

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

SHARON CHENG, CRISTINA DIAS, RHONDA SANFILIPO, BRUCE PULEO, ZINA PRUITT, RON ZIMMERMAN, CHERYL SILVERSTEIN, TINA FENG, ROBERT HAKIM, BERNADETTE GRIMES, ELIZABETH GENDRON, ROGER CARTER, MARLENE RUDOLPH, PATRICIA BARLOW, TERESA EDWARDS, ISAAC TORDJMAN, JAMES HETTINGER, DIEU LE, CHRIS BOHN, DANIEL DEWEERDT, CRAIG BOXER, BETTY DENDY, ELIZABETH PERSAK, KRISTI ROCK, JENNIFER CHALAL, JOHN TORRANCE, LENARD SHOEMAKER, MICHAEL MITCHELL, ROBERT SKELTON, JEFFREY JONES, ISABEL MARQUES, PAYAM RASTEGAR, and SYED ABDUL NAFAY, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

TOYOTA MOTOR CORPORATION, TOYOTA MOTOR NORTH AMERICA, INC., and DENSO INTERNATIONAL AMERICA, INC.,

Defendants.

Case No: 1:20-cv-00629-WFK-JRC

**DECLARATION OF JEFFREY L. SPECTOR  
IN SUPPORT OF PLAINTIFFS' MOTION FOR ATTORNEYS' FEES,  
EXPENSES, AND SERVICE AWARDS TO THE CLASS REPRESENTATIVES**

I, Jeffrey L. Spector, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I, Jeffrey L. Spector, am a partner in the law firm Spector Roseman & Kodroff, P.C. ("SRK"), located in Philadelphia, PA. I am admitted to practice in the State(s) of Pennsylvania and New Jersey. I have also been admitted to practice in the federal courts of the Eastern District

of Pennsylvania and the District of New Jersey, as well as the United States Courts of Appeals for the Third Circuit and Fourth Circuit.

2. I respectfully submit this declaration in support of Plaintiffs' Motion for Attorneys' Fees, Expenses, and Service Awards to the Class Representatives. I have personal knowledge of the matters set forth herein and am competent to testify with respect thereto.

3. SRK represents Court-appointed Class Representatives Jennifer Chalal and Bruce Puleo in this consolidated action. ECF No. 167. My firm was appointed to the Plaintiffs' Steering Committee (PSC) on November 6, 2020, and, since then, we have worked on this litigation together with the other Plaintiffs' counsel under the auspices of Interim Lead Class Counsel Beasley Allen. *See* November 6, 2020 Electronic Order.

4. The services rendered and work performed by attorneys and paralegals of my firm during the course of this litigation include the following: Investigated the recall and our client Chalal's potential claims; drafted and filed the Chalal complaint in the Eastern District of Pennsylvania; initially coordinated with defense counsel after filing the Chalal case; moved to transfer the Chalal action to this Court after working collegially with the attorneys at Beasley Allen and the other firms on the PSC to organize the case; investigated claims and collected documents from other potential clients with affected vehicles, including Mr. Puleo, who was ultimately included in the consolidated amended complaint; regularly interfaced with SRK's clients to review relevant materials with them and keep them informed regarding the prosecution of the litigation; participated in regular meetings with Interim Class Counsel and the PSC regarding the case status, strategy, experts and ongoing assignments; reviewed and revised the consolidated amended complaints; reviewed defendants' motions to dismiss and assisted in drafting the opposition to said motions; assisted with discovery, including collecting documents from SRK's clients, and

participating in the review of defendants' documents; reviewed and revised the draft settlement agreement, draft form of notice and draft preliminary approval papers; researched settlement related issues; reviewed final settlement agreement with SRK's clients and sought and received approval from SRK's clients regarding the terms of the settlement.

5. From March 12, 2020 through November 15, 2022, my firm and its co-counsel described below have expended 1,840.9 hours of work in connection with this litigation. Based upon current, customary rates in this type of litigation, the lodestar value of that time is \$1,028,944.50.

6. Our co-counsel in this litigation is Freed Kanner London & Millen LLC ("FKLM"), a law firm with extensive class action experience. While FKLM did not apply and was not appointed to the PSC, it performed work on this case as co-counsel for Ms. Chalal. I oversaw the work performed by FKLM, which was reasonable and necessary for the prosecution of this case.

7. Our firm's work on this case was performed on a wholly-contingent basis pursuant to contingency fee contracts with the named Plaintiffs. My firm has not received any amounts in connection with this case, either as fee income or expense reimbursement.

8. Shown below is a true and correct summary identifying the attorneys and paralegals who have worked on this litigation, the number of hours those individuals have worked, their regular hourly billing rates, and their respective lodestar values. I anticipate that additional time and expenses will be incurred for the work that my firm will be performing on this matter through the conclusion of the settlement.

The hourly rates shown below are the usual and customary lodestar rates charged in Philadelphia, and the national venues in which the firm typically handles cases for each individual doing the type of work performed in this litigation, including New York. These rates were not

adjusted, notwithstanding the complexity of this litigation, the skill and tenacity of the opposition, the preclusion of other employment, the delay in payment, or any other factors that could be used to justify a higher hourly compensation.

<b>Reported Hours &amp; Current Lodestar (March 12, 2020 through November 15, 2022)</b>				
<b>Name</b>	<b>Role</b>	<b>Hours</b>	<b>Rate</b>	<b>Value</b>
Spector, Eugene	Partner	4.9	\$1,100.00	\$5,390.00
Corrigan, Jeffrey	Partner	0.8	\$975.00	\$780.00
Macoretta, John	Partner	158.4	\$975.00	\$154,440.00
Caldes, William	Partner	75.8	\$975.00	\$73,905.00
Spector, Jeffrey	Partner	221.1	\$825.00	\$182,407.50
Kodroff, Jeffrey	Partner	1.5	\$975.00	\$1,462.50
Zinser, Diana	Partner	81.9	\$750.00	\$61,425.00
Etheridge, Icee	Associate	414.7	\$575.00	\$238,452.50
Kopp, Rachel	Of Counsel	0.7	\$650.00	\$455.00
DeMarshall, Gerri	Paralegal	53.7	\$310.00	\$16,647.00
SRK TOTALS		1,013.5		\$735,364.50
Jagher, Jon	FKLM Partner	8.4	\$825.00	\$6,930.00
Collier, Edmond	FKLM Staff Attorney	819	\$350.00	\$286,650.00
FKLM TOTALS		827.4		\$293,580.00
SRK & FKLM TOTALS		1,840.9		\$1,028,944.50

9. These amounts were derived from contemporaneous daily time records compiled on this matter, which are recorded in our computerized database. The firm requires regular and contemporaneous recording of time records, which occurred in this case.

