

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ALPESH SHAH, Derivatively on Behalf of Nominal  
Defendant ADOBE INC.,

Plaintiff,

vs.

SHANTANU NARAYEN, AMY BANSE, BRETT  
BIGGS, MELANIE BOULDEN, FRANK  
CALDERONI, LAURA DESMOND, SPENCER  
NEUMANN, KATHLEEN OBERG, DHEERAJ  
PANDEY, DAVE RICKS, DAN ROSENSWEIG,  
DANIEL DURN, DAVID WADHWANI, JOHN  
MURPHY, and JONATHAN VAAS,

Defendants,

and

ADOBE INC.,

Nominal Defendant.

C.A. No.: 23-1315-MN

**JOINT STIPULATION AND  
ORDER REGARDING SERVICE,  
CONSOLIDATING RELATED  
SHAREHOLDER DERIVATIVE  
ACTIONS, AND APPOINTING CO-  
LEAD COUNSEL AND LIAISON  
COUNSEL**

HUGUES GERVAT, derivatively on behalf of  
ADOBE INC.,

Plaintiff,

vs.

SHANTANU NARAYEN, AMY BANSE, BRETT  
BIGGS, MELANIE BOULDEN, FRANK  
CALDERONI, LAURA DESMOND, SPENCER  
NEUMANN, KATHLEEN OBERG, DHEERAJ  
PANDEY, DAVE RICKS, DAN ROSENSWEIG,  
DANIEL DURN, DAVID WADHWANI, JOHN  
MURPHY, and JONATHAN VAAS,

Defendants.

and

ADOBE INC.,

Nominal Defendant.

C.A. No. 24-0006-MN

Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure (“Rule 42(a)”), Plaintiff Alpesh Shah (“Plaintiff Shah”) and Plaintiff Hugues Gervat (“Plaintiff Gervat”) (collectively, “Plaintiffs”), nominal defendant Adobe, Inc. (“Adobe”), and defendants Shantanu Narayen, Amy Banse, Brett Biggs, Melanie Boulden, Frank Calderoni, Laura Desmond, Spencer Neumann, Kathleen Oberg, Dheeraj Pandey, Dave Ricks, Dan Rosensweig, Daniel Durn, David Wadhvani, John Murphy, and Jonathan Vaas (the “Individual Defendants” and collectively with Adobe, “Defendants,” and with Plaintiffs, the “Parties”) jointly submit this stipulation to consolidate the above captioned shareholder derivative actions (“Stipulation”) and in support thereof state as follows:

WHEREAS, on November 16, 2023, Plaintiff Shah commenced a shareholder derivative action on behalf of Adobe against the Individual Defendants alleging, among other things, violations of federal law and breaches of fiduciary duty (the “*Shah* Action”);

WHEREAS, on January 3, 2024, Plaintiff Gervat commenced a shareholder derivative action on behalf of Adobe against the Individual Defendants alleging, among other things, violations of federal law and breaches of fiduciary duty based upon the same facts and misconduct underlying the *Shah* Action (the “*Gervat* Action” and collectively with the *Shah* Action, the “Derivative Actions”);

WHEREAS, the Derivative Actions challenge substantially the same alleged conduct by members of Adobe’s management and Board of Directors, involve substantially the same questions of law and fact, and are based on the same factual allegations;

WHEREAS, the Parties agree that the Derivative Actions should be consolidated for all purposes, including pre-trial proceedings and trial, into a single consolidated action (hereinafter referred to as the “Consolidated Derivative Action”), in order to avoid duplication of effort and potentially conflicting results, and to conserve party and judicial resources; and

WHEREAS, in order to realize the efficiencies made possible by consolidation of the Derivative Actions, Plaintiffs agree that Rigrotsky Law, P.A. and The Rosen Law Firm, P.A., the respective resumes of which are attached hereto as Exhibits A and B, shall be designated as Co-Lead Counsel, and that Farnan LLP shall be designated as Liaison Counsel representing Plaintiffs in the Consolidated Derivative Action.

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and between the Parties hereto, through their undersigned counsel and subject to the approval of the Court, as follows:

1. Defendants hereby accept service of the complaints filed in the Derivative Actions to the extent that such service has not already been effectuated.
2. The Derivative Actions are hereby consolidated for all purposes, including pre-trial proceedings and trial, into the Consolidated Derivative Action.
3. Every pleading filed in the Consolidated Derivative Action, or in any separate action later consolidated with the Consolidated Derivative Action, shall bear the following caption:

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

IN RE ADOBE, INC.	)	
STOCKHOLDER DERIVATIVE	)	C.A. No.: 23-1315-MN
LITIGATION	)	
_____	)	
This Document Relates To:	)	(Consolidated with C.A. No. 24-0006-
	)	MN)
ALL ACTIONS.	)	
_____	)	

4. The files of the Consolidated Derivative Action shall be maintained in one file under C.A. No. 23-1315-MN. All documents previously filed and/or served in the Derivative Actions shall be deemed a part of the record in the Consolidated Derivative Action.

5. This Order shall apply to each purported derivative action arising out of the same

or substantially the same transactions or events as the Consolidated Derivative Action that is subsequently filed in, removed to, or transferred to this District. When a case which properly belongs as part of *In re Adobe, Inc. Stockholder Derivative Litigation*, Lead Case No. 1:23-cv-01315-MN, is hereafter filed in, remanded to, or transferred to this District, counsel for the Parties shall call such filing, remand, or transfer to the attention of the Clerk of the Court for purposes of moving this Court for an order consolidating such case(s) with *In re Adobe, Inc. Stockholder Derivative Litigation*, Lead Case No. 1:23-cv-01315-MN. Unless otherwise ordered, the terms of all orders, rulings, and decisions in the Consolidated Derivative Action shall apply to all later shareholder derivative actions filed in this District, removed to this District, reassigned to this District, or transferred to this District from another court.

6. Co-Lead Counsel for plaintiffs for the conduct of the Consolidated Derivative Action shall be:

**RIGRODSKY LAW, P.A.**  
Seth D. Rigrodsky (#3147)  
Gina M. Serra (#5387)  
Herbert W. Mondros (#3308)  
300 Delaware Avenue, Suite 210  
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**THE ROSEN LAW FIRM, P.A.**  
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7. Liaison Counsel for plaintiffs for the conduct of the Consolidated Derivative Action shall be:

**FARNAN LLP**

Brian E. Farnan (Bar No. 4089)  
Michael J. Farnan (Bar No. 5165)  
919 North Market St., 12th Floor  
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Telephone: (302) 777-0300  
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Email: bfarnan@farnanlaw.com  
Email: mfarnan@farnanlaw.com

8. Plaintiffs' Co-Lead Counsel shall have the sole authority to speak for Plaintiffs in all matters regarding pre-trial procedure, trial, and settlement negotiations and shall make all work assignments in such manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.

9. Co-Lead Counsel shall be responsible for coordinating all activities and appearances on behalf of Plaintiffs. No motion, request for discovery, or other pre-trial or trial proceedings will be initiated or filed by any plaintiffs except through Co-Lead Counsel.

10. Defendants' counsel may rely upon all agreements made with Co-Lead Counsel, or other duly authorized representative of Co-Lead Counsel, and such agreements shall be binding on all plaintiffs. Defendants otherwise take no position on the appointment of Co-Lead Counsel.

11. Within thirty (30) days of the date of entry of this Order, the Parties shall submit to the Court a proposal regarding next steps in the Consolidated Derivative Action. Defendants are not required to answer or otherwise respond to the respective complaints filed in the Consolidated Derivative Action until the deadline set forth in the Court's order on the Parties' forthcoming proposal.

12. This Stipulation is without prejudice to any and all defenses Defendants may assert in the Derivative Actions or in the Consolidated Derivative Action and without prejudice to any and all claims plaintiffs may assert in the Derivative Actions or in the Consolidated Derivative Action.

13. Pursuant to Fed. R. Civ. P. 5(b)(2)(E)-(F), service by e-mail transmission shall be permitted in addition to service via ECF notification. For non-CM/ECF participants, service shall be deemed effective upon transmission of e-mail.

Dated: January 22, 2024

**RIGRODSKY LAW, P.A.**

/s/ Herbert W. Mondros  
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Gina M. Serra (#5387)  
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Proposed Co-Lead Counsel for Plaintiffs*

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*Counsel for Plaintiff Alpesh Shah*

Dated: January 22, 2024

**FARNAN LLP**

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*Counsel for Plaintiff Hugues Gervat and  
Proposed Co-Lead Counsel for Plaintiffs*

Dated: January 22, 2024

**YOUNG CONAWAY STARGATT &  
TAYLOR, LLP**

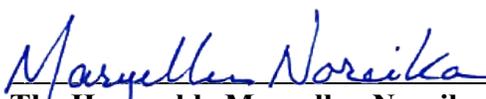
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*Counsel for Defendants*

**SO ORDERED this 24th day of January 2024.**

  
\_\_\_\_\_  
**The Honorable Maryellen Noreika**  
**United States District Judge**



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## FIRM RÉSUMÉ

### *ABOUT THE FIRM*

Rigrodsky Law, P.A. (the “Firm”) is a law firm that focuses on the representation of investors and consumers in class action and shareholder derivative litigation involving the federal securities laws, corporate law, the Fair Labor Standards Act, and consumer fraud statutes. The Firm’s offices are located in Delaware and New York. The Firm regularly practices before state and federal courts located throughout the United States. The Firm’s attorneys have decades of litigation experience.

The Firm’s mission is to provide high quality legal services through the efforts of a team of highly skilled professionals and support staff working together and drawing upon significant expertise and experience. The Firm has achieved precedent-setting victories for victims of corporate wrongdoing and recovered millions of dollars on their behalf.

### *SELECT FIRM ACCOMPLISHMENTS*

#### *Mason-Mahon, et al. v. Flint, et al., Index No. 602052/2014 (New York Sup. Ct.)*

The Firm served as co-lead counsel in a derivative action against past and present members of the board of directors (“Board”) of HSBC Holdings PLC, a banking corporation organized under the laws of the United Kingdom, and its various U.S. subsidiaries (“HSBC”). Plaintiffs alleged that the Board caused, and/or recklessly permitted, HSBC to violate the anti-money laundering (“AML”) and sanctions laws of the United States, as well as the banking laws of the State of New York, for more than a decade, by unlawfully processing billions in U.S. dollar transactions for narcotics traffickers and state sponsors of terrorism. As a result, in 2012, HSBC entered into a deferred prosecution agreement with the Department of Justice and the New York County District Attorneys’ Office, as well as settlements with various federal and state regulators, paying \$1.92 billion in fines, forfeitures, and penalties. In addition, HSBC was required to undertake years-long AML and sanctions compliance remediation efforts. Following dismissal of the action for failure to comply with the requirements of U.K. law, Plaintiffs achieved reversal of that dismissal on appeal. *Mason-Mahon v. Flint*, 166 A.D.3d 754 (2d Dept. 2018). Following the denial of defendants’ appellate motion for reargument, or certification to the New York Court of Appeals, and additional motion practice before the trial court, plaintiffs achieved a \$72.5 million cash settlement on behalf of nominal defendant HSBC. In addition, HSBC agreed to certain corporate governance enhancements to bolster its AML and sanctions compliance policies and procedures. *Mason-Mahon v. Flint*, Index No. 602052-14 (Sup. Ct. Nassau Cnty. Oct. 19, 2020) (Transcript and Order). The \$72.5 million cash component of the settlement is believed to be the first derivative cash settlement against a foreign corporation, as well as the sixteenth largest derivative cash settlement, in the United States.

