesian villagers subjected to human rights abuses.

Mr. Landau graduated from the State University of New York at Binghamton, where he received a B.A. in History and Philosophy (*summa cum laude*, 1998) and was a member of Phi Beta Kappa. He obtained his law degree from Harvard Law School (*cum laude*, 2001), where he was co-chairperson of the Tenant Advocacy Project and a supervising editor of the Harvard Journal on Legislation.

After law school, Mr. Landau served as a judicial law clerk to the Honorable Bruce W. Kauffman, United States District Court for the Eastern District of Pennsylvania. He then worked for six years at Cohen, Milstein, Hausfeld & Toll, P.L.L.C. before joining Hausfeld LLP.

Mr. Landau is the author of State Employees and Sovereign Immunity: Alternatives and Strategies for Enforcing Federal Employment Laws, 39 *Harv. J. on Legis.* 169 (2002); State Bans on City Gun Lawsuits, 37 *Harv. J. on Legis.* 623 (2000); and Sovereign Immunity and You: How New York State Employees Can Enforce Their Federal Employment Rights, United University Professions Working Paper Series (Dec. 2005) (presented at November 2005 UUP conference on "Preserving the Rights of Public Employees"). He also serves on the editorial board of *The Antitrust Practitioner*, the newsletter of the Civil Practice and Procedure Committee of the ABA Section of Antitrust Law, and is a member of the Federal Courts Committee of the Philadelphia Bar Association.

Mr. Landau is admitted to practice in Pennsylvania, New York, and the District of Columbia.

## Steig D. Olson

Mr. Olson is a partner in Hausfeld LLP's New York office, where he practices in the fields of human rights and antitrust law. He also does pro bono work in the area of child refugee law and helps coordinate the firm's pro bono practice. Mr. Olson is dedicated to helping aggrieved businesses and persons pursue legal redress.

**HUMAN RIGHTS:** Mr. Olson currently is one of the main counsel in *Balintulo v. Daimler AG* (S.D.N.Y.), in which he represents South African victims of human rights abuses by the former apartheid regime against corporations that allegedly aided and abetted the government's commission of the abuses. The case has resulted in several important decisions, including *Khulumani v. Barclay National Bank Ltd.*, 504 F.3d 254 (2d Cir. 2007), in which the Second Circuit held that plaintiffs could seek to establish aiding and abetting liability under the Alien Tort Statute.

**ANTITRUST:** Mr. Olson also represents businesses in major antitrust actions seeking damages allegedly caused by corporate anticompetitive conduct, including price-fixing conspiracies. Mr. Olson currently serves as a lead counsel in *In re Rail Freight Fuel Surcharge Antitrust Litigation* (D.D.C.), in which shippers nationwide seek damages for alleged price fixing of rail freight fuel surcharges by the nation's dominant freight-shipping railroads; and *In re Flat Glass Antitrust Litigation* (II) (W.D. Pa.), alleging price fixing by manufacturers of flat glass used in the construction industry.

Mr. Olson has played a major role in numerous cases that have resulted in substantial recoveries for overcharged purchasers. For example, he was one of the leading lawyers in *Molecular Diagnostics Laboratories v. Hoffman-La Roche, Inc., et al.* (D.D.C.), alleging unlawful monopolization on behalf of a class of purchasers of an enzyme used in DNA amplification, human-genome research, and medical diagnostics.

**PRO BONO:** Mr. Olson maintains a pro bono practice and is one of the pro bono coordinators at the firm. Recently, Mr. Olson employed an innovative legal theory to win a grant of asylum by a New York Immigration Judge on behalf of a woman who came to the United States after suffering intra-familial sexual abuse as a child in El Salvador. The Government has appealed the decision to the Board of Immigration Appeals, where it argues that the case raises novel issues of refugee law.

**PUBLICATIONS:** Mr. Olson is the author of:

- "Chipping Away: The Misguided Trend Toward Resolving Merits Disputes As Part of the Class Certification Calculus," 43 U.S.F.L. Rev. 935 (2009);
- "Efforts to Delay Competition from Generic Drugs: Litigation Along a Seismic Fault Between Antitrust and Intellectual Property Law," co-authored with Joshua P. Davis, 39 U.S.F.L. Rev. 1 (2004);
- "Greater Scrutiny of the Merits During Class Certification: Are Class Action Standards Evolving?" Presented at the 2008 ABA Antitrust Spring Conference; and

- “Antitrust Class Actions: Continued Vitality,” Global Competition Review, The Antitrust Review of the Americas (2008), co-authored with Michael Hausfeld and Seth Gassman.