10. The lodestar summary reflects my firm’s experience in the field, the complexity of the matters involved in this litigation, and the prevailing rate for providing such services.

11. My firm has advanced a total of \$56,414.04 in expenses reasonably and necessarily incurred in connection with the prosecution of this matter. They are broken down as follows:

<b>Reported Expenses on Behalf of Plaintiffs (March 12, 2020 through November 15, 2022)</b>	
Assessments	\$30,000.00
In-House Reproduction/Copies	\$156.25
Computer Research	\$24,712.49
Court Fees	\$1,542.00
Postage	\$3.30
<b>TOTAL</b>	<b>\$56,414.04</b>

12. These expenses are reflected in the books and records regularly kept and maintained by my firm.

13. In my opinion, the time expended and incurred in prosecuting this action were reasonable and necessary for the diligent litigation of this matter.

14. As reflected in the attached resume for my firm, we have significant experience in prosecuting a significant number of class action cases on behalf of small businesses and consumers

nationwide. Many of those cases resulted in settlements on behalf of those classes, achieving billions of dollars in recoveries for those classes.

15. Based upon my experience, I believe that the proposed Settlement is fair, adequate, and reasonable based upon several factors, including the risks of continued litigation, strength of Plaintiffs' claims, and relief achieved on behalf of the individual Class members. In addition to the significant injunctive relief obtained by the attorneys, consumers may file claims to recover the amount that they have paid in eligible out-of-pocket expenses related to repair of the defective Denso fuel pumps at issue in this litigation.

16. This case was litigated over the course of nearly three years, and involved MDL briefing, dismissal motion practice, complex, multi-defendant informal and confirmatory discovery, and expert work. Class Representatives Jennifer Chalal and Bruce Puleo fulfilled their duties to the Class by devoting substantial effort to the commencement and oversight of this litigation. As detailed in their concurrently filed declarations, Class Representatives expended considerable effort ensuring that the proposed Settlement was fair, adequate, and reasonable, stayed abreast of the litigation, including by reviewing and approving pleadings, the settlement agreement and related motions, and provided documents and information as necessary. Accordingly, I believe that the proposed service awards to each of the proposed Class Representatives are also appropriate.

17. I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 17, 2022

Respectfully submitted,



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Jeffrey L. Spector

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## FIRM BIOGRAPHY

Spector Roseman & Kodroff, P.C. is a highly successful law firm with a nationwide practice that focuses on class actions and complex litigation, including antitrust, consumer protection, securities, and commercial claims. The firm is active in major litigation in state and federal courts throughout the country and internationally. The firm's reputation for excellence has been recognized by numerous courts which have appointed the firm as lead counsel in prominent class actions. As a result of the firm's efforts, defrauded consumers and shareholders have recovered billions of dollars in damages and implemented important corporate governance reforms. The firm is rated "AV" by Martindale-Hubbell, its highest rating for competence and integrity.

Judges throughout the country have recognized the Firm's contributions in class action cases:

- Class counsel "have actively, efficiently, and competently litigated this case for over twelve years. They have applied their past experience in handling antitrust class actions and their extensive knowledge of the applicable law, and they have committed extraordinary resources to this matter" and "have obtained a highly favorable settlement in an extremely complex case despite the fact that an end-payor litigation class was not certified." *Vista Healthplan, et al. v. Cephalon, et al.*, 2-cv-06 1833, Docket No. 614 at 30, 56 (E.D.Pa. April 21, 2020)
- "[T]his case required skill and expertise, which Class Counsel amply demonstrated over nearly ten years of work. The case involved novel issues, including whether the ECPA applied to wireless networks that the owners had failed to encrypt. Class Counsel represented the class well, advocating on behalf of consumers' right to privacy in their wireless network communications, taking on a multinational corporation, and ultimately resolving the case favorably to the class." *In re Google Inc. Street View Electronic Communications Litigation*, Case No. 3:10-MD-02184-CRB (N.D. CA. March 18, 2020)
- "The lawyering in this case was nothing short of superb. ... I thought it was just excellent and that makes my job so much easier..." *In re Blood Reagents Antitrust Litigation*, MDL No. 2081 (E.D. Pa.) (approval hearing October 24, 2018)
- "I think in very brief summary form, you know, that counsel for plaintiffs – for direct action plaintiffs have done an outstanding job here with representing the class, and I thought your briefing was always very on point. I thought the

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presentation of very contentious issues on the class action motion was very well done, it was very well briefed, it was well argued.” *In re Domestic Drywall Antitrust Litigation*, MDL No. 2437 (E.D. Pa.) (approval hearing June 28, 2018)

- “Certainly the Court relies on the recommendation and work of experienced counsel, and I have indicated this before that I think [] [co-lead] counsel is – has handled this case extremely well, and I do rely on their arm’s length negotiations, which I believe has gone on here.” *In re Automotive Parts Antitrust Litigation*, MDL No. 2311 (E.D. Mi.) (approval hearing February 28, 2018)
- “[Class counsel] did a wonderful job here for the class and were in all respects totally professional and totally prepared. I wish I had counsel this good in front of me in every case.” *In re Parmalat Securities Litigation*, No. 04 Civ. 0030 (LAK) (S.D.N.Y.) (approval hearing March 2, 2009)
- “Lead class counsel - Jeffrey Corrigan and the other lawyers from Spector Roseman & Kodroff, P.C. - performed brilliantly in this exceptionally difficult case.” *In re OSB Antitrust Litigation*, Master File No. 06-CV-00826 (PSD) (E.D. Pa. Dec. 9, 2008)
- “I think perhaps the most important for the class is the recovery, and I think the recovery has been significant and very favorable to the class given my understanding of the risks in the litigation. And so perhaps that’s always the starting point for judging and assessing the quality of representation. The class I think was well represented, in that it got a very significant recovery in the circumstances”. *In re SCOR Holding (Switzerland) AG Litigation*, No. 04 Civ. 07897 (MBM) (S.D.N.Y.) (formerly known as Converium Holdings)
- “[O]utstanding work [of counsel] ... was done under awful time constraints” and the “efforts here were exemplary...under lousy time constraints.” *In re Atheros Communications, Inc. Shareholder Litigation*, C.A. No. 6124-VCN (Del. Ch.)
- “Plaintiffs’ counsel have been excellent in this complex, hard-fought litigation and innovative in its notice program and efforts to find class members.” *New England Carpenters Health Benefits Fund v. First Databank, Inc.*, C.A. 05-11148 (D. Mass. Aug. 3, 2009)
- “Here, Plaintiffs’ counsel are highly experienced in complex antitrust litigation, as evidenced by the attorney biographies filed with the Court. . . . They have obtained a significant settlement for the Class despite the complexity and difficulties of this case.” *Stop & Shop Supermarket Co. v. SmithKline Beecham Corp.*, C.A. No. 03-4578 (E.D. Pa. May 19, 2005)
- “Counsel are among the most experienced lawyers the national bar has to offer in the prosecution and defense of significant class actions.” *In re Lupron Marketing*