***In re CNX Gas Corporation Shareholders Litigation,  
Consol. C.A. No. 5377-VCL (Del. Ch.)***

The Firm served as sole lead counsel in a class action before the Delaware Court of Chancery brought on behalf of the shareholders of CNX Gas Corporation (“CNX”) who alleged that they suffered financial injury in connection with the going-private acquisition of CNX by its controlling parent company owner, CONSOL Energy, Inc. After expedited proceedings, on May 26, 2010, the Court ruled that plaintiffs had made a sufficient showing that the action should move forward to trial. In so doing, the Court issued an important opinion clarifying and defining the rights of shareholders in the context of a going-private tender offer by a controlling shareholder. ***In re CNX Gas Corp. S’holders Litig., 4 A.3d 397 (Del. Ch. 2010).*** The Court of Chancery subsequently approved a settlement of the action where defendants and their insurers agreed to pay \$42.73 million to stockholders. The parties reached settlement just days before the commencement of trial, after submission of pretrial briefing and extensive fact and expert discovery. The settlement, which was approved on August 23, 2013, was the largest settlement of a case challenging a merger in the Court of Chancery in 2013.

***In re Schuff International Inc. Stockholders Litigation,  
Consol. C.A. No. 10323-VCZ (Del. Ch.)***

The Firm served as co-lead counsel in a class action before the Delaware Court of Chancery brought on behalf of the shareholders of Schuff International Inc. (“Schuff” or the “Company”). After more than five years of litigation, plaintiff achieved a settlement that more than doubled the price – from \$31.50 to \$67.45 per share – that Schuff’s shareholders received in the October 2014 cash tender offer from the Company’s majority stockholder, HC2 Holdings, Inc. The \$35.95 per share price increase for the stockholders who tendered their shares – totaling nearly \$20.5 million – was a premium of more than 114% over the October 2014 tender offer price, which represented the best recovery in Delaware shareholder class action history. The settlement also provided an additional cash payment to the Company’s remaining minority stockholders of \$1,016,060, or \$3.51 per share.

***In re Metrologic Instruments, Inc. Shareholders Litigation,  
Docket No. L-6430-06 (N.J. Super. Ct.)***

The Firm served as sole lead counsel on behalf of Metrologic, Inc. (“Metrologic” or the “Company”) shareholders. This class action arose from a transaction to cash out the Company’s minority shareholders in a merger for alleged inadequate consideration, negotiated through coercive means. Plaintiffs alleged that the board of directors unanimously approved Metrologic’s acquisition by entities owned and affiliated with Francisco Partners II, L.P., C. Harry Knowles (the Company’s founder and Chairman of the Board), and Elliott Associates, L.P. and Elliott International, L.P. (collectively, “Elliott”). C. Harry Knowles and Elliott (the “Knowles Group”) were together controlling shareholders of Metrologic. The Knowles Group entered into voting agreements to vote their 49% in favor of the deal in addition to an undisclosed group of the Company’s

directors and executive officers that agreed to vote their 1.1% in favor of the deal. Therefore, 50.1% of the shares were contractually committed to voting in favor of the transaction. Furthermore, the proxy allegedly failed to disclose that even though the Knowles Group was receiving the same consideration for their shares being cashed out, they were also receiving additional consideration for the shares that they rolled over for equity in the surviving entity. On April 17, 2009, the Court denied defendants' motion to dismiss the case. *In re Metrologic Instruments, Inc. S'holders Litig., Docket No. L-6430-06 (N.J. Super. Ct. Apr. 17, 2009) (Order)*. In 2013, plaintiffs and defendant Metrologic, in addition to the individual members of Metrologic's board of directors, reached a partial settlement in exchange for a payment of \$11.95 million, which was approved by the Court on December 16, 2013. That partial settlement excluded the parties alleged to be Metrologic's controlling stockholders. Plaintiffs continued to press claims against those remaining entities, ultimately resulting in an additional settlement providing for the creation of a \$9.75 million fund to be distributed to the class. The Court approved the second settlement on April 6, 2018.

*In re Cornerstone Therapeutics, Inc. Stockholder Litigation, Consol. C.A. No. 8922-VCG (Del. Ch.)*

The Firm served as co-lead counsel in this class action before the Delaware Court of Chancery brought on behalf of the shareholders of Cornerstone Therapeutics, Inc. ("Cornerstone"). Plaintiffs alleged that the proposed acquisition of Cornerstone by its majority stockholder, Chiesi Farmaceutici S.p.A., was accomplished pursuant to an unfair process and at an unfair price. After three years of litigation, including an appeal to the Supreme Court of Delaware, and following mediation, the parties reached an agreement to settle the action, pursuant to which defendants agreed to pay \$17,881,555 to the settlement class. The Delaware Court of Chancery approved the settlement on January 26, 2017.

***DavyDov v. Roberts, et al.,***  
**C.A. No. 2021-0415-SG (Del. Ch.)**

The Firm served as lead counsel in this derivative action before the Delaware Court of Chancery brought on behalf of Granite Construction, Inc. Plaintiff alleged that certain directors and officers of Granite Construction, Inc. failed to exercise adequate oversight over the company, failed to implement adequate internal controls over financial reporting, and failed to implement adequate accounting processes and controls which caused material misstatements in the Company's publicly reported financial statements necessitating a restatement of more than two-years of financial statements. Following discovery and mediation, the parties reached an agreement to settle the action, pursuant to which defendants agreed to pay \$7.5 million to the Company and implement a series of corporate governance reforms. The Delaware Court of Chancery approved the settlement, which also resolved a related derivative action in the United States District Court for the Northern District of California, on July 12, 2022. ***DavyDov v. Roberts, et al., C.A. No. 2021-0415-SG (Del. Ch. July 12, 2022) (Transcript and Order).***

***In re Prospect Medical Holdings, Inc. Shareholders Litigation,***  
**Consol. C.A. No. 5760-VCN (Del. Ch.)**

The Firm served as co-lead counsel in this class action before the Delaware Court of Chancery brought on behalf of the shareholders of Prospect Medical Holdings, Inc. ("Prospect"). Plaintiffs alleged that the proposed acquisition of Prospect by entities sponsored by Leonard Green & Partners, L.P. was the result of an unfair process and would provide Prospect's shareholders with inadequate consideration. Following discovery and mediation, the parties reached an agreement to settle the action, pursuant to which defendants agreed to provide \$6.5 million to the settlement class. The Delaware Court of Chancery approved the settlement on January 21, 2016.

***In re HSBC Bank, USA, N.A., Debit Card Overdraft Fee Litigation,***  
**Case No. 2:13-md-02451-ADS-AKT (E.D.N.Y.)**

The Firm was appointed Co-Interim Class Counsel in this multidistrict litigation pending in the United States District Court for the Eastern District of New York. This action was brought on behalf of a national class of checking account customers of HSBC Bank USA, N.A. ("HSBC") who were improperly charged overdraft fees on debit card transactions as a result of HSBC's deceptive overdraft fee practices. On March 5, 2014, the District Court granted, in part, and denied, in part, defendants' motion to dismiss plaintiffs' complaint. On April 21, 2014, the District Court granted plaintiffs' motion for reconsideration of the dismissal of certain claims and reinstated those claims. Following the completion of discovery and mediation, on February 10, 2016, the parties reached an agreement to settle the claims through a parallel state action, creating a \$32 million cash settlement fund for the benefit of the class. The settlement was approved by the Court on October 18, 2016.

***In re Nevsun Resources Ltd.,***  
**Case No. 1:12-cv-01845-PGG (S.D.N.Y.)**

The Firm was appointed co-lead counsel in this federal securities fraud class action brought on behalf of the shareholders of Nevsun Resources Ltd. (the “Company”) against the Company and certain of its officers. Plaintiffs alleged that, during the class period, defendants made materially false and misleading statements by overstating the gold reserves at the Company’s Bisha Mine in Eritrea, Africa. On September 27, 2013, the District Court denied, in substantial part, defendants’ motion to dismiss the complaint. Following mediation, on May 1, 2014, the parties entered into a stipulation and agreement of settlement, pursuant to which defendants agreed to create a \$5,995,000 cash settlement fund for the benefit of the class. The Court approved the settlement on February 13, 2015.

***In re Mediacom Communications Corporation Shareholders Litigation,***  
**Consol. C.A. No. 5537-VCS (Del. Ch.)**

The Firm was one of the lead counsel and one of the primary negotiators of a settlement that resulted in an additional \$10 million paid to stockholders. Plaintiffs’ counsel eschewed multiple invitations to negotiate simultaneously with the special committee of Mediacom Communications Corporation’s (“Mediacom”) board of directors, and instead favored the approach of focusing their litigation efforts on increasing the consideration to stockholders only after the merger agreement had been negotiated and approved by the Mediacom board, as recommended by its special committee.

***In re Fuqi International, Inc. Securities Litigation,***  
**Case No. 1:10-cv-02515-DAB (S.D.N.Y.)**

The Firm was one of plaintiffs’ counsel in this federal securities class action brought on behalf of the shareholders of Fuqi International, Inc. (the “Company”) who purchased Company shares between May 15, 2009 and March 25, 2011, inclusive, and on behalf of a subclass of all those who purchased or otherwise acquired Company common stock pursuant, or traceable, to the secondary offering on or about July 22, 2009. Plaintiffs alleged that, during the class period and in the offering materials, defendants made materially false and misleading statements concerning the adequacy of its internal financial controls, as well as its financial results. On February 18, 2016, the Court approved the settlement of claims against the Company and the individual defendants. The settlement provided for the creation of a \$7.5 million cash settlement fund for the benefit of the class. On January 8, 2018, the Court approved a \$1.1 million cash settlement in the related action, *Puerto Rico Government Judiciary Employees Retirement System, v. Marcum, LLP, Case No. 1:15-cv-01938-DAB (S.D.N.Y.)*, for claims against the Company’s class period independent auditor.

***Dannis v. Nichols,***  
**Case No. 13-CI-00452 (Ky. Cir. Ct.)**

The Firm was one of the lead counsel that litigated and negotiated the settlement in this class action. Plaintiffs challenged the fairness of a proposed going-private squeeze-out merger by NTS Realty Holdings Limited Partnership's ("NTS") controlling unitholder and Chairman of the Board. The action settled for additional consideration of \$7,401,487, or more than \$1.75 per unit of NTS. The settlement was approved by the Court on April 24, 2014.

***Minerva Group LP v. Keane,***  
**Index No. 800621/2013 (N.Y. Sup. Ct.)**

The Firm served as co-lead counsel in a class action brought on behalf of the public stockholders of Mod-Pac Corp. ("Mod-Pac" or the "Company") against members of Mod-Pac's board of directors, including the Company's controlling stockholders, for alleged breaches of fiduciary duties in connection with the controlling stockholders' offer to acquire all of the outstanding shares of Mod-Pac that they did not already own through an unfair process and for an unfair price. The parties reached an agreement to settle the action, which the Court approved on December 13, 2013, pursuant to which defendants agreed to pay Mod-Pac's stockholders an additional \$2.4 million, which was an increase from \$8.40 per share to \$9.25 per share.