Before joining Hausfeld LLP, Mr. Olson clerked for the Honorable Barrington D. Parker, Jr., of the United States Court of Appeals for the Second Circuit, and the Honorable Vaughn R. Walker, now Chief Judge of the United States District Court for the Northern District of California. Mr. Olson graduated from Harvard Law School, magna cum laude (J.D., 2001), and Vassar College with a B.A. in Philosophy (1997). He is admitted to practice in New York.

### **Arthur N. Bailey, Jr.**

Mr. Bailey has worked on *In re Intel Corporation Microprocessor Antitrust Litigation* (D. Del.), alleging monopolization of the market for x86 microprocessors, resulting in higher prices to consumers who purchased computers containing Intel chips. Prior to joining the firm, Mr. Bailey was employed by Kaplan Fox & Kilsheimer LLP where he worked on antitrust, securities fraud and consumer fraud class action cases.

Mr. Bailey is a graduate of the College of Wooster where he received a Bachelor of Music Education. He received his law degree from the University of Tulsa College of Law (1999). Mr. Bailey is admitted to practice in California.

### **Ralph J. Bunche**

Ralph Bunche is an associate in the firm’s Washington D.C. office. He joined in August 2009. Prior to joining the firm, Mr. Bunche was the legal advisor to Liberia’s Minister of Finance where he worked on a range of matters, including legislative and regulatory reform of the tax and investment laws and the negotiation and implementation of concession (extractive and agricultural) and debt cancellation agreements. Prior to this, he was an associate at O’Melveny & Myers LLP focusing on antitrust and securities litigation.

Mr. Bunche’s experience encompasses work on a range of sectors — including iron ore, petroleum, energy, rubber chemicals, natural rubber, palm oil, cocoa, eggs, dynamic random access memory, and securities brokers — and in a number of countries — including Bosnia-Herzegovina, India, South Africa, and Liberia.

Mr. Bunche holds a Bachelor’s in Philosophy, Politics and Economics (PPE) from Keele University (UK), a Master’s in Human Rights from Essex University (UK), and a JD from Columbia University School of Law. He is admitted to practice in the State of New York.

### **Melinda Coolidge**

Ms. Coolidge is an associate at the firm focusing on antitrust and consumer cases. She is currently involved in several cases, including *In re International Air Transportation Surcharge Antitrust Litigation*,

MDL 1793, involving an international cartel among major airlines to fix the price of fuel surcharges for passenger flights, and *In re Air Cargo Shipping Services Antitrust Litigation*, MDL 1775, involving fixing prices of cargo shipments worldwide.

Prior to joining the firm, Ms. Coolidge served as a research assistant to Former Commissioner of the Federal Trade Commission, Robert Pitofsky, conducting research for his casebook, *Trade Regulation*, and for his book on the impact of conservative economic analysis on antitrust law, *Where the Chicago School Overshot the Mark*. She also served as the Senior Articles Editor on the *Georgetown Journal of Gender and the Law*. During her summers in law school, she worked at a boutique litigation firm representing whistleblowers against the government and at Heller Ehrman, LLP. Prior to attending law school, she worked at Public Citizen, a national consumer advocacy non-profit organization.

Ms. Coolidge received a J.D. from Georgetown University Law Center (2008, *cum laude*), and a B.A. in International Relations and French from Tufts University (2003, *magna cum laude*). She is proficient in French.

Ms. Coolidge is admitted to practice in Maryland, and is a member of the American Bar Association and the Maryland Bar Association.

### **Reena Gambhir**

Ms. Gambhir has worked on, among other antitrust class actions, *In re Hydrogen Peroxide Antitrust Litigation* (E.D.Pa.) and *In re Pressure Sensitive Labelstock Antitrust Litigation* (M.D.Pa) alleging price-fixing on behalf of purchasers. Among other international and pro bono matters, Ms. Gambhir represented detainees being held at the U.S. government's detention facility in Guantanamo Bay, and residents of Bhopal, India who are exposed to the 1984 Union Carbide gas leak's uncontrolled remaining toxic waste.