*and Sales Practices Litigation*, 345 F. Supp. 2d 135, 137-38 (D. Mass. 2004)

- “[T]he class attorneys in this case have worked with enthusiasm and have been creative in their attempt to compensate as many members of the consumer class as possible. . . . This Court has consistently noted the exceptional efforts of class counsel.” *In re Relafen Antitrust Litigation*, 231 F.R.D. 52, 80 (D. Mass. 2005)

### **Antitrust Litigation**

SRK’s antitrust practice group regularly oversees important antitrust cases. Among the Firm’s most significant cases are:

- *In re Automotive Parts Antitrust Litigation, MDL 12-2311 (E.D. Mich.)*. SRK has been appointed Interim Co-Lead Counsel for Direct Purchaser Plaintiffs for all product cases filed (currently comprised of more than 25 different cases). These massive price-fixing class actions are being brought on behalf of direct purchasers who were overcharged for various kinds of automotive parts, including wire harness products, heater control panels, instrument panel clusters, fuel senders, occupant safety restraint system products, bearings, air conditioning systems, starters, windshield wiper systems, windshield washer systems, spark plugs, oxygen sensors, fuel injection systems, alternators, ignition coils, and power window motors. All cases are pending before Judge Marianne Battani in the United States District Court for the Eastern District of Michigan in Detroit. SRK and its Interim Co-Lead Counsel have to date secured more than \$300 million in settlements for the various classes.
- *In re Interior Molded Doors Antitrust Litigation*, No. 3:18-cv-00718-JAG (E.D. Va.). SRK was appointed as Co-Lead Counsel for direct purchaser plaintiffs in this nation-wide price fixing class action. The case recently settled for over \$60 million.
- *In re Domestic Drywall Antitrust Litigation*, MDL 12-2437 (E.D. Pa.). SRK was appointed as Co-Lead Counsel for direct purchaser plaintiffs in this nation-wide price fixing class action, which resulted in combined settlements of over \$190 million for the class.
- *In re Blood Reagents Antitrust Litigation*, MDL 09-2081 (E.D. Pa.). SRK was appointed sole Lead Counsel in this nation-wide, price-fixing class action. The case settled in May 2018, on the eve of trial, resulting in combined settlements of \$41.5 million for the class, which was comprised of hospitals, blood banks, laboratories and the American Red Cross.
- *McDonough, et al., v. Toys R Us, et al.* (E.D. Pa.) (Brody, J.). SRK is Co-Lead Counsel for six sub-classes of Babies “R” Us’ customers, a rare case involving resale price maintenance in which a purchaser class was certified. A settlement of \$35.5 million was achieved on behalf of the sub-classes.

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- *In re Linerboard Antitrust Litigation*, MDL No. 1261 (E.D. Pa.). SRK was appointed co-lead counsel for plaintiffs in this price-fixing antitrust action which settled for total of \$202 million, the largest antitrust settlement ever in Third Circuit.
- *In re OSB Antitrust Litigation*, Master File No. 06-CV-00826 (PSD) (E.D. Pa.). SRK was appointed lead counsel for a nationwide class of direct purchasers, which settled for \$120 million.
- *In re Flat Glass Antitrust Litigation*, MDL No. 1200 (W.D. Pa.). SRK was co-lead counsel for plaintiffs in this price fixing/market allocation antitrust action which settled for \$120 million.
- *In re DRAM Antitrust Litigation*, MDL No. 1486 (N.D. Cal.). SRK was a member of the executive committee in this action against all major manufacturers of “dynamic random access memory” (“DRAM”), alleging that defendants conspired to fix the prices they charged for DRAM in the United States and throughout the world. The case settled with all defendants for more than \$300 million.
- *In re Vitamins Antitrust Litigation*, Misc. No. 99-0197 (D. D.C.). SRK was a member of the executive committee and co-chair of the discovery committee for plaintiffs in this price-fixing antitrust action which settled for \$300 million.

### **Pharmaceutical Marketing Litigation**

Since 2001, the Firm has been at the vanguard of identifying and pursuing healthcare reforms. It has developed an extensive practice in representing consumers and third-party payors in class actions against pharmaceutical companies over the unlawfully high pricing of prescription drugs. These cases have proceeded in state and federal courts on a variety of legal theories, including state and federal antitrust law, state consumer protection statutes, common law claims of unjust enrichment, and the federal RICO statute.

As part of their work in this area, the Firm’s attorneys have formally and informally consulted with the Attorneys General of a number of states who have been actively involved in drug and health care litigation. The Attorney General of Connecticut chose SRK in a competitive bidding process to help lead the state’s pharmaceutical litigation involving use of the Average Wholesale Price. The Firm’s clients also include large employee benefit plans as well as individual consumers.

Some of the Firm’s important pharmaceutical cases include the following:

- *Vista Healthplan, Inc. v. Cephalon, Inc.*, CA No. 06-1833 (E.D. Pa.). SRK is co-lead counsel in this litigation over the drug Provigil. The Court has just given final approval to \$65 million in settlements between a class of end-payors (health plans and consumers in 26 states) and the brand manufacturer and four generic makers over claims of a “pay-for-delay” deal in which the brand company paid the generic

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manufacturers not to come to market. SRK guided the case through almost 14 years of litigation, including discovery, class certification, coordination with related cases, appeals, trial preparation, settlement negotiations and other collateral proceedings.