***Yang v. Focus Media Holding Limited,***  
**Case No. 1:11-cv-09051-CM (S.D.N.Y.)**

The Firm served as lead counsel in *Focus Media*, in which plaintiff alleged violations of the Securities Exchange Act of 1934. On May 13, 2014, the parties entered into a stipulation and agreement of settlement, pursuant to which defendants agreed to pay \$3,700,000 to the class to resolve the action. The Court approved the settlement on September 4, 2014.

***Forgo v. Health Grades, Inc.,***  
**C.A. No. 5716-VCS (Del. Ch.)**

The Firm was among the lead counsel in *Health Grades*, where, after an injunction hearing, the parties settled for extensive modification to the terms of the challenged transaction. These modifications included: a "Fort Howard" press release; a twenty-day extension of the challenged tender offer; the agreement of certain officers who had entered into tender and support agreements to similarly support a better deal; a twenty-two percent reduction in the termination fee; a forty percent reduction in the buyer's matching rights; the creation of an independent committee to negotiate with bidders and approve offers free from the influence of the allegedly self-interested chief executive; and the imposition of a requirement that a majority of the disinterested stockholders tender for the transaction to be consummated.

***In re Lear Corp. Shareholders Litigation,***  
**Consol. C.A. No. 2728-VCS (Del. Ch.)**

The Firm served as Co-Chair of Plaintiffs' Executive Committee in this class action brought on behalf of the public shareholders of Lear Corporation ("Lear" or the "Company") in connection with its sale to American Real Estate Partners, L.P. ("AREP"). The Firm represented Classic Fund Management AG (Lear's sixth largest holder) who, along with other significant shareholders, had expressed its concern regarding the price AREP offered to acquire Lear. Despite the opposition voiced by its major institutional shareholders, Lear entered into a merger agreement with AREP following a sales process that was tilted in favor of AREP. Among other things, Lear could not terminate the merger agreement without first providing the other bidder's terms to AREP and AREP had the right to top any other offer. As a result, plaintiffs alleged that no rival bidder was likely to emerge. Moreover, plaintiffs believed that the Company's intrinsic value was more than the \$36 per share offered by AREP. The Firm obtained a preliminary injunction, which prohibited a stockholder vote on the merger until Lear made additional disclosures. ***In re Lear Corp. S'holders Litig., 926 A.2d 94 (Del. Ch. 2008)***. As a result of the Firm's efforts, Lear made substantial and remedial disclosures in its June 18, 2007 proxy supplement, which allowed stockholders to consequentially reject the merger in July 2007. In March 2008, after the shareholders rejected the proposed merger, the Court dismissed the class action as moot.

***In re The Topps Company, Inc. Shareholders Litigation,***  
**Consol. C.A. No. 2786-VCS (Del. Ch.)**

The Firm served as Co-Lead Counsel for Plaintiffs in this class action brought on behalf of the public shareholders of The Topps Company, Inc. ("Topps" or the "Company") in connection with its sale to Madison Dearborn Partners and Michael Eisner's The Tornante Company, LLC (collectively, "Tornante"). Plaintiffs alleged that the transaction lacked many of the hallmarks of financial fairness and that the price was unfair and achieved through a process designed to benefit Tornante, to the detriment of Topps' public shareholders. The Firm moved the Court to issue a preliminary injunction to stop the deal. In June 2007, the Court issued a landmark decision granting plaintiffs' injunction motion. ***In re The Topps Co., Inc. S'holders Litig., 926 A.2d 58 (Del. Ch. 2007)***. The Court enjoined the merger vote until after Topps granted the competing bidder The Upper Deck Company ("Upper Deck") a waiver of the standstill agreement to make a tender offer, and allowed Upper Deck to communicate with Topps' stockholders about its bid and its version of events.

***Manville Personal Injury Trust v. Blankenship,***  
**Case No. 07-C-1333 (W. Va. Cir.)**

The Firm served as counsel for plaintiff in this shareholder derivative action brought on behalf of Massey Energy Company ("Massey" or the "Company") against its board of directors and certain of its officers for breach of fiduciary duties arising out of the defendants' alleged conscious failures to cause Massey to comply with applicable

environmental and worker-safety laws and regulations. Plaintiff argued that defendants caused severe injury to the Company by consciously ignoring Massey's legal obligations to comply with federal and state law, thereby exposing the Company to a substantial threat of monetary liability for violations. This litigation, filed in the Circuit Court of Kanawha County, West Virginia, caused Massey to implement significant corporate reforms, including improvements to its corporate policies. The parties reached a settlement that, among other things, required Massey to: (i) implement limitations on the length of service of and enhanced membership and meeting attendance requirements for members of the Safety, Environmental and Public Policy Committee ("SEPPC") of the board of directors; (ii) grant the SEPPC authority to retain independent, outside consultants to assist it with its duties; (iii) require that the SEPPC recommend enhancements to the Company's safety and environmental procedures and reporting, including shareholder reporting; (iv) establish certain safety and environmental compliance oversight positions; and (v) implement enhanced employee reporting mechanisms for safety and environmental issues. In June 2008, the Circuit Court approved the settlement. *Manville Personal Injury Trust v. Blankenship, Case No. 07-C-1333 (W. Va. Cir. June 30, 2008) (Order)*.

*In re Chiquita Brands International, Inc., Alien Tort Statute and Shareholder Derivative Litigation,*  
**Case No. 08-01916-MD (S.D. Fla.)**

The Firm acted as counsel for plaintiff City of Philadelphia Public Employees' Retirement System in a shareholder derivative and class action brought on behalf of the public shareholders of Chiquita Brands International, Inc. ("Chiquita" or the "Company"). Plaintiffs alleged that the Company repeatedly and systematically violated federal law prohibiting transactions with recognized global terrorist organizations. Plaintiffs alleged that these breaches of fiduciary duty, along with the resultant violations of federal law, had substantially injured the Company in that, among other things, the Company consented to a criminal guilty plea. After years of litigation, on October 15, 2010, the District Court entered an Order approving a settlement of the litigation. *In re Chiquita Brands Int'l, Inc., Alien Tort Statute & S'holder Derivative Litig., Case No. 08-01916-MD (S.D. Fla. Oct. 15, 2010) (Order)*. Among other things, the settlement provided substantial and important corporate governance reforms relating to the Chiquita board's oversight and management of the Company's compliance with federal law involving Chiquita's overseas business.

*County of York Employees Retirement Plan v. Jung,*  
**Index No. 651304-2010 (N.Y. Sup. Ct.)**

The Firm was one of plaintiffs' counsel representing the County of York Employees Retirement Plan in this derivative action against various directors and officers of Avon Products, Inc. ("Avon"). Plaintiffs alleged that various Avon employees violated the Foreign Corrupt Practices Act by bribing foreign officials in China. On August 3, 2016, the Court approved a settlement that provided, among other things, for Avon to adopt a

global anti-corruption policy and code of conduct, as well as implement specific Foreign Corrupt Practices Act testing.

***U.F.C.W. Local 1776 & Participating Employers Pension Fund v. Devitre,***  
**Case No. CV 10-2496 (D. Ariz.)**

The Firm was one of plaintiffs' counsel representing U.F.C.W. Local 1776 & Participating Employers Pension Fund against various officers and directors of the Western Union Company (the "Company") and its wholly-owned subsidiary, Western Union Financial. Plaintiff alleged that the Company's board of directors failed to appropriately oversee the Company's compliance with applicable anti-money laundering laws, regulations, and rules resulting in the Company's payment of \$94 million to resolve all potential regulatory, civil, and criminal claims. On June 14, 2002, the Court approved a settlement in which the Company agreed to require the board of directors to review all reports by an independent compliance monitor; review the Company's compliance program and policies relating to the anti-money laundering laws and regulations; and review and approve the *Bank Secrecy Act and Anti-Money Laundering Compliance Program Manual for the United States* on a quarterly basis.

***PG&E San Bruno Fire Cases,***  
**Case No. JCCP 4648-C (Cal. Super. Ct.)**

The Firm, as counsel for plaintiff, brought a shareholder derivative case on behalf of the shareholders of PG&E Corporation ("PG&E") in connection with the tragic loss of life and property resulting from a San Bruno, California gas leak. After years of litigation, the Firm helped achieve a recovery of \$90 million, which constituted the seventh largest shareholder derivative settlement on record. To improve and ensure pipeline safety, plaintiffs also obtained comprehensive gas operations therapeutics with a stipulated value of \$32.05 million. The settlement also fundamentally altered how PG&E conducts its gas operations and provided extensive corporate governance reforms.

***Erste-Sparinvest Kapitalanlagegesellschaft m.b.H. v. Blank,***  
**Index No. 09/3560 (N.Y. Sup.)**

The Firm was counsel for a large, European institutional investor in a shareholder derivative lawsuit brought against Lloyds Banking Group p.l.c. ("Lloyds"). The lawsuit alleged that the directors of Lloyds violated their fiduciary duties to shareholders by failing to monitor the company's compliance with federal and state banking laws in connection with alleged illegal transfers of funds in the United States on behalf of certain sovereign countries including Iran. After years of litigation and negotiations, the Firm helped achieve significant corporate governance changes to ensure that the board of directors was more actively engaged in the monitoring of Lloyds' money transfer businesses and compliance with federal and state banking rules and regulations.

***In re MBNA Corp. Securities Litigation,***  
**Case No. 05-CV-00272-GMS (D. Del.)**

The Firm served as liaison counsel for lead plaintiff and the members of the class in this securities class action brought on behalf of all persons who purchased or otherwise acquired the publicly traded securities of MBNA Corp. (“MBNA” or the “Company”) during the period January 20, 2005 through April 20, 2005, inclusive (the “Class Period”). Plaintiffs alleged that: (i) MBNA deceived the market by reporting that MBNA would achieve annual earnings growth of 10%; (ii) the Company failed to disclose that increases in interest rates, which had commenced before the Class Period and continued throughout, were driving down the proper carrying value of the Company’s interest-rate only strips, such that the value of the Company’s reported assets were materially overstated; and (iii) the Company did not adjust as appropriate the assumptions and estimates used in determining the fair value of the interest-only strip receivable. As a result, on April 21, 2005, MBNA was forced to reveal that: (i) it had to take almost a \$207 million write down of its interest-only strip receivable; (ii) its first quarter income was down 93% year-over-year, including the restructuring charge; and (iii) it expected full year earnings to be significantly below the 10% growth objective. On July 6, 2007, the Court denied defendants’ motion to dismiss the amended complaint. ***Baker v. MBNA Corp., Case No. 05-cv-00272-GMS (D. Del July 6, 2007) (Mem. Op.)***. Subsequently, after substantial litigation, the parties settled the litigation resulting in the creation of a \$25 million fund to compensate injured investors. ***In re MBNA Corp. Sec. Litig., Case No. 05-cv-00272-GMS (D. Del. Oct. 6, 2009) (Order)***.

***In re Molson Coors Brewing Co. Securities Litigation,***  
**Case No. 05-CV-00294-GMS (D. Del.)**

The Firm served as liaison counsel on behalf of lead plaintiffs Drywall Acoustic Lathing and Insulation Local 675 Pension Fund, Metzler Investment GmbH and the members of the class in this securities class action brought on behalf of all persons who were: (i) former shareholders of Molson Coors (“Molson Coors”) as a result of the February 9, 2005 merger of Molson with and into Coors; (ii) open market purchasers of Coors common stock from July 22, 2004 through February 9, 2005; and (iii) open market purchasers of Molson Coors common stock, from the completion of the merger through April 27, 2005, inclusive. Plaintiffs alleged that Molson Coors made false and misleading statements, including: (i) the cost saving synergies represented by Molson Coors were impossible to achieve because, among other things, Coors’ rapidly increasing distribution costs would adversely affect the potential cost saving synergies; (ii) Molson and Coors were already distributing each other’s products, further reducing the possibility of cost saving synergies; (iii) the merger would actually incur significant post-merger expenses due to the expected exodus of Coors senior executives who would be paid millions of dollars in benefits; and (iv) Molson Coors would inherit Molson’s Brazilian operations, which were an unmitigated failure that eventually necessitated a \$500 million post-merger charge and the sale of Molson’s Brazilian interests at a fraction of their cost. After extensive litigation efforts in both the United States and Canadian actions, the parties settled the lawsuits

resulting in the creation of a \$6 million fund for the payment of investor claims. *In re Molson Coors Brewing Co. Sec. Litig.*, Case No. 05-cv-00294-GMS (D. Del. May 19, 2009).

***County of York Employees Retirement Plan v. Merrill Lynch & Co., Inc.*,  
C.A. No. 4066-VCN (Del. Ch.)**

The Firm served as lead counsel for plaintiff in this class action brought on behalf of the public shareholders of Merrill Lynch & Co., Inc. (“Merrill” or the “Company”) in connection with its sale to Bank of America Corporation (“BofA”). Plaintiff County of York Employees Retirement Plan alleged that the individual defendants hastily agreed to sell the Company over the course of a weekend without adequately informing themselves of the true value of the Company or the feasibility of securing a viable alternative transaction that would be more beneficial to shareholders than the proposed acquisition. On October 28, 2008, the Court granted, in part, plaintiff’s motion to expedite discovery and denied defendants’ motion to stay or dismiss. *Cnty. of York Emps. Ret. Plan v. Merrill Lynch & Co., Inc.*, C.A. No. 4066-VCN, 2008 Del. Ch. LEXIS 162 (Del. Ch. Oct. 28, 2008). Subsequently, the Firm engaged in expedited discovery. After engaging in arm’s-length negotiations, the parties reached a settlement whereby defendants made additional, substantive disclosures in their definitive proxy statement. Thereafter, the shareholders of Merrill and BofA approved the merger.

***David B. Shaev IRA v. Sidhu*,  
Case No. 00983, November Term 2005 (Phila. C.C.P., Commerce Div.)**

The Firm served as co-lead counsel in this shareholder derivative and class action brought on behalf of the public shareholders of Sovereign Bancorp, Inc. (“Sovereign” or the “Company”). Sovereign completed its two-part transaction (the “Santander Transaction”) whereby Sovereign sold 19.8% of the Company to Banco Santander Central Hispano, S.A., and used the proceeds to fund its acquisition of Independence Community Bancorp. Plaintiffs alleged that Sovereign’s board of directors purposely structured the Santander Transaction to be below the 20% change in control threshold established by the New York Stock Exchange. Additionally, plaintiffs alleged the board members had improper motives of entrenchment and participated in protection of their own self interests and the improper subversion of a proxy contest launched by Sovereign’s largest shareholder, Relational Investors, LLC. Following the close of the sale in May 2006, the Firm helped negotiate a settlement of the litigation, which conferred substantial benefits on the Company and class members, including substantial corporate governance changes adopted by the Company. The Court approved the settlement. *David B. Shaev IRA v. Sidhu*, No. 00983 (Phila. C.C.P., Commerce Div. Oct. 28, 2008) (Order). The Supreme Court of Pennsylvania upheld the settlement, which had been challenged in both the trial court and the intermediate appellate court. *Shaev v. Sidhu*, Pennsylvania Docket No. 470 EAL 2010 (Pa. Dec. 21, 2010) (Order).

***Helaba Invest Kapitalanlagegesellschaft mbH v. Fialkow,***  
**C.A. No. 2683-N (Del. Ch.)**

The Firm served as counsel for lead plaintiff Helaba Invest Kapitalanlagegesellschaft mbH, a European institutional investor, in this class action on behalf of the public shareholders of National Home Health Care Corp. (“National Home” or the “Company”). The litigation sought to enjoin the proposed acquisition of National Home by a consortium comprised of Angelo, Gordon & Co. and Eureka Capital Partners (“Angelo Gordon”) for inadequate consideration. The plaintiff alleged that certain defendants, who collectively held more than fifty percent of the National Home’s outstanding stock, agreed to vote in favor of the deal and that certain of these defendants would receive benefits from National Home and Angelo Gordon not shared by National Home’s minority, public shareholders. As a result of the Firm’s negotiations with defendants, the parties reached a settlement by which additional, curative disclosures were made in National Home’s amended proxy statements and after holding meetings with the Company’s special committee and board of directors, Angelo Gordon agreed to pay an additional \$1.35 per share, a financial benefit of more than \$3.76 million to National Home’s shareholders. In addition, even after the merger agreement was approved, the Firm continued to advocate on behalf of shareholders, and Angelo Gordon agreed to allow the Company to increase its next quarterly dividend, representing approximately \$260,000 in additional value. The Court approved the settlement. ***Helaba Invest Kapitalanlagegesellschaft mbH v. Fialkow, C.A. No. 2683-N (Del. Ch. Mar. 12, 2008) (Order).***

***Plymouth Co. Retirement System v. MacDermid, Inc.,***  
**Case No. 2006CV9741 (Colo. Dist. Ct.)**

The Firm served as co-lead counsel on behalf of lead plaintiff Plymouth County Retirement System and the class of MacDermid, Inc. (“MacDermid” or the “Company”) shareholders. This case was a class action arising from the proposed acquisition of MacDermid by Daniel H. Leever (the Company’s Chairman and Chief Executive), Court Square Capital Partners II, L.P., and Weston Presidio V, L.P. Among other things, plaintiff alleged that the Company’s proxy did not disclose that the directors who approved the proposed transaction would receive more than \$17 million for certain options, the amount or value that certain directors would be able to invest after completion of the proposed transaction, and certain facts and assumptions underlying the fairness opinion. As a result of the Firm’s negotiations with defendants, MacDermid made additional disclosures in its definitive proxy statement, including, but not limited to, the compensation and involvement of key company insiders, information regarding competing bidders, and financial analyses by Merrill Lynch. The Court approved the settlement. ***Plymouth Co. Ret. Sys. v. MacDermid, Inc., Case No. 2006CV9741 (Colo. Dist. Ct. Dec. 10, 2007) (Order).***

***Neil L. Sclater-Booth v. SCOR S.A. and Patinex AG,*  
Case No. 07-CV-3476-GEL (S.D.N.Y.)**

The Firm served as co-lead counsel for plaintiff in this class action brought on behalf of the public shareholders of Converium Holding AG (“Converium” or the “Company”) and holders of the Company’s American Depository Shares against SCOR S.A. (“SCOR”) and Patinex AG (“Patinex”) in connection with SCOR and Patinex’s acquisition of Converium. Plaintiff alleged that the acquisition was unfair to the class. As a result of the Firm’s action, SCOR agreed to settle the litigation by increasing its offer price by 7.9%, or \$259.6 million. Citing the efforts of plaintiff’s counsel, the Court approved the settlement. ***Neil L. Sclater-Booth v. SCOR S.A. and Patinex AG, Case No. 3476-GEL (S.D.N.Y. Feb. 8, 2008) (Order).***

***In re American Pharmaceutical Partners, Inc. Shareholders Litigation,*  
Consol. C.A. No. 1823-VCL (Del. Ch.)**

The Firm served as one of co-lead counsel in this class action brought on behalf of the public shareholders of American Pharmaceutical Partners, Inc. (“APP” or the “Company”) in connection with its acquisition of American BioScience, Inc. Plaintiffs alleged that the acquisition would have diluted the voting rights of each share of the Company, to the detriment of minority shareholders. Plaintiffs also asserted claims derivatively on behalf of the Company, which was directly harmed, among other things, when the Company’s investors fled *en masse* upon announcement of the merger, and because the merger transferred the bulk of the Company’s value to defendant Dr. Patrick Soon-Shiong for allegedly inadequate consideration. In April 2006, the merger was completed and subsequently plaintiffs filed their First Consolidated Class Action Complaint in June 2006. After nearly eighteen months of arm’s-length negotiations and the production of thousands of pages of documents in response to plaintiffs’ subpoenas, the parties agreed to mediation and an agreement-in-principle to settle the action. In July 2008, the parties agreed to settle the action for \$14.3 million, to be paid by defendants, which represented approximately \$0.60 per damaged minority share for the shareholders. The Court approved the settlement. ***In re Am. Pharm. Partners, Inc. S’holders Litig., Consol. C.A. No. 1823-VCL (Del. Ch. Dec. 16, 2008) (Order).***

***Schultze Asset Management LLC v. Washington Group International, Inc.,***  
**C.A. No. 3261-VCN (Del. Ch.)**

The Firm served as co-lead counsel for plaintiff in this class action brought on behalf of the public shareholders of Washington Group International, Inc. (“Washington Group” or the “Company”) in connection with its sale to URS Corporation. Plaintiff alleged that the transaction was financially and procedurally unfair to Washington Group’s shareholders. In addition, plaintiff alleged that the Company’s definitive proxy statement was materially misleading because, among other things, it failed to explain why Washington Group used overly conservative financial projections to support the fairness opinion issued in connection with the transactions. As a result of the Firm’s negotiations with defendants, Washington Group agreed to and made additional curative disclosures in the definitive proxy statement. Specifically, the Company agreed to disclose additional information concerning the potential impact of existing contract claims asserted by the Company and their impact on the Company’s valuation, the Company’s efforts to solicit potential acquirers, and the analyses performed by Goldman Sachs, the Company’s financial advisor, in support of the merger, among other things. Additionally, Washington Group amended the merger agreement whereby it increased the amount of consideration paid to each Washington Group shareholder. The Court approved the settlement. *Schultze Asset Mgmt. LLC v. Wash. Grp. Int’l, Inc., C.A. No. 3261-VCN (Del. Ch. May 22, 2008) (Order).*

***Sheetmetal Workers’ National Pension Fund v. Hill,***  
**Case No. 07-cv-2269-RBK (D.N.J.)**

The Firm served as counsel for plaintiff Sheetmetal Workers’ National Pension Fund in this shareholder derivative and class action brought on behalf of the public shareholders of Commerce Bancorp, Inc. (“Commerce” or the “Company”) in connection with two regulatory investigations of Commerce and its subsequent acquisition by PNC Bank in a merger transaction (the “Merger”). Plaintiff alleged that the members of the board of directors of Commerce violated their fiduciary duties to the Company by approving a course of conduct whereby Commerce made unsafe loans and engaged in questionable related party transactions with its officers and directors and that the price offered in the Merger was unfair. Plaintiff requested the Court to issue an injunction to stop the Merger and sought expedited discovery. After extensive discovery, the Firm helped negotiate a settlement, which resulted in a \$77 million reduction in the termination fee, and numerous additional disclosures in the definitive proxy statement. The Court approved the settlement. *Sheetmetal Workers’ Nat’l Pension Fund v. Hill, Case No. 07-cv-269 (D.N.J. May 9, 2008) (Order).*

***Virgin Islands Government Employees’ Retirement System v. Alvarez,***  
**C.A. No. 3976-VCS (Del. Ch.)**

The Firm served as counsel for plaintiff in this derivative and class action brought on behalf of the public shareholders of UnionBanCal Corporation (“UnionBanCal” or the “Company”) against its board of directors and certain officers for breach of fiduciary

duties arising from the defendants' repeated and systematic failure to implement anti-money laundering procedures and policies, in violation of federal laws, including the Bank Secrecy Act. The class action claims arose in connection with a tender offer launched by Mitsubishi UFJ Financial Group and Bank of Tokyo-UFJ Ltd. Plaintiff Virgin Islands Government Employees' Retirement System alleged that the merger consideration was unfair in a number of respects, including the fact that the Company's share price was substantially depressed as a result of defendants' egregious failures to comply with anti-money laundering laws and regulations. The Firm coordinated efforts with a similar litigation in California, reviewing document production, deposing key witnesses, and negotiating a settlement in which UnionBanCal agreed to and made additional material disclosures concerning the transaction. The Court approved the settlement. *V.I. Gov't Employees' Ret. Sys. v. Alvarez, C.A. No. 3976-VCS (Del. Ch. Dec. 2, 2008) (Order)*.

#### *THE FIRM'S PROFESSIONALS*

*Seth D. Rigrodsky* is a founding Shareholder of the Firm and has over twenty-five years of legal experience. Mr. Rigrodsky is a *magna cum laude* graduate of both Brandeis University and the Georgetown University Law Center. While at Georgetown, he served as Articles Editor of the *Georgetown Law Review*. Mr. Rigrodsky began his legal career as a law clerk to the Honorable Andrew G.T. Moore, II of the Supreme Court of Delaware. Following his clerkship, Mr. Rigrodsky was associated with the law firms of Wachtell, Lipton, Rosen & Katz in New York, New York, and Morris, Nichols, Arsht & Tunnell LLP in Wilmington, Delaware, where he concentrated his practice on corporate and complex business litigation. In 1994, Mr. Rigrodsky joined Morris and Morris in Wilmington, Delaware, where he became a partner in January 2000, and represented investors in numerous federal and state class and shareholder lawsuits. He joined the law firm of Milberg LLP in 2001 and founded its Delaware office. Mr. Rigrodsky co-founded the Firm in 2006. He was appointed by the Delaware Court of Chancery to the Rules Committee of the Delaware Bar. Mr. Rigrodsky is admitted to practice in the States of Delaware and New York, the United States District Courts for the District of Delaware, the Southern District of New York, and the District of Colorado, and the United States Courts of Appeals for the Second, Third, Fourth, and Sixth Circuits.

*Timothy J. MacFall* is a Partner at the Firm and has more than thirty-five years of legal experience. Mr. MacFall is a *cum laude* graduate of Brooklyn College of the City University of New York and a graduate of Brooklyn Law School. Upon his graduation from law school, Mr. MacFall served as an Assistant District Attorney in the Narcotics Bureau of the Kings County District Attorney's Office. In 1987, he joined the United States Immigration & Naturalization Service as a Trial Attorney in the Alien Criminal Apprehension Program. Mr. MacFall was subsequently cross-designated as a Special Assistant United States Attorney for the Eastern District of New York, Criminal Division. In 1988, Mr. MacFall was appointed as a Special Assistant United States Attorney in the

Civil Division of the United States Attorney's Office for the Southern District of New York. As a government attorney, Mr. MacFall tried numerous cases to verdict and argued more than a dozen cases before the United States Court of Appeals for the Second Circuit. Mr. MacFall was also a speaker at a United States Department of State Conference on pending extradition litigation and the 1986 *Supplementary Treaty Between the United States of America and the United Kingdom of Great Britain and Northern Ireland*; has served as a lecturer at Immigration & Naturalization Service Special Agent training seminars; and assisted in the preparation of a New York City Police Department trial testimony training film. Mr. MacFall has focused his practice primarily on complex class action litigation in state and federal courts since 1992. Mr. MacFall has represented individual investors, union pension funds, and state pension funds in shareholder derivative actions, as well as transactional and federal securities class actions throughout the United States. At his previous firm, Mr. MacFall served as one of the partners with day-to-day responsibility in *In re Marsh & McLennan Companies, Inc. Securities Litigation, 04-CV-08144 (CM) (S.D.N.Y. 2009)* (\$400 million cash settlement); *In re Royal Dutch/Shell Transport Securities Litigation, No. 04-374 (D. N.J. 2008)* (minimum value to the class of U.S. shareholders of \$130 million, with a potential value of more than \$180 million, in addition to a \$350 million European settlement for which the U.S. litigation was recognized as a "substantial factor"); and *In re Cigna Corp. Securities Litigation, No. 2:02 CV 8088 (E.D. Pa. 2006)* (\$93 million cash settlement). Mr. MacFall joined the Firm in April 2009. Mr. MacFall was selected for inclusion in the *2010, 2011, and 2013-2022 New York Super Lawyers - Metro Edition* magazines for his work in securities litigation. Mr. MacFall is admitted to practice in the State of New York, the United States District Courts for the Southern and Eastern Districts of New York, the District of Colorado, the Eastern District of Michigan, and the United States Court of Appeals for the Second Circuit.

**Gina M. Serra** is a Partner at the Firm. Ms. Serra is a *cum laude* graduate of both Rowan University and Widener University School of Law in Wilmington, Delaware. While at Widener Law, Ms. Serra was a member of the *Widener Law Review* and Vice President of the Moot Court Honor Society and the Justinian Society. During law school, she also was a judicial intern for the Honorable Henry duPont Ridgely of the Supreme Court of Delaware, and obtained a Trial Advocacy Certificate with honors. Ms. Serra began her legal career as the judicial law clerk to the Honorable Fred S. Silverman of the Superior Court of Delaware. She also was a member of the Richard S. Rodney American Inn of Court. Ms. Serra joined the Firm in September 2010. She has been named a *Delaware "Rising Star" by Super Lawyers for 2015, 2016, 2017, 2018, and 2019*. Ms. Serra is admitted to practice in the States of Delaware, New York, and New Jersey, the Commonwealth of Pennsylvania, the United States District Courts for the Districts of Delaware and Colorado, and the United States Court of Appeals for the Sixth Circuit.

**Marc A. Rigrodsky** is Of Counsel to the Firm and has over thirty-five years of legal experience. Mr. Rigrodsky is a graduate of Cornell University and a *summa cum laude* graduate of the Benjamin N. Cardozo School of Law. While at Cardozo, he served on the

*Cardozo Law Review*. Mr. Rigrodsky began his legal career as a law clerk to the Honorable Thomas J. Meskill, of the United States Court of Appeals for the Second Circuit. Following his clerkship, Mr. Rigrodsky was associated with the law firm of Robinson & Cole in Hartford, Connecticut. He worked for the Department of the Navy from 1986 to 1988, the Department of the Treasury from 1992 to 2003, and the Department of Transportation from 2003 to 2007. He was part of Digital Equipment Corporation's law department from 1989 to 1991, and worked as a full-time consultant for the District of Columbia Retirement Board from 2007 to 2009. Mr. Rigrodsky is admitted to practice in the State of Connecticut and the District of Columbia, the United States District Court for the District of Connecticut, the United States Court of Appeals for the Sixth Circuit, and the United States Supreme Court.

**Herbert W. Mondros** is Special Counsel to the Firm. Mr. Mondros is a graduate of Fairleigh Dickinson University and a *magna cum laude* graduate of Tulane University Law School, where he served as a member of the *Tulane Law Review* and was awarded the Order of the Coif. After graduating law school, Mr. Mondros entered the United States Department of Justice through the Honors Program. He served as a Trial Attorney in the Environmental Crimes Section and Assistant U.S. Attorney and Chief Appellate Counsel for the United States Attorney for the Eastern District of Louisiana. Prior to joining Rigrodsky Law, Mr. Mondros was a litigation partner at Margolis Edelstein and a litigation associate in the Delaware office of Skadden, Arps, Slate, Meagher & Flom LLP. He has represented plaintiffs and defendants in shareholder corporate and derivative litigation, securities and consumer fraud class actions, and commercial civil litigation. Mr. Mondros routinely litigates in all of Delaware's state and federal courts. He has an active pro bono practice, representing defendants in capital punishment cases and plaintiffs in prisoner civil rights cases. Mr. Mondros has been a member of defense teams that exonerated and freed two individuals who had been wrongfully convicted and collectively served more than thirty years on Delaware's death row, and a third who served thirty-eight years in prison for a crime he did not commit. Mr. Mondros serves on the Board of Innocence Delaware, an innocence organization dedicated to the exoneration of wrongfully convicted individuals. Mr. Mondros is admitted to practice in the State of Delaware, the Commonwealth of Pennsylvania, and the United States District Courts for the District of Alaska, the District of Delaware, the Eastern and Western Districts of Arkansas, the Eastern District of Louisiana, the Eastern District of Oklahoma, and the Eastern District of Pennsylvania.

*Vincent A. Licata* is an Associate at the Firm. Mr. Licata graduated from the Benjamin N. Cardozo School of Law with a concentration in Business Law, and obtained his bachelor's degree in Law and Policy from Dickinson College. During law school, Mr. Licata served as a judicial intern for two New York State Supreme Court judges, in addition to clerking for a midtown litigation boutique. He also served as a Research Assistant for tax professor Edward A. Zelinsky, and as a Notes Editor for the Cardozo Journal of Conflict Resolution. Mr. Licata joined the Firm in September 2020 and is admitted to practice in the State of New York.

*Samir Aougab* is an Associate at the Firm. Mr. Aougab is a graduate of the University of North Carolina at Chapel Hill and American University Washington College of Law. During law school, Mr. Aougab served as an intern at Amistad Law Project where he assisted with civil litigation related to criminal justice. Mr. Aougab also served as a legal intern at the Public Defender Office in Arlington, Virginia. Mr. Aougab joined the Firm as a Law Clerk in July 2022. Mr. Aougab is admitted to practice in the State of Maryland.

# EXHIBIT B

**THE ROSEN LAW FIRM P.A.**  
**BIOGRAPHY**

**I. ATTORNEYS**

**LAURENCE ROSEN - MANAGING PARTNER**

Laurence Rosen is a 1988 graduate of New York University School of Law. He earned an M.B.A. in finance and accounting at the University of Chicago Graduate School of Business and a B.A. in Economics from Emory University. Mr. Rosen served as a law clerk to the Honorable Stanley S. Brotman, Senior United States District Judge for the District of New Jersey. Mr. Rosen entered private practice as an associate at the law firm of Skadden Arps Slate Meagher & Flom in New York City where he participated in a number of complex securities class action and derivative litigation matters. He later served as an associate at McCarter & English in Newark, New Jersey where he specialized in securities and business litigation.

After practicing general securities and commercial litigation in New York City with Solton Rosen & Balakhovsky LLP, Mr. Rosen founded The Rosen Law Firm to represent investors exclusively in securities class actions and derivative litigation. Mr. Rosen is admitted to practice law in New York, California, Florida, New Jersey and the District of Columbia. Mr. Rosen is also admitted to practice before numerous United States District Courts throughout the country and the United States Court of Appeals for the Second, Fourth, and Sixth Circuits.

In 2019-2023 Lawdragon named Mr. Rosen as one of the 500 Leading Plaintiff Financial Lawyers. Mr. Rosen was also named by law360 as Titan of Plaintiffs' Bar for 2020. Mr. Rosen was selected to *Super Lawyers* in 2017-2023.

**PHILLIP KIM – PARTNER**

Mr. Kim graduated from Villanova University School of Law in 2002. He received a B.A. in Economics from The Johns Hopkins University in Baltimore, Maryland in 1999. Prior to joining

The Rosen Law Firm, Mr. Kim served as Assistant Corporation Counsel for the City of New York in the Special Federal Litigation Division. In that position, Mr. Kim defended a number of class action lawsuits, litigated numerous individual actions, and participated in more than seven trials. Mr. Kim focuses his practice on securities class actions and shareholder derivative litigation. Mr. Kim is admitted to the bar of the State of New York and admitted to practice in the Southern, Eastern, Northern and Western Districts of New York, the District of Colorado, the Eastern District of Wisconsin, and United States Court of Appeals for the Second, Sixth and Ninth Circuits.

In 2019-2023 Lawdragon named Mr. Kim as one of the 500 Leading Plaintiff Financial Lawyers. In 2023 Mr. Kim was selected to *Super Lawyers*. Mr. Kim was recognized by Best Lawyers in The Best Lawyers of America 2024.

**JACOB A. GOLDBERG – PARTNER**

Mr. Goldberg is a 1988 graduate of Columbia University. Mr. Goldberg received his J.D., *cum laude*, from the Temple University School of Law in 1992. For over 23 years, Mr. Goldberg has litigated complex cases at the highest levels, championing the rights of investors, employees and consumers. Mr. Goldberg has recovered over \$200 million for investors in securities class actions. In addition to serving in leadership roles in securities class actions, Mr. Goldberg has litigated many cases under state corporations laws, against faithless boards of directors both on behalf of shareholders, in the mergers and acquisitions context, and, derivatively, on behalf of corporations, to remedy harm to the corporation itself. Mr. Goldberg is admitted to practice law in the Commonwealth of Pennsylvania, New York, the United States Supreme Court, the United

States Court of Appeals for the Second, Third, Fourth and Sixth Circuits, and various United States District Courts across the country.

In 2019-2023 Lawdragon named Mr. Goldberg as one of the 500 Leading Plaintiff Financial Lawyers.

**JONATHAN A. SAIDEL – PARTNER**

Mr. Saidel has had a long and distinguished career in Pennsylvania politics, as well as in the roles of attorney, accountant and author. He served as Philadelphia city controller for four consecutive terms, each time earning reelection by a wide margin, and enacting financial reforms that have saved taxpayers upwards of \$500 million. Later, in 2010 he went on to campaign for lieutenant governor of Pennsylvania, where he was runner-up to Scott Conklin by only a few thousand votes out of almost 1 million cast. A Lifelong resident of Northeast Philadelphia, Mr. Saidel's tireless dedication to fiscal discipline reduced the city's tax burden and spurred economic development. Mr. Saidel also pushed for important business tax incentives and expanded minority and small business lending, all of which have revitalized the city, helping it prosper and come back from the brink of bankruptcy in the early 1990's to become one of the most vibrant cities on the East Coast.

Mr. Saidel's book, "Philadelphia: A New Urban Direction", is widely considered an essential guide for effective government and corporate governance and is required reading at many colleges and universities.

Mr. Saidel received his JD from the Widener University of Law and is a graduate of Temple University. He is also an adjunct lecturer at the University of Pennsylvania Fels Institute of Government, and Drexel University's MBA Program. In addition to being a Certified Public Account, Jonathan is a recipient of the National Association of Local Government Auditor's Knighton Award, the President's Council on Integrity and Efficiency Award for Excellence,

multiple special project awards from the National Association of Local Government Auditors, and the "Controller of the Year" award, a peer recognition presented by the Pennsylvania City Controllers Association.

**SARA FUKS – PARTNER**

Ms. Fuks graduated from Fordham University School of Law, *cum laude*, in February 2005, where she was a member of Fordham Law Review. She received her B.A. in Political Science, *magna cum laude*, from New York University in 2001. Ms. Fuks began her practice at Dewey Ballantine, LLP where she focused on general commercial litigation and then went on to prosecute numerous ERISA and securities class actions as an associate at Milberg LLP. Ms. Fuks is admitted to the bar of the State of New York and admitted to practice in the United States Southern and Eastern District Courts of New York. Ms. Fuks was selected to *SuperLawyers* in 2021-2023 and *SuperLawyers* Rising Stars in 2017-2019.

**JONATHAN HORNE- PARTNER**

Mr. Horne is a 2009 graduate of New York University School of Law, where he received the Lederman/Milbank Law, Economics, and Business fellowship, and holds a B.A. in Economics & Philosophy from the University of Toronto. Mr. Horne began his practice at Kaye Scholer LLP. Mr. Horne specializes in securities litigation. He is admitted to practice in New York and the United States District Courts for the District of Colorado and the Southern and Eastern Districts of New York. Mr. Horne was named a Super Lawyer – Rising Star for the New York Metro Area every year since 2015.

**YU SHI – PARTNER**

Mr. Shi received his J.D. from Columbia Law School in 2011 and his B.A., *cum laude*, from Columbia University in 2008. In 2022, Law360 named Mr. Shi as one of the top securities attorneys under the age of 40. He has been selected to *Super Lawyers* New York Metro Rising

Stars list each year since 2018. Mr. Shi began his career as a Special Assistant Corporation Counsel in the New York City Law Department's Economic Development Division. Mr. Shi joined The Rosen Law Firm in 2012 and focuses his practice on securities litigation. He is admitted to practice in the State of New York, the United States District Courts for the Eastern District of New York, Southern Districts of New York, and the District of Colorado, and the United States Court of Appeals for the Second Circuit. Mr. Shi was selected to *Super Lawyers* New York Metro Rising Star list from 2018-2022. Mr. Shi was selected to *Super Lawyers* in 2023.

**JONATHAN STERN – PARTNER**

Mr. Stern graduated from New York University School of Law in May of 2008, where he was a Development Editor of the Annual Survey of American Law. He received his B.A. in Philosophy with Honors from McGill University. Mr. Stern began his practice in the litigation department of Simpson Thacher & Bartlett LLP, and then went on to practice at the litigation boutique of Simon & Partners LLP, where he participated in a Federal trial. Mr. Stern is admitted to the bar of the State of New York and admitted to practice in the United States Southern and Eastern District Courts of New York and the United States Court of Appeals for the Second Circuit. for the First, Sixth, Seventh, Eighth and Ninth Circuits, and the United States Supreme Court.

**JING CHEN - PARTNER**

Ms. Chen received a Juris Doctor degree from Pace University School of Law in 2011, Juris Master degree from China University of Political Science and Law in Beijing, China and B.A. in English Literature and Linguistics from Shandong University in Jinan, China. She is admitted to practice in New York, New Jersey and China. Prior to joining The Rosen Law Firm, Ms. Chen practiced corporate law, commercial transactions and arbitration for over two years.

### **BRIAN ALEXANDER – PARTNER**

Mr. Alexander graduated from Harvard Law School, *cum laude*, in 2008. He received a B.A. from Cornell University, *magna cum laude*, in 2003. Prior to joining the Rosen Law Firm, Mr. Alexander practiced complex commercial litigation at Boies Schiller Flexner LLP and other prominent law firms in New York. He also served as a law clerk to the Honorable Raymond J. Dearie of the United States District Court for the Eastern District of New York. He is admitted to practice in New York and in the United States District Courts for the Eastern and Southern Districts of New York.

### **ROBIN BRONZAFT HOWALD – COUNSEL**

Ms. Howald is a graduate of Stanford Law School where she was a member of the Stanford Law Review. Ms. Howald earned her BA from Barnard College, *magna cum laude*. Ms. Howald joined the firm in 2021 and focuses her practice on securities litigation. For the last 15 years, Ms. Howald has prosecuted major securities litigations. She was one of the lead attorneys in cases that achieved settlements of \$250 million for injured investors, including *Schleicher v. Wendt*, 618 F.3d 679 (7<sup>th</sup> Cir. 2010) (\$41.5 million), *In re Mannkind Corp. Securities Litigation* (C.D. California) (\$23 million); *In re ECI Telecom Ltd. Securities Litigation* (Eastern District of Virginia) (\$21.75 million), *In re Gilat Satellite Networks, Ltd. Securities Litigation* (E.D.N.Y.) (\$20 million), *In re Musicmaker.com Securities Litigation*, 2001 WL 34062431 (C.D. Cal. 2001) (\$13.75 million), *In re Puda Coal Inc. Securities Litigation* (S.D.N.Y.) (\$8.6 million following reconsideration of grant of summary judgment), *Jenson v. Fiserv Trust Co.*, 256 F. App'x. 924 (9<sup>th</sup> Cir. 2007) (\$8.5 million recovered for victims of a Ponzi scheme). Ms. Howald is admitted to the bars of California, New York, the United States District Courts for the Eastern and Southern Districts of New York, the Central, Eastern, and Northern Districts of California, the Eastern District of Michigan, the United States Court of Appeals.

#### **GONEN HAKLAY – COUNSEL**

Mr. Haklay graduated from Stanford University School of Law in 1995. He received a B.A. in Political Science from The University of Massachusetts at Amherst in 1992. After several years as an associate at a large Philadelphia law firm, Mr. Haklay joined the Philadelphia District Attorney's office. As a prosecutor, he tried over 100 criminal jury cases and handled both capital and non-capital homicide cases. After 12 years as prosecutor, Mr. Haklay joined a prominent plaintiffs' firm where he tried over ten asbestos cases, recovering millions of dollars for his clients. As a young man, Mr. Haklay served as an infantryman in the Israel Defense Forces. Mr. Haklay is admitted to the bars of the Commonwealth of Pennsylvania, the State of New Jersey, the United States District Court for the Eastern District of Pennsylvania, and the United States Third Circuit Court of Appeals.

#### **DANIEL TYRE-KARP – COUNSEL**

Prior to joining The Rosen Law Firm in May 2018, Mr. Tyre-Karp was a senior associate in the securities litigation and corporate governance group at Weil, Gotshal & Manges, where he advised corporate and individual clients on a variety of high-stakes regulatory and litigation matters in state and federal courts. Mr. Tyre-Karp's extensive experience includes working on several of the largest recent shareholder class action litigations (*In re American International Group, Inc. 2008 Securities Litigation*, Docket No. 08-CV-4772 (S.D.N.Y.) and related opt-out actions; *In re El Paso Corporation Shareholder Litigation*, Docket No. 6949 (Del. Ch.)), participating in complex business and bankruptcy litigations (*In re Lehman Brothers Holdings, Inc., et al*, Docket No. 1:08-bk-13555 (Bankr. S.D.N.Y.)), and advising numerous clients facing FINRA and SEC investigations. Mr. Tyre-Karp graduated with honors from Wesleyan University in 2003 and received his J.D. from New York University School of Law in 2009, where he served as Senior Notes Editor of the *Journal of Legislation and Public Policy*. He is admitted to practice

in New York and the United States District Courts for the Southern and Eastern Districts of New York.

**ERICA STONE- COUNSEL**

Ms. Stone graduated from the Benjamin N. Cardozo School of Law in 2013. She received her B.A. in Political Science and Communications, *cum laude*, from the University of Pennsylvania in 2009. She is admitted to practice in New York, New Jersey, and the United States District Courts for the Southern District and Eastern District of New York, the District of New Jersey, and the Eastern District of Wisconsin.

**JOSHUA BAKER – COUNSEL**

Mr. Baker graduated from the New York University School of Law in 2013. He received a B.A. from the University of Maryland in 2009. Prior to joining the Rosen Law Firm, Mr. Baker practiced complex commercial litigation for a New York firm. He is admitted to practice in New York, Massachusetts, and United States District Courts for the Eastern and Southern Districts of New York.

**BRENT LAPOINTE – COUNSEL**

Mr. LaPointe received his J.D., *cum laude*, from the University of Michigan Law School in 2010, where he served as an Articles Editor on both the Michigan Journal of Law Reform and the Michigan Journal of Gender & Law. Mr. LaPointe received a B.B.A. in Accounting & Information Systems and Political Science, *cum laude*, from the University of Massachusetts-Amherst in 2006. Mr. LaPointe focuses his practice on securities litigation.

**CHRISTIE BUZZETTI- ATTORNEY**

Ms. Buzzetti graduated from Brooklyn Law School in 2022. She received her B.A. in Political Science from the University of California, Los Angeles in 2016. Ms. Buzzetti is admitted practice in New York.

#### **MICHAEL COHEN - ATTORNEY**

Mr. Cohen focuses his practice on securities and shareholder derivative litigation. Prior to joining The Rosen Law Firm in 2021, Mr. Cohen was an associate in the litigation practice of Kramer Levin Naftalis & Frankel LLP, where he advised corporate and individual clients on a wide variety of litigation and regulatory matters in federal and state courts. He has also served as a law clerk to the Honorable Corinne Beckwith of the District of Columbia Court of Appeals. Mr. Cohen is admitted to practice in New York and the United States District Courts for the Eastern and Southern Districts of New York. Mr. Cohen was recognized by Best Lawyers as Best Lawyers: Ones to Watch 2024.

#### **LUKE FOLEY –ATTORNEY**

Mr. Foley received his J.D. from the William and Mary Law School in 2022. He received his B.A. in History and Citizenship & Civic Engagement from Syracuse University in 2016. Prior to joining the Rosen Law Firm in September 2023, Mr. Foley was the Law Clerk to the Hon. Barbara Buono Stanton of the New Jersey Superior Court, Passaic County. Mr. Foley is admitted to practice Maryland.

#### **RYAN HEDRICK –ATTORNEY**

Mr. Hedrick received his J.D. from the University of Chicago in 2019. He received his B.A. in Linguistics and Political Science, *summa cum laude*, from The Ohio State University in 2015. Mr. Hedrick joined the Rosen Law Firm in August 2019. Mr. Hedrick is admitted to practice in New York, New Jersey, and the United States District Court for the District of New Jersey.

#### **HA SUNG (SCOTT) KIM – ATTORNEY**

Mr. Kim received his J.D. from the Columbia Law School in 2017. He received his B.A., *magna cum laude*, from Wheaton College in 2013. Mr. Kim joined the Rosen Law Firm in January 2020. Mr. Kim is admitted to practice in New York.

### **LEAH HEIFETZ-LI – ATTORNEY**

Ms. Heifetz-Li is a 2009 graduate of Columbia Law School, and received a B.A. from the University of Pennsylvania. Ms. Heifetz-Li served as a Law Clerk to the Honorable Cynthia S. Kern, New York State Supreme Court, New York County. She has extensive experience in class action litigation, having previously practiced at a large class action firm representing shareholders in merger and acquisition litigation as well as shareholder derivative actions. Ms. Heifetz-Li has worked on case teams that secured significant financial recoveries for stockholders as well as corporate governance reforms in the Delaware Court of Chancery and other courts throughout the country.

### **IAN MCDOWELL- ATTORNEY**

Mr. McDowell graduated *cum laude* from the University of Richmond School of Law in 2022. He received his B.A. from James Madison University in 2016. Mr. McDowell is admitted to practice in Maryland.

### **HENRY BLOXENHEIM- LAW CLERK**

Mr. Bloxenheim graduated from Columbia Law School in 2023. Mr. Bloxenheim received his B.A. in Political Science, *summa cum laude*, from Brooklyn College. Mr. Bloxenheim's admission to the New York bar is pending.

## **II. RECENT ACCOMPLISHMENTS OF THE ROSEN LAW FIRM, P.A.**

- **Alibaba Group Holding Ltd.**, (S.D.N.Y.). Rosen Lead Counsel. **\$250 million.**
- **Fiat Chrysler Automobiles**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$110 million.**
- **Infinity Q Diversified Alpha Fund**, (N.Y. Supreme). Rosen Co-Lead Counsel. **\$48 million**, pending court approval.
- **Silver Wheaton Corp.**, (C.D. Cal.). Rosen Lead Counsel. **\$41.5 million.**
- **Omega Healthcare Investors, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$30.75 million.**

- **Magnachip Semiconductor Corp.**, (N.D. Cal.). Rosen Co-Lead Counsel. **\$29.7 million.**
- **Och-Ziff Capital Management Group LLC**,(S.D.N.Y.). Rosen Co-Lead Counsel. **\$28.75 million.**
- **Walter Investment Management**, (S.D. Fla.). Rosen Co-Lead Counsel. **\$24 million.**
- **Galena Biopharma, Inc.**, (D. Or.). Rosen Co-Lead Counsel. **\$20.165 million.**
- **El Pollo Loco Holdings, Inc.**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$20 million.**
- **Tibet Pharmaceuticals, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$14 million bankruptcy settlement. \$2.075 million** with auditor.
- **USA Technologies, Inc.**, (E.D. Pa.). Rosen Lead Counsel. **\$15.3 million.**
- **Zillow Group, Inc. Sec. Litig.**, (W.D. Wash.). Rosen Lead Counsel. **\$15 million.**
- **Silvercorp Metals, Inc.**, (S.D.N.Y.). Rosen Plaintiffs' Counsel. **\$14 million.**
- **Sandridge Energy, Inc.**, (W.D. Okla.). Rosen Co-Lead Counsel. **\$13.945 million.**
- **Blue Apron Holdings, Inc.**, (E.D.N.Y.). Rosen Co-Lead Counsel. **\$13.25 million.**
- **Canopy Growth Corporation**, (D.N.J.). Rosen Co-Lead Counsel. **\$13 million.**
- **SeaWorld Entertainment Inc. (Shareholder Derivative)** (Del. Ch.). Rosen Co-Lead Counsel. **\$12.5 million.**
- **The RealReal, Inc.**, (N.D. Cal.). Rosen Lead Counsel. **\$11 million.**
- **Prosper Marketplace, Inc.**, (Cal. Superior). Rosen Class Counsel. **\$10 million.**
- **PG&E Corp.**, (N.D. Cal.). Rosen Co-Lead Counsel. **\$10 million.**
- **Textainer Financial Servs. Corp.**, (Cal. Superior). Rosen Co-Lead Counsel. **\$10 million.**
- **Quest Energy Partners LP**, (W.D. Okla.). Rosen Lead Counsel. **\$10.1 million** all classes.
- **comScore, Inc. (Shareholder Derivative)**, Rosen Co-Lead Counsel. **\$10 million.**

- **Santander Consumer USA Holdings Inc.**, (N.D. Tex.). Rosen Co-Lead Counsel. **\$9.5 million.**
- **Uxin Limited**, (E.D.N.Y.). Rosen Lead Counsel. **\$9.5 million.**
- **Concordia International Corp.**, (S.D.N.Y.). Rosen Lead Counsel. **\$9.25 million.**
- **PPDAI Group Inc.**, (E.D.N.Y.). Rosen Lead Counsel. **\$9 million.**
- **Puda Coal**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$8.7 million.**
- **RINO International Corporation**, (C.D. Cal.). Rosen Lead Counsel. **\$8,685,000.**
- **Acer Therapeutics, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$8.35 million.**
- **Montage Technology Group Limited**, (N.D. Cal.). Rosen Lead Counsel. **\$7.25 million.**
- **AgFeed Industries**, (M.D. Tenn.). Rosen Lead Counsel. **\$7 million.**
- **Sundial Growers, Inc.**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$7 million.**
- **Akazoo S.A.**, (E.D.N.Y.). Rosen Co-Lead Counsel. **\$6.51 million.**
- **Global Brokerage, Inc. f/k/a FXCM, Inc. Sec. Litig.**, (S.D.N.Y.). Rosen Lead Counsel. **\$6.5 million.**
- **Aeterna Zentaris, Inc.**, (D. N.J.). Rosen Class Counsel. **\$6.5 million.**
- **Sunlands Technology Group**, (E.D.N.Y.). Rosen Lead Counsel. **\$6.2 million.**
- **Covia Holdings Corp.**, (N.D. Ohio). Rosen Lead Counsel. **\$6 million**, pending court approval.
- **FalconStor Software, Inc.**, (E.D.N.Y.). Rosen Lead Counsel. **\$5 million.**
- **Jumia Technologies AG**, (S.D.N.Y.). Rosen Lead Counsel. **\$5 million.**
- **Momo, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$5 million.**
- **SOS Limited**, (D.N.J.). Rosen Co-Lead Counsel. **\$5 million.**
- **Jumia Technologies AG**, (S.D.N.Y.). **\$5 million.**

- **State Street**, (D. Mass.). Rosen Lead Counsel. **\$4.9 million.**
- **Altice USA Inc.**, (E.D.N.Y.). Rosen Lead Counsel. **\$4.75 million.**
- **KIOR, Inc.**, (S.D. Tex.). Rosen Co-Lead Counsel. **\$4.5 million.**
- **Entropin, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$4.5 million.**
- **Sonus Networks, Inc.**, (D. Mass.). Rosen Co-Lead Counsel. **\$4.5 million.**
- **Uni-Pixel, Inc.**, (S.D. Tex.). Rosen Co-Lead Counsel. **\$4.5 million.**
- **China Expert Technology, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$4.2 million.**
- **IDreamSky Technology Limited**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$4.15 million.**
- **Universal Travel Group, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$4.075 million.**
- **Allegiant Travel Co.**, (D. Nev.). Rosen Lead Counsel. **\$4 million.**
- **Zynerba Pharms., Inc.**, (E.D. Pa.). Rosen Co-Lead Counsel. **\$4 million.**
- **Liberty Oilfield Services, Inc.**, (D. Colo.). Rosen Lead Counsel. **\$3.9 million.**
- **China Electric Motor, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$3,778,333.33.**
- **IsoRay, Inc.**, (E.D. Wash.). Rosen Co-Lead Counsel. **\$3,537,500.**
- **Deer Consumer Products, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$3.55 million.**
- **SAExploration Holdings, Inc.**, (S.D. Tex.). **\$3.55 million.**
- **L&L Energy, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$3.5 million.**
- **Tarena International, Inc.**, N (E.D.N.Y.). Rosen Lead Counsel. **\$3.5 million**, pending Court approval.
- **Catalyst Pharmaceutical Partners, Inc.**, (S.D. Fla.). Rosen Lead Counsel. **\$3.5 million.**
- **Keyuan Petrochemicals, Inc. and Auditor**, (S.D.N.Y.) & (D.N.J.). Rosen Lead Counsel. **\$3.5 million.**
- **StockerYale, Inc.**, (D.N.H.). Rosen Lead Counsel. **\$3.4 million.**

- **Industrial Enterprises of America, Inc.,** (S.D.N.Y.). Rosen Co-Lead Counsel. **\$3.4 million.**
- **Ampio Pharmaceuticals, Inc.,** (C.D. Cal.). Rosen Lead Counsel. **\$3.4 million.**
- **Textura Corporation,** (N.D. Ill.). Rosen Lead Counsel. **\$3.3 million.**
- **Roka Bioscience, Inc.,** (D.N.J.). Rosen Lead Counsel. **\$3.275 million.**
- **Intrusion, Inc.,** No. 21-cv-307-SDJ (E.D. Tex.). Rosen Lead Counsel. **\$3.25 million.**
- **Wedbush Morgan Securities, Inc.,** (Cal. Superior). Co-Lead Counsel. **\$3.2 million.**
- **New Oriental Education & Technology Group Inc.,** (D.N.J.). Rosen Co-Lead Counsel. **\$3.15 million.**
- **TierOne Corporation,** (D. Neb.). Rosen Lead Counsel. **\$3.1 million.**
- **Hanmi Financial Corporation,** (C.D. Cal.). Rosen Lead Counsel. **\$3 million,** pending court approval.
- **Cadiz, Inc.,** (C.D. Cal.). Rosen Co-Lead Counsel. **\$3 million.**
- **Fat Brands, Inc.,** (C.D. Cal.). Rosen Lead Counsel. **\$3 million.**
- **China Finance Online Co. Limited,** (S.D.N.Y.). Rosen Lead Counsel. **\$3 million.**
- **Skilled Healthcare Group, Inc.,** (C.D. Cal.). Rosen Co-Lead Counsel. **\$3 million.**
- **Spectrum Pharms. Inc.,** (D. Nev.). Rosen Lead Counsel. **\$2.995 million.**
- **MiMedx Group, Inc.,** (N.D. Ga.). Rosen Lead Counsel. **\$2.979 million.**
- **Pegasus Communications Corp,** (E.D. Pa.). Rosen Lead Counsel. **\$2.95 million.**
- **Albany Molecular Research,** (E.D.N.Y.). Rosen Lead Counsel. **\$2.868 million.**
- **Lihua International, Inc.,** (S.D.N.Y.). Rosen Lead Counsel. **\$2.865 million.**
- **TVIA, Inc.,** (N.D. Cal.). Rosen Lead Counsel. **\$2.85 million.**
- **New Source Energy Partners LP,** (S.D.N.Y.). Rosen Lead Counsel. **\$2.85 million.**

- **Innocoll Holdings Public Ltd., (E.D. Pa.).** Rosen Lead Counsel. **\$2.755 million.**
- **Natural Health Trends Corp., et al., (N.D. Tex.).** Rosen Lead Counsel. **\$2.75 million.**
- **Sequans Communications, (E.D.N.Y.).** Rosen Co-Lead Counsel. **\$2.75 million.**
- **Akari Therapeutics PLC, (S.D.N.Y.).** Rosen Lead Counsel. **\$2.7 million.**
- **Growlife, Inc., (C.D. Cal.).** Rosen Lead Counsel. **\$2.7 million (cash and stock).**
- **Tangoe, Inc., (D. Conn.).** Rosen Co-Lead Counsel. **\$2.55 million.**
- **Twitter, Inc., (Cal. Superior).** Rosen Co-Lead Counsel. **\$2.5 million.**
- **Radiant Pharmaceuticals Corporation, (C.D. Cal.).** Rosen Lead Counsel. **\$2.5 million.**
- **Robert T. Harvey Securities Litigation, (C.D. Cal.).** Rosen Co-Lead Counsel. **\$2.485 million.**
- **China Education Alliance, Inc., (C.D. Cal.).** Rosen Lead Counsel. **\$2.425 million.**
- **Oasmia Pharmaceuticals AB., (E.D.N.Y.).** Rosen Co-Lead Counsel. **\$2.35 million.**
- **BioAmber, Inc., (E.D.N.Y.).** Rosen Co-Lead Counsel. **\$2.25 million.**
- **NetApp, Inc., (N.D. Cal.).** Rosen Lead Counsel. **\$2.25 million.**
- **Akers Biosciences, Inc., (D.N.J.).** Rosen Lead Counsel. **\$2.25 million.**
- **Kanzhun Limited, (D.N.J.).** Rosen Lead Counsel. **\$2.25 million.**
- **SkyPeople Fruit Juice, (S.D.N.Y.).** Rosen Lead Counsel. **\$2.2 million.**
- **Caesarstone Sdot-Yam Ltd., (S.D.N.Y.).** Rosen Co-Lead Counsel. **\$2.2 million.**
- **RCI Hospitality Holdings Inc., (S.D. Tex.).** Rosen Co-Lead Counsel. **\$2.2 million.**
- **Fuwei Films, (S.D.N.Y.).** Rosen Lead Counsel. **\$2.15 million.**
- **Gulf Resources, Inc., (C.D. Cal.).** Rosen Lead Counsel. **\$2.125 million.**
- **PTC Inc., (D. Mass.).** Rosen Lead Counsel. **\$2.1 million.**
- **DS Healthcare Group, Inc., (S.D. Fla.).** Rosen Lead Counsel. **\$2.1 million.**

- **Indivior PLC**, (D.N.J.). Rosen Lead Counsel. **\$2 million.**
- **Orient Paper, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$2 million.**
- **Mesoblast Limited**, (S.D.N.Y.). Rosen Lead Counsel. **\$2 million.**
- **GTT Communications, Inc.**, No. 21-CV-270-DOC-AS (C.D. Cal.). **\$2 million.**
- **iBio, Inc.**, (D. Del.). Rosen Lead Counsel. **\$1.875 million.**
- **CD Projekt SA**, No. CV-20-11627 (FMO)(RAOx) (C.D. Cal.). **\$1.85 million.**
- **Ignite Restaurant Group, Inc.**, (S.D. Tex.). Rosen Lead Counsel. **\$1.8 million.**
- **Electronic Game Card, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$1.755 million.**
- **BMW AG**, (D.N.J.). Rosen Lead Counsel. **\$1.75 million.**
- **Natural Health Trends Corp.**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$1.75 million.**
- **Corrrevio Pharma Corp.**,(S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.75 million.**
- **Delstaff LLC (Merger Litigation)**, (Cal. Superior). **\$1.6425 million.**
- **Worldwide Energy & Manufacturing USA, Inc**, (Cal. Superior). Rosen Lead Counsel. **\$1.615 million.**
- **Alliance MMA, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$1.55 million.**
- **Lightinthebox Holding Co., Ltd.**, (S.D.N.Y.). Rosen Lead Counsel. **\$1.55 million.**
- **Nutracea, Inc.**, (D. Ariz.). Rosen Lead Counsel. **\$1.5 million.**
- **Kraton Corporation**, (S.D. Tex.). Rosen Lead Counsel. **\$1.5 million.**
- **RMG Networks Holding Corporation (Merger Litigation)**, (Del. Ch.). **\$1.5 million.**
- **BlueNRGY Group Ltd, f/k/a CBD Energy Ltd.**, (S.D. Tex.). Rosen Lead Counsel. **\$1.5 million.**
- **Ambow Education Holding Ltd.**, (C.D. Cal.). Rosen Lead Counsel. **\$1.5 million.**
- **Active Power, Inc.**, (W.D. Tex.). Rosen Lead Counsel. **\$1.5 million.**

- **Northfield Laboratories, Inc.**, (N.D. Ill.). Rosen Lead Counsel. **\$1.5 million.**
- **PartsBase.com, Inc.**, (S.D. Fla.). Rosen Lead Counsel. **\$1.5 million.**
- **China Natural Gas, Inc.**, (D. Del.). Rosen Lead Counsel. **\$1.5 million.**
- **FAB Universal Corp.**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.5 million.**
- **Sogou, Inc.**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.45 million.**
- **Code Rebel Corp.**, (S.D.N.Y.). Rosen Co-Lead Counsel. **\$1.415 million.**
- **Empyrean Bioscience**, (N.D. Ga.). Rosen Lead Counsel. **\$1.4 million.**
- **Shattuck Labs, Inc.**, (E.D.N.Y.). Rosen Lead Counsel. **\$1.4 million.**
- **Longeveron, Inc.**, (S.D. Fla.). Rosen Lead Counsel. **\$1.395 million.**
- **Agria, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$1.3 million.**
- **Aterian, Inc.**, (S.D.N.Y.). Rosen Lead Counsel. **\$1.3 million.**
- **CoCrystal Pharma, Inc.**, (D.N.J.). Rosen Lead Counsel. **\$1.265 million.**
- **Wins Financial Holdings, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$1.26 million**, pending Court approval.
- **ERBA Diagnostics, Inc.**, (S.D. Fla.). Rosen Lead Counsel. **\$1.215 million.**
- **Yingli Green Energy Holding Co. Ltd.**, (C.D. Cal.). Rosen Lead Counsel. **\$1.2 million.**
- **Himax Technologies, Inc.**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$1.2 million.**
- **Flight Safety Technologies, Inc.**, (D. Conn.). Rosen Lead Counsel. **\$1.2 million.**
- **M.H. Meyerson & Co.**, (D.N.J.). Rosen Lead Counsel. **\$1.2 million.**
- **Izea, Inc.**, (C.D. Cal.). Rosen Co-Lead Counsel. **\$1.2 million.**
- **India Globalization Capital, Inc.**, (D. Md.). Rosen Co-Lead Counsel. **\$1 million.**
- **National Lampoon, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$1 million.**
- **Lentuo International, Inc.**, (C.D. Cal.). Rosen Lead Counsel. **\$1 million.**

- **Katanga Mining Limited**, (D.N.J.). Rosen Lead Counsel. **\$1 million.**
- **Busybox.com, Inc.**, (Cal. Superior). Rosen Co-Lead Counsel. **\$1 million.**

### **III. SECURITIES CLASS ACTIONS IN WHICH THE ROSEN LAW FIRM, P.A. IS CURRENTLY LEAD COUNSEL**

In re Maiden Holdings, Ltd. Securities Litigation, No. 19-CV-5296-RMB-JS (D.N.J.)

Rosen Co-Lead Counsel.

Acerra v. Trulieve Cannabis Corp., No. 20-cv-186-RH-MJF (N.D. Fla.). Rosen Lead

Counsel.

In re ChinaCast Education Corporation Sec. Litig., No. CV 12-4621- JFW (PLAx) (C.D.

Cal.). Rosen Co-Lead Counsel.

White v. Just Energy Group Inc., No. H-20-590 (S.D. Tex.). Rosen Lead Counsel.

Kasillingam v. Tilray, Inc., No. 20-CV-3459 (PAC) (S.D.N.Y.). Rosen Lead Counsel.

In re NIO, Inc. Securities Litigation, No. 19-CV-1424 (NGG) (JRC) (E.D.N.Y.). Rosen

Class Counsel.

In re JPMorgan Chase & Co. Sec. Litig., No. 20-cv-5124 (ENV)(RML) (E.D.N.Y.). Rosen

Co-Lead Counsel.

City of Taylor General Employees Retirement System v. Astec Industries, Inc., No. 1:19-

cv-PLR-CHS. (E.D. Tenn.). Rosen Lead Counsel.

Lee v. IQIYI, Inc., No. 20-cv-1830 (LDH)(JO) (E.D.N.Y.). Rosen Co-Lead Counsel.

Alagappan v. Baidu, Inc., No. 20-cv-3794 (DG)(TAM) (E.D.N.Y.). Rosen Co-Lead

Counsel.

Lavin v. Virgin Galactic Holdings Inc., No. 21-CV-3070 (ARR)(TAM) (E.D.N.Y.). Rosen

Lead Counsel.

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