Prior to joining the Firm, Ms. Gambhir served as a law clerk at the Public Defenders Service for the District of Columbia and the Washington Legal Clinic for the Homeless. In addition, she studied in the International Human Rights Law program at Oxford University, and was a student attorney in the International Human Rights Clinic at the George Washington University Law School. Prior to law school, Ms. Gambhir worked as a paralegal at an immigration law firm in Boston, Massachusetts.

Ms. Gambhir received a B.A. from Boston College in English Literature (*cum laude*, 1999) with a minor in American Gender and Race Studies. She received a Master of Arts in the Humanities from the University of Chicago (2000), and her law degree from the National Law Center, George Washington University (with honors, 2004), where she was a Thurgood Marshall Scholar.

Ms. Gambhir is admitted to practice in Massachusetts, admission pending in New York.

### **Faris E. Ghareeb**

Faris Ghareeb, an associate at the firm, is a member of the antitrust and international practice groups. He is currently involved in several cases, including *In re Air Cargo Shipping Services Antitrust Litigation* (E.D.N.Y.) and *In re Municipal Derivatives Antitrust Litigation* (S.D.N.Y.).

Mr. Ghareeb also serves as an adjunct professor at the George Washington University Law School, where he coaches the international commercial arbitration team.

During law school, Mr. Ghareeb represented George Washington University at the 2008 Willem C. Vis International Commercial Arbitration Moot. He also interned in the civil litigation division of the D.C. Attorney General's Office, and clerked at Straus & Boies, LLP, where he focused on antitrust class actions.

Mr. Ghareeb received a J.D. from the George Washington University Law School (2008), and a B.A. in Political Science from Emory University (2004).

Mr. Ghareeb is admitted to practice in New York.

### **Sathya S. Gosselin**

Mr. Gosselin is an associate in Hausfeld LLP's antitrust practice group. He is currently involved in several matters, including *In re Rail Freight Fuel Surcharge Antitrust Litigation* (D.D.C.), in which shippers nationwide seek damages for alleged price-fixing of rail-freight fuel surcharges by the nation's largest freight-shipping railroads, and *In re Flat Glass Antitrust Litigation (II)* (W.D. Pa.), in which plaintiffs allege price-fixing by manufacturers of flat glass used in the construction industry.

Prior to joining the firm, Mr. Gosselin served as a staff law clerk for the United States Court of Appeals for the Seventh Circuit (2007-2009). During law school, he was an extern with the Texas Civil Rights Project in Austin, Texas; a summer law clerk with Texas RioGrande Legal Aid; and a summer associate with two law firms engaged in civil rights and antitrust litigation.

Mr. Gosselin received a B.A. from Vassar College in Religion (with honors, 1999). He received his law degree from Cornell Law School (2007), where he was Symposium Editor of the Cornell Law Review.

Mr. Gosselin's admission to practice in California is pending.

### **Jeannine M. Kenney**

Ms. Kenney is an associate at the firm focusing on antitrust and human rights litigation. She is currently involved in *In re South African Apartheid Litigation*, MDL 1499, alleging that Defendant multi-national corporations aided and abetted the commission of crimes against humanity by the security forces of the apartheid regime, and *In re Chocolate Confectionary Antitrust Litigation*, MDL 1935, alleging that major chocolate manufacturers conspired to fix prices in the United States.

Ms. Kenney received her J.D. from the Georgetown University Law Center (magna cum laude, Order of the Coif, 2009), where she was a member of the Georgetown Law Journal and an editor of the Journal's 2009 Annual Review of Criminal Procedure. She is a 2009 recipient of the International Academy of Trial Lawyers Student Advocacy Award for her work in Georgetown's Appellate Litigation Clinic, where, as court-appointed amicus curiae in support of the appellant, she briefed with co-counsel and then argued *Lytes v. D.C. Water and Sewer Authority*, 572 F.3d 936 (D.C. Cir. 2009) before the United States Court of Appeals for the D.C. Circuit. Ms. Kenney received her B.A. in Political Science and Economics from the University of Wisconsin-Madison (with distinction, 1988).

Prior to attending law school, Ms. Kenney served as a senior policy analyst for Consumers Union, a national consumer advocacy organization and publisher of Consumer Reports, representing consumers before Congress and federal agencies on telecommunications, financial services and drug safety issues. She served as a legislative assistant for U.S. Senators Russ Feingold (D-WI) and Herb Kohl (D-WI) and as Vice President for Public Affairs for the National Cooperative Business Association, a non-profit advocacy organization for consumer, purchasing and other member-owned cooperatives.

Ms. Kenney is admitted to practice in Pennsylvania.

## **Annex 4 – Hausfeld & Co. LLP**

Hausfeld & Co. LLP, the London affiliate of Hausfeld LLP, is dedicated to achieving justice for victims of economic abuse, crimes against society and human rights violations worldwide. The firm works to preserve a key element of the justice system – the ability to restore integrity to society. Its clients are businesses and individuals, singly and in group actions.

Hausfeld & Co. has a strong track record in recovering compensation for European claimants. Its services improve the ability of European investors and businesses to participate in antitrust and other actions for collective redress within the U.S.

The firm is developing effective means for the private enforcement of competition laws in Europe. Its attorneys are in dialogue with competition and economic regulators, defendants, their advisors and the practicing and academic legal communities. In London, the firm leverages its relationships with renowned economists and consulting firms to bring economic, accounting, and business advice to our work for claimants.

### Practice Areas

Antitrust / Competition  
Consumer Protection  
Civil and Human Rights  
Financial Services

### Cases

Hausfeld & Co. is currently taking action against British Airways (“BA”) in the High Court, London, on behalf of claimants who suffered loss as a consequence of BA’s involvement with a number of other airlines in a global cartel to fix prices on air cargo shipments. As lead counsel for non-U.S. claims against a group of international airlines for fixing prices on air freight shipping, the firm has already obtained an \$85 million settlement with Lufthansa for shipments within, to and from the United States. The settlement will result in thousands of European businesses recovering damages.

The firm also represents thousands of travelers who paid fuel surcharges to BA and Virgin Atlantic on flights to and from the UK. Both airlines have admitted they illegally fixed these charges. The principal beneficiaries will be European consumers and businesses.

In July 2009 Hausfeld & Co commenced proceedings against industry giants Shell and Exxon Mobil for their involvement in the paraffin wax price fixing cartel. The cartel took place throughout Europe for a period of 13 years between 1992 and 2005 and involved seven other major producers of paraffin wax.

The firm was the only claimants’ firm to appear before the European Commission on behalf of European consumers in the Microsoft matter.

Also in July, Hausfeld & Co. commenced proceedings against Dunlop Oil & Marine Limited for its involvement in the marine hose cartel. The cartel took place during the period from at least 1986 to 2007 and involved five other leading manufacturers of marine hose, all of whom conspired to fix, raise, maintain or stabilize the prices of the rubber hose which is used to transfer oil between storage facilities and/or buoys. Previously, the firm successfully negotiated a settlement with one of the marine hose cartelists, Parker.

### Cartel Key

The EU estimates that the actions of illegal cartels cost businesses €2-3bn every year. Companies that suffer losses from cartel price-fixing and other anti-competitive practices deserve compensation but are sometimes deterred from action by the costs of litigation. To overcome this obstacle, Hausfeld LLP's London affiliate Hausfeld & Co. has created an innovative insurance and funding mechanism called Cartel Key.

Cartel Key provides access to cartel compensation in the UK at minimal risk for claimants.

How Cartel Key works:

1. The firm focuses on cartel cases where a competition authority or court has already found the cartelists to be liable (or even guilty under criminal law) or is highly likely to do so.
2. The firm uses this decision as the basis for "follow on" collective claims by groups of victims in national courts in the EU; these courts must apply the decision and find the cartelists liable.
3. The firm works with expert economists and forensic accountants to establish that the cartelists' illegal behavior caused quantifiable losses to victims.
4. The firm's clients commit to stand and fight together to maximize recovery for all on settlement or by a judgment of the court.
5. The firm works with FirstAssist Legal Protection, one of the UK's leading providers of Before- and After-the-Event legal expenses insurance ("BTE" and "ATE") to create a unique package that minimizes the financial risks of seeking compensation. The firm combines FirstAssist's ATE insurance with the provision of our legal services on a "success only" fee basis under well-established English law rules. Hausfeld & Co. will only be paid if its clients win the case. Litigants pay the insurance premium only at the end of the case, and then only if the case succeeds.

Hausfeld & Co. and FirstAssist will together assess each cartel in determining the terms of the insurance. The firm will only advise clients to proceed with a claim that its attorneys think has very good prospects of success and where they believe that the insurance in place is sufficient to cover the risks that may arise in bringing the claim.

Cartel Key so far has been a valuable insurance solution for the firm's clients. It has allowed numerous companies to seek compensation in major actions, including cases brought this summer by Hausfeld against paraffin wax and marine hose cartelists.

Hausfeld & Co LLP Attorneys

**Anthony Maton**

Anthony Maton is a partner specializing in competition and financial services litigation. He has extensive experience in complex international dispute resolution, including litigation, arbitration and mediation in a number of different jurisdictions. He has acted for Governments in regulatory investigations, for multinationals and for private business, and has worked in the USA and extensively throughout Europe, the Middle East and the Gulf.

Mr. Maton is a Solicitor with over 15 years experience, having been a partner in McGrigors and an associate at Slaughter & May. He is a member of the Chartered Institute of Arbitrators (he arbitrated under many rules including the LCIA, ICC and LME), an accredited Mediator and former Secretary and present Committee Member of the London Solicitors Litigation Association.

His recent experience includes acting in the Air Passenger settlement against BA/ Virgin, acting against BA in the London arm of the global air cargo cartel litigation being run by Hausfeld, and acting on the Parker Settlement in the Marine Hose cartel.

He has an Honors Degree in Modern History from the University of Oxford and has regularly spoken at conferences and seminars both in the UK and abroad.

**Vincent Smith**

Vincent Smith is a partner focusing on UK and European claimant and complainant competition matters. He joined from the Office of Fair Trading where he was Senior Director for Competition and Director of its Competition Enforcement division from 2003. He led the OFT's 180-strong competition function, having overall responsibility for the OFT's work in combating cartels and other anti-competitive practices. He was also responsible for the OFT's merger control duties, as well as oversight of its developing enforcement policy. From 2002-2003 he was the OFT's Director of Competition Policy Co-ordination and deputy Director of the division with prime responsibility for the OFT's input to the EC 'modernization' of competition enforcement.

Before joining public service, he was a solicitor in private practice in the City of London and in Brussels specializing in competition and EC law since qualifying in 1990.

**Ingrid Gubbay**

Ingrid Gubbay is a consultant with Hausfeld & Co LLP in London. She practices antitrust, consumer and human rights law. Prior to joining Hausfeld & Co, Ms. Gubbay was the Principal Campaigns Lawyer for the largest consumer association in Europe, Which? Ltd. Last year in the case of JJB Sports v Consumer Association, Ms. Gubbay brought the UK's first antitrust representative action for damages on behalf of consumers (direct purchasers) under new statutory powers granted to Which? Ltd. by the Secretary of State.

Ms. Gubbay has an extensive background in bringing test cases involving collective actions in the UK and in Australia, where she was head of consumer litigation for the Legal Aid Commission (NSW). Ms Gubbay has written and presented on private enforcement for damages in antitrust law, and has lectured at the Universities of NSW and Essex UK in tort, administrative and international human rights law.

She is a member of the British Institute of Advanced Comparative law (BIICL) and sits on the comparative law working party of the UK Civil Justice Council, which is responsible for advising Government on civil procedural reform in the UK.

She is a graduate of the University of NSW where she gained a B.A. and LLB in 1994. She is admitted to the rolls of the Federal and High Courts of Australia, and is currently undertaking a PHD (research) at Queen Mary University London.

### **Scott Campbell**

Scott Campbell is an associate focusing on UK and European claimant and complainant competition matters. He joined in May 2007 from the London office of Latham & Watkins, where his practice focused on merger control, regulatory and defendant competition matters.

To date, Mr. Campbell has experience of matters relating to the transport, energy, media and technology, pharmaceuticals, financial services, telecommunications and retail sectors.

Within these sectors, he has:

- Acted on behalf of claimants in the High Court relating to a competition law-based claim.
- Initiated and defended competition complaints before the OFT, the European Commission, and regulators.
- Acted for defendant clients in the context of OFT and UK Competition Commission competition investigations (such as Storecards and PPI).
- Assisted with large-scale, multi-jurisdictional merger control filings involving, among others, the European Commission (for example Bayer/Schering and Adidas/Reebok).

Mr. Campbell has a Masters degree in EC Competition Law from King's College London. In addition he has an M.Lit in Modern Historical Studies and an M.A. (Hons) in Modern History from the University of St Andrews.

### **Rhea Dhillon**

Rhea Dhillon, an associate, joined the firm in June 2009. She came across from plaintiff law firm, Maurice Blackburn Lawyers, in Australia where she worked as a litigation lawyer for injured claimants and on behalf of shareholders and victims of mass torts in class action litigation. Ms. Dhillon also assisted on the Vitamins class action litigation in Australia, which was the first successfully concluded cartel claim in the country.

Ms. Dhillon is focusing on assisting UK and European clients recover damages flowing from breaches of competition laws in the European Economic Area, building upon her experience in negotiating settlements of common law claims and running common law trials.

Ms. Dhillon is a graduate from Monash University, Australia, where she obtained a Bachelor of Laws (with Honors) and Bachelor of Arts. She is enrolled to practice as an Australian Legal Practitioner in the State of Victoria, Australia.

**Annex 5 – Recent Publications**

“Liberalizing Rule 27 in the Twombly/Iqbal Era.” By James J. Pizzirusso. *Law360*. November 11, 2009.

“Twombly, Iqbal And the Prisoner’s Pleading Dilemma.” By Michael D. Hausfeld, Michael P. Lehmann, and Spencer Jenkins. *Law360*. October 20, 2009.

“Competition Law Claims: A Developing Story.” By Michael D. Hausfeld and Vincent Smith. *European Antitrust Review*. September 2009.

“Global Enforcement of Anticompetitive Conduct.” By Michael D. Hausfeld. *The Sedona Conference Journal*. Fall 2009.

“Observations from the Field: ACPERA's First Five Years.” By Michael D. Hausfeld, Michael P. Lehmann, and Megan E. Jones. *The Sedona Conference Journal*. Fall 2009.

“The Value of ACPERA.” By Michael D. Hausfeld. *CompetitionLaw 360*. June 2009.

“Chipping Away: The Misguided Trend Toward Resolving Merits Disputes as Part of the Class Certification Calculus.” By Steig D. Olson. *University of San Francisco Law Review*. Spring 2009.

“Response to EU Commission Green Paper on Consumer Collective Redress.” By Ingrid Gubbay and Vincent Smith. February 2009.

“Private Enforcement Claims: Are They a Risk for Consumers and Businesses?” By Ingrid Gubbay and Anthony Maton. *Competition Law Insight*. January 2009.

“Collective Redress for Competition Law Claims.” By Michael D. Hausfeld and Vincent Smith. *European Antitrust Review*. September 2008.

“Managing Multi-District Litigation.” By Michael D. Hausfeld and Michael P. Lehmann. *Antitrust Review of the Americas*. September 2008.

“A Victim’s Culture.” By Michael D. Hausfeld and Andrea Hertzfeld. *European Business Law Review*. December 2007.

Links to most of the above publications can be found at [www.HausfeldLLP.com](http://www.HausfeldLLP.com).

**Annex 6 – Offices**

Washington, DC

202.540.7200 ph  
202.540.7201 fax  
1700 K Street, NW Suite 650  
Washington, DC 20006

San Francisco

415.633.1908 ph  
415.358.4980 fax  
44 Montgomery Street, Suite 3400  
San Francisco, CA 94104

New York

212.830.9850 ph  
212.480.8560 fax  
11 Broadway, Suite 615  
New York, NY 10004

Philadelphia

215.985.3270 ph  
215.985.3271 fax  
1604 Locust St, 2nd floor  
Philadelphia, PA 19103

Hausfeld & Co. LLP - London

(00 44) 20 7665 5000 ph  
(00 44) 20 7665 5001 fax  
12 Gough Square  
London  
EC4A 3DW

For more information about the firm please visit [www.HausfeldLLP.com](http://www.HausfeldLLP.com).