- SRK, as co-lead counsel, devised the legal theory for claims against most major pharmaceutical companies for using the Average Wholesale Price to inflate the price paid by consumers and third-party payors for prescription and doctor-administered drugs. The larger AWP case, *In re Pharmaceutical Industry Average Wholesale Price Litigation*, MDL No. 1456 (D. Mass.), was tried in part to the court in November-December 2006. On June 21, 2007, the judge issued a 183-page opinion largely finding for plaintiffs, and requesting additional evidence on damages. Moreover, plaintiffs have reached settlements in amounts exceeding \$230 million. SRK was co-lead counsel for the class.
- *In re Lupron Marketing and Sales Practices Litigation*, MDL No. 1430 (D. Mass.). SRK, as co-lead counsel, negotiated a settlement of \$150 million for purchasers of the cancer drug Lupron.
- *New England Carpenters Health Benefits Fund v. First Databank, Inc.*, C.A. 05-11148 (D. Mass.) and *District 37 Health and Securities Fund v. Medi-Span*, C.A. No. 07-10988 (D. Mass.). SRK was co-lead counsel for a group of third-party payors who pay for prescription drugs at prices based on the AWP. The complaints allege that First DataBank and Medispan, two of the largest publishers of AWP, fraudulently published inflated AWP prices for thousands of drugs. The claims against McKesson settled for \$350 million. In addition, the settlement requires First DataBank and Medispan to lower the AWP price they publish for hundreds of drugs (by reducing the formulaic ratio they use to calculate AWP); and to eventually cease publishing AWP prices. Plaintiffs' experts conservatively estimate that the savings from this settlement will be in the hundreds of millions of dollars.
- *Stop & Shop Supermarket Co. v. Smithkline Beecham Corp.* C.A. 03-4578 (E.D. Pa.). SRK was co-lead counsel on behalf of direct purchasers of the drug Paxil. The complaint alleged that the drug company misled the U.S. Patent and Trademark Office in obtaining the patents protecting Paxil and then used the patents to prevent lower-cost, generic versions of the drug from coming to market. A settlement of \$100 million was approved by the court.
- *In re TriCor Indirect Purchaser Antitrust Litigation*, C.A. No. 05-360 (D. Del.). SRK was co-lead counsel for indirect purchasers in prosecuting state antitrust and consumer protection claims against Abbott Laboratories and Laboratoires Fournier S.A. for suppressing competition from generic versions of TriCor. The indirect purchaser case settled for \$65.7 million to the class plus a substantial settlement for opt-out insurers.
- *In re Relafen Antitrust Litigation*, C.A. No. 01-12239 (D. Mass.). SRK was co-lead

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counsel for indirect purchasers in prosecuting state antitrust and consumer protection claims against GlaxoSmithKline for suppressing competition from generic versions of its drug Relafen by fraudulently obtaining a patent on the compound. The indirect purchaser settlement for \$75 million was approved by the court (the overall settlement for all plaintiffs exceeded \$400 million).

- *In re Effexor XR Antitrust Litigation*, CA No. 11-5479 (D.N.J.). SRK is serving as co-lead counsel in on-going litigation over pay-for-delay settlements involving the antidepressant and Effexor XR. The firm represents end -payors (consumers and health plans) who were denied the chance to buy cheaper generic alternatives because of deal making and manipulation of the patent challenge and generic drug approval system by both the brand name company and generic manufacturers.
- *In re Niaspan Antitrust Litigation* MDL No. 2460 (E.D. Pa) and *In re Suboxone Antitrust Litigation* MDL No. 2445(E.D. Pa). SRK was appointed to serve as Liaison Counsel for a purported class of end payors for the drugs Niaspan and Suboxone. In each case, the complaint alleges that the end payors were overcharged by defendants' illegal efforts to keep generic versions off the market which caused the class to pay supra competitive monopolistic prices.

### Privacy Litigation

SRK is also litigating numerous cases relating to privacy.

- *In re Google Inc. Street View Electronic Communications Litigation* (N.D. Cal.). SRK is Co-Lead Counsel for plaintiffs in this action, in which a \$13 million settlement was recently approved, but is currently on appeal. Google used its "Street View" vehicles to access wireless internet networks located in the United States and more than thirty countries around the world. Google's Street View vehicles traveled through cities and towns and collected data sent and received over the wireless networks they encountered, including all or part of e-mails, passwords, videos, audio files, and documents, as well as network names and router information. This data was captured and stored without the knowledge or authorization of class members. Plaintiffs allege that Google's conduct violated Title III of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Electronic Communications Privacy Act of 1986, 18 U.S.C. § 2511, *et seq*, also known as the Wiretap Act.
- *In Re: Heartland Payment Systems Inc. Customer Data Security Breach* MDL No. 2046 (S.D. TX). SRK represents banks in a class action after Heartland disclosed on January 20, 2009 that it had been the victim of a security breach within its processing system in 2008. The data stolen included the digital information encoded onto the magnetic stripe built into the backs of credit and debit cards; with that data, thieves can fashion counterfeit credit cards by imprinting the same stolen information onto fabricated cards.

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- *In re: Target Corporation Customer Data Breach* MDL No. 14-2522 (D. Minn). SRK represents banks in a class-action lawsuit against Target claiming the retail giant ignored warnings from as early as 2007 that the company's point-of-sale (POS) system was vulnerable to attack, a move that put more than 40 million credit and debit card records at risk and compromised the personal information of up to an additional 70 million customers after Target's systems were penetrated by attackers from on or about November 27, 2013 through December 15, 2013.

### **Securities/Corporate Governance Litigation**

SRK has actively managed important class actions involving securities fraud, winning not only significant damages but also important corporate governance reforms. Some of the Firm's most notable cases include:

- *In re Abbott Labs-Depakote Shareholder Derivative Litigation*, Case No.: 1:11-cv-08114 (VMK) (N.D.Ill.). As the lead counsel, SRK negotiated cutting-edge corporate reforms including new legal and regulatory compliance responsibilities at both the board and management levels, a clawback policy which goes well beyond the requirements under the Dodd-Frank Act of 2010, a change of the "tone at the top" to foster a culture of legal and regulatory compliance, "flow of information" protocols, and other significant reforms designed to address oversight deficiencies that resulted in Abbott having to pay \$1.6 billion in criminal and civil penalties due to the illegal marketing and sale of its Depakote drug (the second largest penalties ever paid for off-label marketing at that time).
- *In re Lehman Brothers Holdings, Inc. Equity/Debt Securities Litigation*, No. 08-cv-5523 (S.D.N.Y.). SRK was one of the firms prosecuting the U.S. action against Lehman Brothers arising from a massive fraud pertaining to the credit market meltdown. In this securities class action, SRK represented one of the lead plaintiffs, the Northern Ireland Local Government Officers' Superannuation Committee ("NILGOSC"). The case settled for over \$600 million.
- *In re Parmalat Securities Litigation*, No. 04 Civ. 0030 (LAK) (S.D.N.Y.). SRK was one of the co-lead counsel for the lead plaintiffs, who are European institutional bond holders, in this widely-known case, often called the "Enron of Europe." This is a massive worldwide securities fraud action involving the collapse of an international dairy conglomerate, in which major financial institutions and accounting firms created schemes to materially overstate Parmalat's revenue, income, and assets, and understate its considerable and expanding debt. The case was heavily litigated for five years, resulting in settlements of \$98 million.

In addition, settlements with certain accounting firms provided that these defendants confirm their endorsement of specific corporate governance principles of behavior designed to advance investor protection and to minimize the likelihood

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of future deceptive transactions. This is the first time in a Section 10(b) case that shareholders were able to negotiate corporate governance measures from a defendant other than the issuer.

- *In re SCOR Holding (Switzerland) AG Litigation*, No. 04 Civ. 07897 (MBM) (S.D.N.Y.) (formerly known as Converium Holdings). In the *Converium* U.S. class action, SRK was one of the co-lead counsel representing a European institutional investor which served as one of the lead plaintiffs in that action. The Firm negotiated a \$145 million recovery for a global class of investors, which involved settling the action on two continents – *the first trans-Atlantic resolution to a securities class action*. Part of the settlement, on behalf of foreign investors, was approved in the Netherlands under the then newly enacted Act on Collective Statement of Mass Claims. What is particularly noteworthy about the *Converium* litigation is that the Amsterdam Court of Appeal, in a landmark decision, ruled that it had jurisdiction to declare the two international settlements of that action binding. What makes the *Converium* decision groundbreaking is that, in addition to showing its willingness to provide an effective forum for European and other investors to settle their claims on a pan-European or even global basis, the Amsterdam Court of Appeal substantially broadened its jurisdictional reach – to the benefit of investors in this case and in future actions. The Dutch Court secured jurisdiction even though the claims were not brought under Dutch law, the alleged wrongdoing took place outside the Netherlands, and none of the potentially liable parties and only a limited number of the potential claimants are domiciled in the Netherlands. The decision means that European Union Member States, as well as Switzerland, Iceland and Norway, must recognize it, under the Brussels I Regulation and the Lugano Convention. Without the approval of the settlements by the Amsterdam Court of Appeal, common stock holders of Converium, who were excluded from the U.S. action, would not have been able to recover a portion of their losses.
- *Utah Retirement Systems v. Strauss*, No. 09-cv-3221 (E.D.N.Y.). SRK served as counsel in an individual (opt-out) action brought on behalf of the Utah Retirement Systems relating to the scandal at American Home Mortgage – one of the companies involved in the subprime market meltdown. This action alleged violations of the Securities Act of 1933 and the Securities and Exchange Act of 1934, as well as various state laws. Although the monetary terms of the settlement are confidential, SRK was able to negotiate an amount that was nearly four times more than what the Utah Retirement Systems would have received had it participated in the class action.
- *In re Laidlaw, Inc. Bondholders Securities Litigation*, No. 3-00-2518-17 (D.S.C.). SRK was a member of the Executive Committee in this complex accounting case which resulted in a settlement of \$42,875,000.
- *In re Abbott Laboratories, Inc. Derivative Shareholder Litigation*, C.A. No. 99-C 07246 (N.D. Ill.) (Abbott I). SRK was co-lead counsel for plaintiffs. The case was



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dismissed twice but reversed on appeal, and settled in 2004 for substantial corporate governance reforms funded by \$27 million from directors. The ABA's *Securities Litigation Journal* called the Seventh Circuit's opinion the second most important decision in 2003.

- *Felzen v. Andreas (Archer Daniels Midland Co. Derivative Litigation)*, C.A. No. 95-2279 (C.D. Ill.). As co-lead counsel, SRK negotiated broad corporate governance changes in the company's board structure including strengthening the independence of the board of directors, creating corporate governance and regulatory oversight committees, requiring that the audit committee be composed of a majority of outside directors, and establishing a \$8 million fund for educational seminars for directors and the retention of independent outside counsel for the oversight committees.

The Firm has been at the forefront of advising and representing foreign institutional investors in U.S. class actions and in group actions in Europe, Australia and Japan. During the past 20 years, SRK has been working with and representing various European investors and conducting educational seminars on securities class actions, as well as speaking at international shareholder and corporate governance conferences. The Firm is currently counsel to numerous large European entities.

## PARTNERS

**EUGENE A. SPECTOR**, founding partner, has extensive experience in complex litigation, and has represented both plaintiffs and defendants in antitrust and securities. Mr. Spector has handled many high profile cases, including such antitrust class actions as *In re Linerboard Antitrust Litigation*, MDL No. 1261 (E.D. Pa.), in which he was co-lead counsel and which settled for more than \$200 million, the largest antitrust case settlement ever in the Eastern District of Pennsylvania, where Judge Dubois stated: "The Court has repeatedly stated that the lawyering in this case at every stage was superb ...." 2004 WL 1221350, \*6 (E.D. Pa. June 2, 2004). Mr. Spector was also co-lead counsel in *In re Relafen Antitrust Litigation*, No. 01-12239 (D. Mass.), in which a settlement of \$75 million was obtained for the class, which Judge Young described as "the result of a great deal of very fine lawyering." Mr. Spector has been involved in securities class action litigation including *Rosenthal v. Dean Witter*, which resulted in a landmark decision by the Colorado Supreme Court that recognized, for the first time, that securities fraud could be proved without reliance being alleged. This precedent-setting case was important because under state securities law the reliance element sometimes proved difficult, especially when large numbers of people were involved in a class action suit.

Mr. Spector is currently serving as sole lead counsel in *In Re Blood Reagents Antitrust Litigation*, MDL No. 02081 (E.D. Pa.); as co-lead counsel in such antitrust cases as *In re Domestic Drywall Antitrust Litigation*, MDL No. 2437 (E.D. Pa.); *In Re Automotive Parts Antitrust Litigation*, MDL No. 2311 (E.D. Mich.); *McDonough, et al. v. Toys "R" Us, Inc. d/b/a Babies "R" Us, et al.*, 2:06-cv-00242-AB (E.D. Pa.); *Elliott, et al. Toys "R" Us, Inc. d/b/a Babies "R" Us, et al.*, 2:09-cv-06151-AB (E.D. Pa.); and as a member of the trial team in *In re Rail Freight Fuel*

*Surcharge Antitrust Litigation*, MDL No. 1869 (D.D.C.).

Mr. Spector has served as lead or co-lead counsel for plaintiffs in numerous cases with successful results, such as:

- *In re Linerboard Antitrust Litigation*, MDL No. 1261 (E.D. Pa.) (settled for \$202 million, the largest antitrust settlement ever in the Third Circuit)
- *In re Relafen Antitrust Litigation*, C.A. No. 01-12239 (D. Mass.) (a drug marketing case that settled for \$75 million for indirect purchasers)
- *In re Flat Glass Antitrust Litigation*, MDL No. 1200 (W.D. Pa.) (a price-fixing/market allocation antitrust action that settled for \$120 million)
- *In re Mercedes Benz Antitrust Litigation, No. 99-4311* (D.N.J.) (a price-fixing class action against Mercedes-Benz U.S.A. and its New York tri-state area dealers in which a \$17.5 million settlement was obtained for the class)
- *Cohen v. MacAndrews & Forbes Group, Inc.*, No. 7390 (Del. Ch.) (a class action on behalf of shareholders challenging a going-private transaction under Delaware corporate law in which a benefit in excess of \$11 million was obtained for the class)

Mr. Spector has also served as lead counsel or co-lead counsel in a number of other securities fraud class action cases and shareholder derivative actions: *Shanno v. Magee Industrial Enterprises, Inc.*, No. 79-2038 (E.D. Pa.) (trial counsel for defendants); *In re U.S. Healthcare Securities Litigation*, No. 88-559 (E.D. Pa.) (trial counsel); *PNB Mortgage and Realty Trust by Richardson v. Philadelphia National Bank*, No. 82-5023 (E.D. Pa.); *Swanick v. Felton*, No. 91-1350 (E.D. Pa.); *In re Surgical Laser Technologies, Inc. Securities Litigation*, No. 91-CV-2478 (E.D. Pa.); *Tolan v. Adler*, No. C-90-20710-WAI (PVT) (N.D. Cal.); *Rosenthal v. Dean Witter, Reynolds, Inc.*, No. 91-F-591 (D. Colo.); *Soenen v. American Dental Laser, Inc.*, No. 92 CV 71917 DT (E.D. Mich.); *In re Sunrise Technologies Securities Litigation*, Master File No. C-92-0948-THE (N.D. Cal.); *The Berwyn Fund v. Kline*, No. 4671-S-1991 (Dauphin Cty. C.C.P.); *In re Pacific Enterprises Securities Litigation*, Master File No. CV-92-0841-JSL (C.D. Cal.); *In re New America High Income Fund Securities Litigation*, Master File No. 90-10782-MA (D. Mass.); and *In re RasterOps Corp. Securities Litigation*, No. C-92-20349-RMW (EAI) (N.D. Cal. 1992).

Further, Mr. Spector has actively participated as plaintiffs' counsel in national class action antitrust cases, including *In re Dynamic Random Access Memory (DRAM) Antitrust Litigation*, No. M-02-1486 PJH (N.D. Cal.) (executive committee); *In re Vitamins Antitrust Litigation*, Misc. No. 99-0197 (TFH) (D.D.C.) (Chair of the discovery committee); *In re Neurontin Antitrust Litigation*, MDL No. 1479 (D. N.J.) (executive committee); *Ryan-House v. GlaxoSmithKline, plc*, No. 02-CV-442 (ED Va.) (co-chair class certification committee); *In re Bulk [Extruded] Graphite Products Antitrust Litigation*, Master File No. 02-CV-06030 (D. N.J.) (chair of experts committee); *In re Publication Paper Antitrust Litigation*, No 04-MD-1631 (D. Conn.); *In re Polyester Staple Antitrust Litigation*, No. 03-CV-1576 (W.D.N.C.); *Chlorine & Caustic Soda*



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*Antitrust Litigation*, No. 86-5428 (E.D. Pa.); *In re Brand Name Prescription Drug Antitrust Litigation*, MDL No. 997 (N.D. Ill.); *Polypropylene Carpet Antitrust Litigation*, MDL No. 1075 (N.D. Ga.); *NASDAQ Market Makers Antitrust Litigation*, MDL No. 1023 (S.D.N.Y.); *Potash Antitrust Litigation*, MDL No. 981 (D. Minn.); *Commercial Tissue Products Antitrust Litigation*, MDL No. 1189 (N.D. Fla.); *High Fructose Corn Syrup Antitrust Litigation*, MDL No. 1087 (C.D. Ill.).

In 2002, Mr. Spector obtained a jury verdict of \$4.5 million in *Heiser v. SEPTA*, No. 3167 July Term 1999 (Phila. C.C.P.), an employment class action.

Mr. Spector is admitted to practice in the Commonwealth of Pennsylvania; the United States Supreme Court; the United States Courts of Appeals for the First, Third, Fifth, Sixth, Ninth, Tenth, and Eleventh Circuits; and the United States District Court for the Eastern District of Pennsylvania and the Eastern District of Michigan. He is a graduate of Temple University (B.A. 1965) and an honors graduate of Temple University School of Law (J.D. 1970), where he was an editor of the *Temple Law Quarterly*. He served as law clerk to the Honorable Herbert B. Cohen and the Honorable Alexander F. Barbieri, Justices of the Pennsylvania Supreme Court (1970-71).

Mr. Spector has written a number of articles over the years which appeared in the *National Law Journal*, the *Legal Intelligencer*, and other trade and legal publications; and he has appeared on CNBC to discuss securities fraud. He is a member of the American, Federal, Pennsylvania and Philadelphia Bar Associations; the American Bar Association's Antitrust and Litigation Sections and the Securities Law Sub-Committee of the Litigation Section; and the Federal Courts Committee of the Philadelphia Bar Association. Mr. Spector has been appointed to the Advisory Board of the American Antitrust Institute and has been named as a leading U.S. plaintiffs' antitrust lawyer by Who's Who Legal Competition 2014, published by the Global Competition Review. Mr. Spector also has been appointed to serve on the Board of Visitors of the James E. Beasley School of Law of Temple University. He is A-V rated by Martindale-Hubbell and has been named by Law & Politics to its list of Pennsylvania "Superlawyers."

**JEFFREY L. KODROFF** concentrates his practice in healthcare antitrust, securities and consumer litigation. He was among the first attorneys to represent clients in class action litigation against national health maintenance organizations. (*Tulino v. U.S. Healthcare, Inc.*, No. 95-CV-4176 (E.D. Pa.)). He also filed the first class action complaint against the manufacturers of the cancer drug Lupron relating to the illegal marketing practices and use of the published Average Wholesale Price. Mr. Kodroff was co-lead counsel in *In re Lupron Marketing and Sales Practices Litigation*, MDL No. 1430 (D. Mass.), which settled for \$150 million. Mr. Kodroff was also co-lead counsel in a consolidated national class action against many of the largest pharmaceutical companies in the world, including GlaxoSmithKline, BMS, J&J, Schering-Plough and AstraZeneca, for their illegal marketing and use of a false Average Wholesale Price. See *In re Pharmaceutical Industry Average Wholesale Price Litigation*, MDL No. 1456 (D. Mass.) (settlement over \$300 million.)

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He has also served as lead or co-lead counsel in other substantial pharmaceutical marketing cases, including *New England Carpenters Health Benefits Fund v. First Databank, Inc. and McKesson Corp.*, C.A. 05-11148 (D. Mass.); and *District 37 Health and Securities Fund v. Medi-Span*, C.A. No. 07-10988 (D. Mass. 2007). This litigation massive class action was against pharmaceutical wholesaling giant McKesson Corporation (“McKesson”) and pharmaceutical pricing publishers First DataBank, Inc. (“FDB”) and Medi-Span. The case addressed an unlawful 5% mark-up in the Average Wholesale Prices (“AWPs”) of various drugs, causing consumers and third party payors to overpay for pharmaceuticals. The case settled for \$350 million plus an agreement to roll back AWP’s by 5% thereby saving the Class and others hundreds of millions of dollars.

Mr. Kodroff has also been very active in litigation against brand named pharmaceutical companies in their attempts to keep generic drugs from entering the market.

Mr. Kodroff has served or is serving as co-lead counsel in numerous major cases, including:

- *In re OSB Antitrust Litigation*, Master File No. 06-CV-00826 (E.D. Pa., Judge Paul S. Diamond) (settled for \$120 million)
- *Stop & Shop Supermarket Co. v. Smithkline Beecham Corp.* C.A. 03-4578 (E.D. Pa., Judge Padova) (settled for \$150 million)
- *In re Express Scripts, Inc., PBM Litigation*, Master Case No. 05-md-01672-SNL (E.D. Mo.)
- *In re Lovenox Antitrust Litigation*, Case No. CV05-5598 (C.D. Cal.)
- *In re DDAVP Indirect Purchaser Antitrust Litigation*, Case No. 05 Civ. 2237 (S.D.N.Y.)
- *Man-U Service Contract Trust, et al. v. Wyeth, Inc. (Effexor Antitrust Litigation)* Civil Action No. 3:11-cv-05661 (D.N.J.)
- *In re: Merck Mumps Vaccine Antitrust Litigation*, Master File No. 2:12-cv-03555 (E.D. Pa., Judge C. Darnell Jones, II)
- *Vista Healthplan Inc. v. Cephalon, Inc., et al.*, Case No. 2:06-cv-1833 (E.D. Pa., Judge Mitchell S. Goldberg) (Provigil)

Mr. Kodroff has served as lead or co-lead counsel in many class action securities fraud cases, including *In re Unisys Corporation Securities Litigation*, No. 99-CV-5333 (E.D. Pa.); *In re Dreyfus Aggressive Growth Mutual Fund Litigation*, No. 98 Civ. 4318 (HB) (S.D.N.Y.); *Kalodner v. Michaels Stores, Inc.*, No. 3:95-CV-1903-R (N.D. Tex.); *In re Valuevision International, Inc. Securities Litigation*, Master File No. 94-CV-2838 (E.D. Pa.); *In re GTECH Holdings Corp. Securities Litigation*, Master File No. 94-0294 (D.R.I.); *In re Surgical Laser Technologies, Inc.*

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*Securities Litigation*, No. 91-CV-2478 (E.D. Pa.); and *The Berwyn Fund v. Kline*, No. 4671-S-1991 (Dauphin Cty. C.C.P.).

He has also served as lead or co-lead counsel in many consumer class actions including the current case *In re Google Inc. Street View Electronic Communications Litigation*, Case No. C 10-md-02184 JW (N.D. Cal.), which arise out of Google's interception of electronic communications by its Street View vehicles. Other consumer class actions in which Mr. Kodroff has served as lead or co-lead counsel include: *Kaufman v. Comcast Cablevision of Phila., Inc.*, No. 9712-3756 (Phila. C.C.P.); *LaChance v. Harrington*, No. 94-CV-4383 (E.D. Pa.); *Smith v. Recordex*, No. 5152, June Term 1991 (Phila. Cty. C.C.P.); *Guerrier v. Advest Inc.*, C.A. No. 90-709 (D. N.J.); and *Pache v. Wallace*, C.A. No. 93-5164 (E.D. Pa.).

Mr. Kodroff has served as a Continuing Legal Education presenter on class actions and health care issues as well as making presentations at conferences including the NCPERS Health Care Symposium and the Pennsylvania Public Employees Retirement System Conference.

He also serves on the advisory board for the Bureau of National Affairs Class Action Litigation Report. Mr. Kodroff also appeared with one of his clients before the U.S. House of Representatives, Subcommittee on Housing and Community Opportunity, Committee on Banking and Financial Services on the issue of predatory lending.

Mr. Kodroff has been selected by "Who's Who Legal: Competition" as one of the world's leading competition practitioners and by Lawdragon as one of the leading Plaintiff Financial Lawyers in the country.

Mr. Kodroff is admitted to practice in the Commonwealth of Pennsylvania and the United States District Courts for the Middle and Eastern Districts of Pennsylvania. He is a member of the Pennsylvania, Philadelphia and American Bar Associations. A graduate of LaSalle University, where he earned his undergraduate degree in finance (magna cum laude, 1986), Mr. Kodroff received his law degree from Temple University School of Law (1989). He is a resident of Dresher, Pennsylvania. Mr. Kodroff is AV-rated by Martindale-Hubbell.

**JEFFREY J. CORRIGAN** joined SRK in 2000 as a partner to help direct the Firm's complex antitrust litigation. From 1990 until 2000, he was a Trial Attorney with the U.S. Department of Justice in the New York office of the Antitrust Division.

Mr. Corrigan has extensive experience investigating and prosecuting complex antitrust and other white collar criminal cases. He was lead counsel on numerous federal grand jury investigations and has significant federal trial experience as well. His cases include *United States v. Tobacco Valley Sanitation*, Cr. H-90-4 (D. Conn. 1991); and *United States v. Singleton*, Crim. No. 94-10066 (D. Mass. 1995). He was nominated by the Antitrust Division in 1999 for the Attorney General's Distinguished Service Award for his lead role on a major case involving bid-rigging at state courthouses in Queens and Brooklyn in New York City, which resulted in 49 guilty pleas. *United States v. Abrishamian*, No. 98 CR 826 (E.D.N.Y. 1998). Mr. Corrigan also played a major part in *United States v. Canstar Sports USA, Inc.*, C.A. No. 93-7 (D. Vt. 1993), a complex

civil antitrust case.

Mr. Corrigan is currently serving as Interim Co-Lead Counsel for direct purchaser plaintiffs in *In re Interior Molded Doors Antitrust Litigation*, File No. 3:18cv-00718-JAG (E.D. Va.), a nation-wide price fixing class action.

Mr. Corrigan served as sole Liaison and Lead Class Counsel in *In re Blood Reagents Antitrust Litigation*, MDL 09-2081 (E.D. Pa.), a nation-wide, price-fixing class action into the market for blood reagents, which are used for testing blood. The case settled on the eve of trial for a total of \$41.5 million. Mr. Corrigan also served as Co-Lead Counsel for direct purchaser plaintiffs in *In re Domestic Drywall Antitrust Litigation*, MDL 12-2437 (E.D. Pa.), a nation-wide price fixing class action that settled for more than \$190 million.

He has been co-lead counsel in *In re OSB Antitrust Litigation*, Master File No. 06-CV-00826 (PSD) (E.D. Pa.), where a nationwide class of direct purchasers settled for \$120 million; and *In re Mercedes-Benz Antitrust Litigation*, Master File No. 99-4311 (D. N.J.) (settled for \$17.5 million). He was also active in *In re Linerboard Antitrust Litigation*, C.A. No. 98-5055 (E.D. Pa.), which settled for \$202 million; *In re Bupirone Antitrust Litigation*, MDL Docket No.1413 (S.D.N.Y.) which in 2003 settled for \$670 million for all plaintiff groups; and *In re Flat Glass Antitrust Litigation*, MDL No. 1200 (W.D. Pa.), which settled for \$120 million.

Mr. Corrigan is a 1985 graduate of The State University of New York at Stony Brook, where he earned his B.A. in economics. He received his J.D. in 1990 from Fordham University School of Law, where he was a member of the Moot Court Board. Mr. Corrigan is admitted to practice in the states of New York and New Jersey, and in the United States Court of Appeals for the Third Circuit and the D.C. Circuit; and the United States District Courts for the District of New Jersey, Southern District of New York and the Eastern District of New York.

**JOHN MACORETTA** represents both individuals and businesses in a wide variety of litigation. He currently represents consumers and healthcare payors in several cases alleging that brand name pharmaceutical companies illegally kept generic drug competitors off the market. Mr. Macoretta is also involved in electronic privacy litigation, including the *In re Google Streetview Electronic Communications Litigation*, No. 10-md-02184 (N.D. Cal.) where he is a co-lead counsel representing consumers whose private wi-fi communications were intercepted. Mr. Macoretta also represents investors in stock-broker arbitration and class-action securities fraud litigation.

He has been involved in a number of significant cases, including *In re Pharmaceutical Industry Average Wholesale Price Litigation*, MDL No. 1456 (D. Mass.) (where he acted as one of the trial counsel); *In re Lupron Marketing and Sales Practices Litigation*, MDL No. 1430 (D. Mass.); *In re Unisys Corporation Securities Litigation*, No. 99-CV-5333 (E.D. Pa.); *Masters v. Wilhelmina Model Agency, Inc.*, No. 02 Civ. 4911 (S.D.N.Y.); *In re Dynamic Random Access Memory (DRAM) Antitrust Litigation*, C.A. No. M-02-1486 PJH (N.D. Cal.).

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Mr. Macoretta graduated with honors from the University of Texas Law School in 1990 and received his undergraduate degree *cum laude* from LaSalle University in 1986. He is admitted to practice in the Commonwealth of Pennsylvania and the State of New Jersey; the United States Court of Appeals for the First, Third and Ninth Circuits; and the United States District Courts in the District of New Jersey, the Eastern District of Michigan and the Middle and Eastern Districts of Pennsylvania. In addition to being a member of the Philadelphia Bar Association, Mr. Macoretta also serves as an arbitrator in the Philadelphia Court of Common Pleas and the US District Court.

Mr. Macoretta received the Champion of Justice award from the Philadelphia Volunteers for the Indigent Program, in recognition for his decade long *pro bono* representation of Philadelphia homeowners facing foreclosure.

**WILLIAM G. CALDES** is a partner in the Antitrust Practice Group. He has a national practice representing plaintiffs in antitrust class actions for over twenty years. He has represented both individual and corporate clients in class actions across the United States. Mr. Caldes has been involved in some of the largest Antitrust cases ever litigated, including *In re NASDAQ Market-Makers Antitrust Litigation*, MDL No. 1023 (S.D.N.Y.) which was the first antitrust case to have settlements in excess of one billion dollars to most recently being co-lead counsel in *In re Automotive Parts Antitrust Litigation*, MDL No. 2311 (E.D. Mich.), regarded as one of the largest antitrust cases to be litigated to date.

Mr. Caldes also represents several unions and their members in litigation against the pharmaceutical industry for various types of antitrust and consumer violations on behalf of the union's pension funds. He is currently involved in *In Re Niaspan Antitrust Litigation* MDL No. 2460 (E.D.Pa.); *In re Loestrin 24 FE Antitrust Litigation*, MDL No. 2472 (D.R.I.); *In Re Lidoderm Antitrust Litigation*, MDL No. 2521 (N.D.Ca.); and *In re Aggrenox Antitrust Litigation*, MDL No. 2516 (D.Conn.).

Among other cases in which Mr. Caldes has participated are *McDonough, et al. v. Toys "R" Us, Inc. d/b/a Babies "R" Us, et al.*, No. 2:06-cv-00242-AB (E.D. Pa.); *Elliott, et al. v. Toys "R" Us, Inc. d/b/a Babies "R" