

**EXHIBIT 4**

## HAUSFELD FIRM SUMMARY

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

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

Under Mr. Hausfeld's leadership, Hausfeld attorneys have studied the recent global integration of markets—and responded with innovative legal theories and a creative approach to claims in new and emerging markets.

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### LEADERSHIP IN LANDMARK LITIGATION

Courts have appointed Hausfeld and its attorneys as lead class counsel, co-lead class counsel, to the executive committees or steering committees in more than 50 class-action antitrust, consumer protection, mass-tort, and sports and entertainment cases:

#### Antitrust

- *Ace Delivery & Moving, Inc. v. Horizon Lines, LLC*, No. 08-cv-207 (D. Alaska)
- *In re Air Cargo Shipping Services Antitrust Litig.*, No. 06-md-1775 (E.D.N.Y.)
- *In re American Express Anti-Steering Rules Antitrust Litigation*, No. 11-md-2221 (E.D.N.Y.)
- *In re Automotive Aftermarket Lighting Products Antitrust Litig.*, No. 09-ML-2007 (C.D. Cal.)
- *In re Blue Cross Blue Shield Antitrust Litig.*, No. 13-mdl-2496 (N.D. Ala.)
- *Bruce Foods Corp. v. SK Foods, LP*, No. 09-cv-00027 (E.D. Cal.)
- *In re Cathode Ray Tube (CRT) Antitrust Litig.*, No. 07-cv-5944 (N.D. Cal.)

- *In re Chocolate Confectionary Antitrust Litig.*, No. 08-mdl-1935 (M.D. Pa.)
- *In re Parking Heaters Antitrust Litig.*, No. 15-mc-940 (E.D.N.Y.)
- *In re Flat Glass Antitrust Litig.*, No. 08-mc-00180 (W.D. Pa.)
- *In re Florida Cement and Concrete Antitrust Litig.*, No. 09-23187 (S.D. Fl.)
- *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, 13-cv-7789 (S.D.N.Y.)
- *In re Fresh and Process Potatoes Antitrust Litig.*, No. 10-MD-2186 (D. Idaho)
- *In re Hydrogen Peroxide Antitrust Litig.*, No. 05-cv-666 (E.D. Pa.)
- *In re International Air Passenger Surcharge Antitrust Litig.*, No. 06-md-01793 (N.D. Cal.)
- *Jabo's Pharmacy, Inc. v. King Pharmaceuticals, Inc.*, No. 31, 973 (Cir. Ct. Cocke. Cty., TN)
- *Kholder Mfg. Co., Inc. v. Kason Indus., Inc. et al.*, No 10-cv-1875 (N.D. Ga.)
- *In re Korean Ramen Antitrust Litig.*, No. 13-cv-04115 (N.D. Cal.)
- *In re LIBOR-Based Financial Instruments Antitrust Litig.*, No. 11-md-2262 (S.D.N.Y.)
- *In re Methyl Methacrylate Antitrust Litig.*, No. 06-md-1768 (E.D. Pa.)
- *In re Municipal Derivatives Antitrust Litig.*, No. 08-cv-2516 (S.D.N.Y.)
- *In re New Jersey Tax Sales Certificates Antitrust Litig.*, No. 12-cv-1893 (D.N.J.)
- *In re NCAA Student-Athlete Name & Likeness Licensing Litig.*, No. 09-cv-1967 (N.D. Cal.)
- *In re Optical Disk Drive Antitrust Litig.*, No. 10-md-02143 (N.D. Cal.)
- *In re OSB Antitrust Litig.*, No. 06-cv-0826 (E.D. Pa.)
- *In re Polyurethane Foam Antitrust Litig.*, No. 10-md-02196 (N.D. Ohio)
- *In re Pressure Sensitive Labelstock Antitrust Litig.*, MDL No. 1556 (M.D. Pa.)
- *In re Processed Egg Products Antitrust Litig.*, No. 08-cv-04653 (E.D. Pa.)
- *In re Rail Freight Fuel Surcharge Antitrust Litig.*, No. 07-mc-00489 (D.D.C.)
- *In re Transpacific Passenger Air Transport Antitrust Litig.*, No. 07-cv-05634 (N.D. Cal.)
- *In re Vitamin C Antitrust Litig.*, No. 06-md-01738 (E.D.N.Y.)
- *In re Vitamins Antitrust Litig.*, No. 1:99-md-01285 (D.D.C.)
- *In re Volkswagen "Clean Diesel"*, 15-md-2672-CRB (JSC) (N.D. Cal.)

#### **Consumer Protection**

- *In re Honey Transshipping Litigation*, 13-cv-02905 (N.D. Ill.)
- *Kairoff v. Dropbox, Inc.*, 11-cv-02508 (N.D. Cal.)
- *In re Monsanto Company Genetically-Engineered Wheat Litig.*, No. 13-md-02473 (D. Kan.)
- *National Trucking Financial Reclamation Services, LLC v. Pilot Corp.*, 13-cv-250 (E.D. Ark.)
- *Radosti, et al. v. Envision EMI, LLC*, No. 09-CV-00887-CKK (D.D.C.)
- *Ross v. Trex Co., Inc.*, No. 09-CV-00670 (N.D. Cal.)
- *In re Sony PS3 "Other OS" Litig.*, No. 10-cv-1811-RS (N.D. Cal.)
- *In re: Target Corporation Customer Data Security Breach Litigation*, MDL No. 14-2522 (D. Minn.)
- *In re Tyson Foods, Inc., Chicken Raised without Antibiotics Consumer Litig.*, No. 08-md-01982 (D. Md.)

- *U.S. Hotel and Resort Management, Inc. et al v. Onity Inc.*, 13-cv-01499 (D. Minn.)
- *Wolph v. Acer America Corp.*, No. 09-cv-01314 (N.D. Cal.)

### **Mass Tort**

- *In re Chinese-Manufactured Drywall Products Liability Litig.*, MDL No. 2047 (E.D. La.) (Of Pa.)
- *In re National Football League Players' Concussion Injury Litig.*, No. 12-md-02323 (E.D. Pa.)
- *In re Prempro Products Liability Litigation*, No. 03-cv-1507 (E.D. Ark.)
  - *In re Stryker Rejuvenate and ABG II Hip Implant Products Liability Litigation*, MDL No. 13-2441 (D. Minn.)

### **Financial Services**

- *In re Commodity Exchange, Inc. Silver Futures and Options Trading Litig.*, No. 11-md-2213 (S.D.N.Y.)
- *MTB Investment Partners LP v. Siemens Hearing Instruments Inc.*, No. 12-cv-340 (D.N.J.)

### **Sports & Entertainment**

- *O'Bannon v. NCAA*, No. 09-cv-03329 (N.D. Cal.)
- *Dryer v. Nat'l Football League*, No. 09-cv-02182 (D. Minn.)
- *Eller v. Nat'l Football League*, No. 11-cv-639 (D. Minn.) ("*Eller I*")
- *Eller v. National Football League Players Assoc. et al.*, 11-cv-02623 (D. Minn.) ("*Eller II*")
- *James v. UMG Recordings, Inc.*, No. 11-cv-1613 (N.D. Cal.)
- *Sister Sledge v. Warner Music Group*, 12-cv-00559 (N.D. Cal.)

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## **RECENT ACCOLADES AND ACHIEVEMENTS**

- As of December 2015, Hausfeld is the only claimants' firm to be ranked by the *Legal 500* and *Chambers & Partners* as a top tier firm in private enforcement of antitrust/competition law in both the United States and the United Kingdom.

- In December 2015, Reena Gambhir was selected to *Global Competition Review's* Top 40 Under 40 list for 2016. The honorees were selected for their work on major mergers, cartel investigations and dominance cases, for a variety of organizations, including government, companies and law firms.

- In December 2015, Michael Hausfeld was recognized by the *Financial Times* as one of the Top 10 Innovative Lawyers in North America.

- In November 2015, Hausfeld and fellow trial counsel won the American Antitrust Institute's award for Outstanding Antitrust Litigation Achievement in Private Law Practice for their trial and appellate victories in *O'Bannon v. NCAA*.

# HAUSFELD

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- In November 2015, *U.S. News & World Report – Best Law Firms* named Hausfeld to its top tier in both Antitrust Law and Litigation. Hausfeld was also recognized in New York, San Francisco, and Washington, DC in Antitrust Law, Litigation, and Commercial Litigation.
- In October 2015, *National Law Journal* named two Hausfeld partners—Brent Landau and Hilary Scherrer as among the 2015 Litigation Trailblazers & Pioneers.
- In April 2015, Hausfeld Attorneys Michael Hausfeld, Michael Lehmann, Sathya Gosselin, Hilary Scherrer, Bruce Wecker and Swathi Bojedla were awarded the *Global Competition Review’s* “Litigation of the Year – Non-Cartel Prosecution,” which recognized their trial victory in *O’Bannon v. National Collegiate Athletics Association*.
- In April 2015, *Super Lawyers* recognized thirteen Hausfeld attorneys as among the top in the nation. Michael Hausfeld, Brian Ratner, Walter Kelley, Jr., and Megan Jones were recognized as Super Lawyers in Washington, D.C.; Michael Lehmann and Bonny Sweeney were recognized as Super Lawyers in California; Brent Landau was recognized as a Super Lawyer in Pennsylvania; Melinda Coolidge, Timothy Kearns, Nathaniel Giddings and Kristen Ward Broz were recognized as Rising Stars in Washington, D.C.; and Jeannine Kenney was recognized as a Rising Star in Pennsylvania.
- In April 2015, *Law360* named Hausfeld Partners Reena A. Gambhir and Melinda R. Coolidge as “Rising Stars.” Chosen from a pool of 1,200 lawyers, *Law360* selected Ms. Gambhir and Ms. Coolidge for their career accomplishments in the class action arena.
- In March 2015, Hausfeld was named to the *National Law Journal’s* “Plaintiffs Hot List” for the Fourth Year in a Row. The *National Law Journal* reports that:

“Hausfeld’s creative approaches underpinned key antitrust wins last year, including a trailblazing victory for former college athletes over the use of their likenesses in television broadcasts and video games . . . .” The *Journal* also noted that Hausfeld along with its co-counsel, “nailed down a \$99.5 million settlement with JPMorgan Chase & Co. in January in New York federal court for alleged manipulation of market benchmarks. And it helped land nearly \$440 million in settlements last year, and more than \$900 million thus far, in multidistrict antitrust litigation against air cargo companies.”
- In January 2015, *Washington Business Journal* named Reena Gambhir to its list of honorees for the 2015 Minority Business Leader Awards. The award recognizes leaders that embody entrepreneurial drive, creativity and success in business.
- In December 2014, *The National Law Journal* named Michael Hausfeld to its inaugural list of Litigation Trailblazers & Pioneers.
- In September 2014, *The National Law Journal* named Hausfeld as one of a select group of America’s Elite Trial Lawyers, as determined by *big victories in complex cases that have a wide*

*impact on the law and legal business.*” The award notes that Hausfeld is among those “*doing the most creative and substantial work on the plaintiffs side.*”

- In June 2014, *The Legal 500* named Hausfeld to the Top Tier of firms representing plaintiffs in antitrust matters for the sixth year in a row. Hausfeld attorneys, Michael Hausfeld, Megan Jones and Brian Ratner were individually named as Leading Lawyers as well, more than any other firm. According to *The Legal 500*:

“Washington DC firm Hausfeld is a ‘*market transformer,*’ and the ‘*most innovative firm with respect to antitrust damages.*’ ‘*Driven by excellence,*’ the team ‘*anticipates the evolving needs of clients*’ and delivers ‘*outstanding advice not only in legal terms but also with a true entrepreneurial touch.*’ . . . The ‘*incredibly impressive*’ Michael Hausfeld and Brian Ratner are ‘*highly skilled negotiators and litigators, and real fighters with an outstanding strategic sense.*’ Megan Jones is also recommended.”

- In 2013, Hausfeld won the *Financial Times* Innovative Lawyer Dispute Resolution Award. The FT states that Hausfeld has “[p]ioneered a unique and market-changing litigation funding structure that improved accessibility and enabled victims to pursue actions with little or no risk.”

- In October 2012, Hausfeld was named by the *National Law Journal* in its prestigious “Plaintiffs’ Hot List” as one of the premier plaintiffs’ firms in the country.

## LEGAL INNOVATION

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

## NON-COMPETITION MATTERS

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



Chinese-Manufactured Drywall litigation and on the executive committee for the NFL concussions injury litigation.

**Highlights:**

- *Holocaust Litigation*

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

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

Richard Lewis helped try the *Germano v. Taishan* (2010) property damages and remediation matter on behalf of seven Virginia homeowners, and the *Taishan* class remediation damages case (2015). In *Germano*, the Court ordered plenary relief for the homeowners in the amount of \$2.6 million and determined the standard for remediation of a damaged Chinese drywall home. In both trials, Mr. Lewis was instrumental in the *Daubert* briefing and argument as well as the trial testimony of several experts, and was successful in excluding or limiting significant portions of the defense experts' opinions.

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

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

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

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

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

Richard Lewis was co-lead counsel and successfully represented U.S. corn farmers in a national class action against Aventis CropScience USA Holding and Garst Seed Company, the manufacturer and primary distributor of StarLink corn seeds. StarLink is a genetically modified corn variety that the United States government permitted for sale as animal feed and for industrial purposes but never approved for human consumption. Yet StarLink was found in corn products sold in grocery stores across the country

and was traced to widespread contamination of the U.S. commodity corn supply. The settlement, which provided more than \$110 million for U.S. corn farmers, was the first successful resolution of tort claims brought by farmers against the manufacturers of genetically modified seeds.

- *Roberts v. Texaco, Inc.*, 94-cv2015 (S.D.N.Y.).

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

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### *Selected Attorney Profiles*

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#### **Michael D. Hausfeld**

Michael D. Hausfeld, one of the country's top civil litigators, is the Chairman of Hausfeld.

His career has included some of the largest and most successful class actions in the fields of human rights, discrimination and antitrust law. He has 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. Most recently, in the landmark *O'Bannon v. NCAA* litigation, Michael represented a class of current and former Division I men's basketball and FBS football players against the NCAA and its member institutions, based on rules foreclosing athletes from receiving compensation for the use of their names, images, and likenesses. At the conclusion of a three-week bench trial, the Court determined that the NCAA had violated the antitrust laws and issued a permanent injunction as requested by the plaintiffs. Immediately following the decision, Michael was named AmLaw Litigation Daily's "Litigator of the Week," citing the "consensus among courtroom observers [was] that Michael Hausfeld...got the best of a parade of NCAA witnesses at trial." Law360 dubbed the trial team led by Michael as "Legal Lions," citing Hausfeld's historic victory over the NCAA.

In *Friedman v. Union Bank of Switzerland*, Mr. Hausfeld represented a class of Holocaust victims 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. In a separate case, he also 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. He currently represents Khulumani and other NGOs in a litigation involving the abuses under apartheid law in South Africa.

Mr. Hausfeld has a long record of successful litigation in the antitrust field, on behalf of



individuals and classes, in cases involving monopolization, tie-ins, exclusive dealings and price fixing. He was a member of the ABA Antitrust Section's Transition Taskforce, which advised the incoming Obama Administration. Mr. Hausfeld 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 involved in ongoing investigations of antitrust cases abroad and pioneering efforts to enforce competition laws globally. He 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 featured in many articles and surveys. *The National Law Journal* has recognized him as one of the "Top 100 Influential Lawyers in America" and the *Legal Times* named Mr. Hausfeld among the top 30 "Visionaries" in the Washington legal community in 2008. *The New York Times* referred to Mr. Hausfeld as one of the nation's "most prominent antitrust lawyers," and in 2009 the *Washingtonian* named him one of thirty "Stars of the Bar." Most recently, the *Global Competition Review* stated that Hausfeld "is clearly recognized as one of the best plaintiffs firms in the country." In the past, the magazine has reported that 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." And as the US Legal 500 in 2008 recognized, "[t]he outstanding Mike Hausfeld is a titan of the antitrust bar."

#### Education

- Brooklyn College, B.A., *cum laude*, 1966
- National Law Center, The George Washington University, J.D., with honors, 1969

#### Bar Admissions

- District of Columbia
- New York

#### Affiliations & Honors

- Financial Times Top 10 Innovative Lawyer in North America
- 2015 AAI Antitrust Enforcement Awards (*O'Bannon v. NCAA*)
- GCR- Litigation of the Year – Non-Cartel Prosecution (*O'Bannon v. NCAA*)
- 2015 Concurrences Antitrust Writing Awards
- Litigation Trailblazer & Pioneer, *National Law Journal*, 2014
- Titan of the Plaintiffs' Bar, *Law360*, 2014
- Washington, DC *Super Lawyer*, 2010-2015
- Named by *The Legal 500* as a "Leading Lawyer"
- Co-Chair – ABA Civil Redress Task Force, 2011-2012 and 2012-2013 term years
- Member, Editorial Board – Global Competition Litigation Review, 2011
- Member – ABA International Cartel Task Force, 2010
- Named to *SmartCEO* Magazine Legal Elite 2009 List
- Named by *Legal Times* Fierce Sister Award, 2007. for Japanese Comfort Women case, 2007
- Cited by *GQ* magazine as one of "the 50 Most Powerful People in DC," 2007
- 100 Most Influential Lawyers, *The National Law Journal*, 2006
- Named repeatedly by *Lawdragon* magazine as one of the 500 leading lawyers in the United States

## Selected Publications

- “Prosecuting Class Actions and Group Litigation.” By Michael Hausfeld and Brian Ratner, et al., *World Class Actions*, Ch. 26., September 2012
- “CAT-astrophe: The Failure of “Follow-On” Actions.” Michael D. Hausfeld, Brent W. Landau, Sathya S. Gosselin. American Bar Association’s International Cartel Workshop, February 2012
- “The Novelty of *Wal-Mart v. Dukes*.” Brian A. Ratner and Sathya S. Gosselin. *Business Torts & RICO News*, American Bar Association, Business Torts & Civil RICO Committee, Vol. 8, Issue 1, Fall 2011.
- “The Contingency Phobia – Fear Without Foundation,” *Global Competition Litigation Review*, Issue 1, January 2011
- “Competition Law Claims – A Developing Story.” *The European Antitrust Review 2010*
- “The United States Heightens Plaintiff’s Burden of Proof on Class Certification: A Response.” *Global Competition Litigation Review*, Volume 2 Issue 4/2009
- “Global Enforcement of Anticompetitive Conduct.” *The Sedona Conference Journal*, Fall 2009
- “Observations from the Field: ACPERA’s First Five Years.” *The Sedona Conference Journal*, Fall 2009
- “Twombly, Iqbal and the Prisoner’s Pleading Dilemma.” *Law360*, October 22, 2009
- “Managing Multi-district Litigation.” *The Antitrust Review of the Americas 2008*

## Selected Presentations

- Panelist – Global Competition Review’s GCR Live: 2<sup>nd</sup> Annual Antitrust Law Leaders Forum, “Developments and Status of International Cartel Settlements,” February 2013
- Panelist and Presenter – Golden State Antitrust Conference, “Sports and The Antitrust Playing Field”, October 2012
- Presenter – ABA Antitrust Section Mid-Winter Meeting: Civil Redress Task Force, January 2012
- Panelist – Tilburg University, The Netherlands, “Paths to Mass Justice,” December 2011
- Panelist – Santa Clara University Second Annual Sports Law Symposium, Images Panel, September 2011
- Panelist – NY State Bar Assoc. 2011 Antitrust Law Symposium, “International Cartel Enforcement in the Digital Age: Collection and Use of Evidence Beyond Borders,” January 2011
- Speaker – Global Competition Review’s Antitrust Leaders’ Law Forum, “Practical Issues for Class Certification, Assigning Liability and Assessing Damages,” February 2011
- Speaker – ALI-ABA Teleconference Seminar, “HP Aftermath: New Restrictive Directives in Class Certification,” April 2009
- Speaker – ABA Antitrust Spring Meeting, Washington DC, “Judging Economic Analysis: Evidentiary Standards in Litigation Here and Abroad,” March 2009

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**Bonny E. Sweeney**

Bonny Sweeney, a leading antitrust litigator, is a Partner in the San Francisco office of Hausfeld. She has represented clients in some of the most significant antitrust cases in the United States in the last 20 years. She served as co-lead counsel in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.* (E.D.N.Y.), which resulted in a settlement of \$5.7 billion, likely the largest private antitrust class action settlement in history. Following the settlement, Judge John Gleeson of the Eastern District of New York applauded counsel's "skill and tenacity" in achieving an extraordinary result for their clients.

Ms. Sweeney, together with Hausfeld, also served as co-lead counsel in *In re Aftermarket Auto Lights Antitrust Litig.* (C.D. Cal.), which settled for more than \$50 million, and in which they obtained a landmark decision denying a leniency applicant's bid for reduced civil damages under the Antitrust Criminal Penalty Enhancement and Reform Act (ACPERA), because the defendant had not provided satisfactory or timely cooperation under the statute.

*The Daily Journal* recognized these achievements in May 2014, naming Ms. Sweeney one of the Top Women Lawyers in its Annual List of 100 Leading Women Lawyers in California. Ms. Sweeney was also named as Litigator of the Week by *Global Competition Review* in October 2014 for successfully defeating Apple's bid for summary judgment in *In re iPod iTunes Antitrust Litig.* Ms. Sweeney was also lead trial counsel for the class in *In re iPod iTunes Antitrust Litig.*, which was tried to a jury in 2014.

Ms. Sweeney was also one of the trial lawyers in *Law v. NCAA/Hall v. NCAA/Schreiber v. NCAA* (D. Kan.), in which the jury awarded \$67 million to three classes of college coaches. She has participated in the successful prosecution and settlement of numerous other antitrust and unfair competition cases, including *In re Currency Conversion Fee Antitrust Litig.* (S.D.N.Y.), which settled for \$336 million.

**Education**

- Case Western Reserve University School of Law, J.D., 1988
- Cornell University, M.A., 1985
- Beijing Language Institute, Chinese Language Certificate, 1982
- Whittier College, B.A., 1981

**Bar Admissions**

- California
  - Massachusetts
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**Reena A. Gambhir**

Ms. Gambhir has broad and substantial experience representing U.S. and global businesses and individuals in complex litigation in U.S., European and other courts. As a partner in Hausfeld's Washington, D.C. office, Ms. Gambhir litigates and resolves antitrust claims for corporate clients who have suffered financial harm as a result of antitrust violations. Ms. Gambhir's wide-ranging experience allows her to uniquely advise and act for clients in all stages of litigation in matters around the world, and achieve wide-ranging innovative strategies and solutions. Ms. Gambhir also dedicates herself to the firm's international human rights practice, working to protect against human rights abuses across the globe.

Ms. Gambhir was selected to *Global Competition Review's* Top 40 Under 40 list for 2016. The honorees were selected for their work on major mergers, cartel investigations and dominance cases, for a variety of organizations, including government, companies and law firms. She was also recognized by The Legal Times and National Law Journal as one of D.C.'s Rising Stars. This award recognizes the top 40-under-40 Washington D.C. lawyers across all disciplines whose legal accomplishments belie their age. And twice now for 2013 and 2015, the *Profiles in Diversity* Journal named Ms. Gambhir a Woman Worth Watching—an award held for selected women who have distinguished themselves in their career. In January 2015, Ms. Gambhir was also honored as a “Minority Business Leader,” by the Washington Business Journal, an award that recognizes leaders that embody entrepreneurial drive, creativity and success in business. Ms. Gambhir was also elected in 2014 as a Fellow of the American Bar Foundation, an honor afforded to less than one-third of one percent of lawyers, judges and legal scholars whose careers have demonstrated outstanding dedication to the highest principles of the legal profession.

Ms. Gambhir currently represents clients in high stakes litigation against some of the largest banks in the world in the *In re Forex Exchange Benchmark Rates Antitrust Litigation*, 13-cv-07789 (S.D.N.Y.) and in *In Re LIBOR-Based Financial Instruments Antitrust Litigation*, MDL No. 2262, (S.D.N.Y.). Ms. Gambhir's recent achievements include, among other matters, representing U.S. and foreign businesses in *In Re Refrigerant Compressors Antitrust Litigation*, 2:09-md-02042 (E.D. Mich.) alleging price-fixing and reaching settlements of approximately \$50 million dollars. She also was one of the principle lawyers to secure settlements totaling almost \$100 million in an antitrust case involving the chemical industry (*In Re Hydrogen Peroxide Antitrust Litigation*, MDL No. 1682 (E.D. Pa.)).

Ms. Gambhir also dedicates herself to the private civil enforcement of competition law around the world. In connection with her UK partners, Ms. Gambhir represents clients, many of which are listed in Fortune Global 500 and Forbes Global 2000, in their individual damage claims seeking to recover losses as a result of price fixing cartels and other antitrust violations. These include purchasers of elevators, air freight services, Visa and MasterCard interchange fee services, and marine hose. Additionally, in the marine hose matter, Ms. Gambhir recently concluded the negotiations for the final claims resulting from the first of its kind private global settlement with cartel member Parker ITR.

Ms. Gambhir also dedicates herself to international human rights work. She currently represents 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 that killed and injured thousands of residents. Ms. Gambhir is also involved in litigation in both the UK and South Africa on behalf of South African gold miners who have suffered silicosis. Ms. Gambhir also assisted in the representation of the former “comfort women”, women and girls who were forced into sexual slavery during World War II. In her pro bono work, among other cases, Ms. Gambhir has successfully represented individuals in United States Immigration Court in political asylum proceedings. Ms. Gambhir has been asked to speak on matters related to antitrust, private enforcement, and human rights across the world. She is also an appointed member to the ABA International Task Force’s leadership and has previously been appointed to the ABA’s International Cartel Task Force.

## Education

- Boston College, English Literature, B.A., (*cum laude*) 1999
- University of Chicago, M.A., Humanities, 2000
- National Law Center, George Washington University, J.D., 2004 (with honors)

## Bar Admissions

- Massachusetts
- District of Columbia

## Affiliations & Honors

- Minority Business Leader for 2015, *Washington Business Journal*
- DC Rising Star for 2014, *The National Law Journal*.
- Elected Fellow, American Bar Foundation, 2014.
- Selected by *Diversity Journal* as one of their “Annual Women Worth Watching,” 2013, 2015.
- Appointed Leadership, American Bar Association’s Section of Antitrust International Task

## **Timothy S. Kearns**

Timothy S. Kearns is a partner in the firm’s Antitrust/Competition and Securities and Financial Services groups. He recognizes that most cases are won or lost before they are even filed. His commitment to honesty helps clients accurately assess their options before initiating a lawsuit and his tenacity and dedication to securing a result, through appeal if necessary, help to ensure exceptional outcomes for his clients.

Mr. Kearns’ practice focuses on securities litigation, commodities litigation, commercial litigation, and antitrust. Mr. Kearns is the primary attorney in charge of identifying and investigating potential securities matters and supervises Hausfeld’s portfolio monitoring program. His matters include:

- *MTB Investment Partners, LP v. Siemens Hearing Instruments, Inc.*, in which Mr. Kearns overcame a motion to dismiss on behalf of a class of HearUSA, Inc. shareholders alleging securities violations aimed at driving down the price of HearUSA’s common stock;
- *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, in which plaintiffs allege collusion among international banks to artificially rig the WM/Reuters benchmark rates;
- *Precision Associates, Inc. v. Panalpina World Transport (Holding) Ltd.*, in which Mr. Kearns

represents two defendants against allegations of antitrust violations within the global freight forwarding industry.

Mr. Kearns, who was named a Rising Star in Securities Litigation by *SuperLawyers* magazine in 2014 and 2015, graduated *cum laude* from Cornell Law School in 2006. He is the author of *The Chair, the Needle, and the Damage Done: What the Electric Chair and the Rebirth of the Method-of-Execution Challenge Could Mean for the Future of the Eighth Amendment*, which was published by the Cornell Journal of Law and Public Policy in 2006.

#### Education

- Iowa State University, B.A., 2003
- Cornell Law School, J.D., 2006 (*cum laude*)

#### Bar Admissions

- Delaware
- District Court of Columbia

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#### **Jeannine M. Kenney**

Ms. Kenney works primarily in the antitrust field, with a focus on matters brought on behalf small business owners and other buyers of price-fixed products. These include *In re Processed Egg Products Antitrust Litigation*, MDL 2002 (E.D. Pa.), alleging egg producers conspired to restrict the domestic supply of eggs and egg products by using animal welfare guidelines as a pretext to reduce egg production in order to inflate prices, and *In re Fresh and Process Potatoes Antitrust Litigation*, MDL 2186 (D. Idaho), alleging potato producers, processors and marketers conspired to restrict the domestic supply of potatoes by unlawfully agreeing to restrict the number of acres planted to potatoes and to manipulate post-harvest supplies.

Ms. Kenney focuses on “e-discovery” (the complex process of discovering electronically stored information), with an emphasis on application of new technologies to improve the effectiveness and efficiency of e-discovery, and has managed complex electronic document reviews. She co-authored *Reality Bites: Why [Technology Assisted Review’s] Promises Have Yet to be Fulfilled*, presented at DESI V Workshop on June 14, 2013 in Rome, Italy by her co-authors.

She also works in the mass torts/personal injury practice area, serving as court-appointed Plaintiffs’ Liaison Counsel in *In re National Football League Players’ Concussion Injury Litigation*, MDL 2323 (E.D. Pa.), multi-district litigation consolidating lawsuits brought by several thousand retired NFL players who suffer from long-term or permanent neurological or cognitive impairments as a result of head injuries they incurred during NFL play, and who allege the League hid from them the serious risks of repeated head trauma..



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Ms. Kenney joined the firm in 2009. From 2010 to 2011, she clerked for the Honorable Cynthia M. Rufe, United States District Court Judge, Eastern District of Pennsylvania. She attended the Georgetown University Law Center, from which she graduated magna cum laude, Order of the Coif.

While attending Georgetown, Jeannine was a member of the Georgetown Law Journal, where she served as a staff member and as an editor of the Journal's Annual Review of Criminal Procedure. While in law school, Jeannine received the International Academy of Trial Lawyers' Student Advocacy Award for her work on *Lytes v. DC Water and Sewer Authority*, No. 08-7002 (D.C. Cir. 2009), which she argued as amicus curiae on behalf of the plaintiff before the United States Court of Appeals for the District of Columbia. Ms. Kenney brings to her legal work nearly two decades of experience from her prior public policy career spanning a wide range of legislative and regulatory fields, including agriculture, food safety, telecommunications, and financial services, among others, where she advocated for the public interest and consumers.

## Education

- Georgetown University Law Center, J.D. (*magna cum laude*, Order of the Coif)
- University of Wisconsin-Madison, B.A. Political Science & Economics (with distinction)

## Bar Admissions

- Commonwealth of Pennsylvania
- District of Columbia
- United States District Court for the District of Columbia
- United States District Court for the Eastern District of Pennsylvania

## Affiliations and Honors

- Super Lawyers Rising Star- Pennsylvania (2015)
- International Academy of Trial Lawyers' Student Advocacy Award (2009)

## Publications

- Reality Bites: Why [Technology Assisted Review's] Promises Have Yet to be Fulfilled, International Conference on Artificial Intelligence & Law, Discovery of Electronically Stored Information Workshop, Presented June 14, 2013

## Presentations

- Panelist, Essential Checklist for E-Discovery, D.C. Bar CLE Program, May 2015
- Faculty Coach, Georgetown University Law Center eDiscovery Training Academy, 2015
- Speaker, "*So How Exactly is Plaintiffs' Side E-Discovery Practice Different?*," D.C. Bar E-Discovery Committee Meeting, Jan. 2015
- Panelist, ESI Discovery, NCLC Consumer Class Action Symposium, 2013

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## Nathaniel C. Giddings

Nathaniel C. Giddings is an associate at Hausfeld, where he focuses on antitrust, consumer, and financial services law. Through Ms. Giddings' representation of clients in myriad types of litigation – from copyright to antitrust and financial fraud cases – he has developed the wide-ranging expertise and the flexibility necessary to achieve favorable results for his clients. In 2014, Super Lawyers recognized Nathaniel as a rising star in the Washington, D.C. bar.

Mr. Giddings is currently working on several matters, including *In re Foreign Exchange Benchmark Antitrust Litigation*, 13-Civ-7789, which alleges a conspiracy between the world's largest banks to manipulate the WM/Reuters Closing Spot Rates, *In re Libor-Based Financial Instruments Antitrust Litigation*, MDL 2262, which alleges a conspiracy to suppress the London Inter-Bank Offered Rate by member banks on the U.S.-dollar LIBOR panel, and *MTB Investment Partners, LP v. Siemens Hearing Instruments*, which alleges a fraudulent scheme to drive down the price of HearUSA common stock in violation of federal securities laws. He is also involved in *Carlton Douglas Ridenhour ("Chuck D") v. UMG Recordings, Inc.*, alleging the underpayment of royalties owed to recording artists for digital downloads, and *Johnson's Village Pharmacy, Inc. and Russell's Mr. Discount Drugs, Inc. v. King Pharmaceuticals, Inc.*, alleging the unlawful exclusion of generic competition for the pharmaceutical drug Skelaxin (Metaxalone).

Prior to joining the firm, Nathaniel held positions with the USDA: Office of the General Counsel's Conservation and Environment and Marketing Divisions. He has also worked at the Wayne County Prosecutor's Office in Detroit, Michigan.

### Education

- Michigan State University, James Madison College of Public Affairs, B.A., Political Theory and Constitutional Democracy, 2008
- The George Washington University Law School, J.D., 2011

### Bar Admissions

- Illinois
- District of Columbia

### Affiliations and Honors

- Super Lawyers Rising Star- Washington, DC, Antitrust Litigation (2014)
- Senior Production Editor, *George Washington Journal of Energy and Environmental Law*

### Publications

- Nathaniel C. Giddings, Note, *Go Offshore Young Man! The Categorical Exclusion Solution to Offshore Wind Farm Development on the Outer Continental Shelf*, 2 GEO. WASH. J. ENERGY & ENVTL. L. 75 (2011)
- Nathaniel C. Giddings & Laurie Ristino, *Proposal: A Uniform Act for Wind Rights*, 8 A.B.A. SEC. ENV'T ENERGY & RESOURCES NEWSL. 1 (2011)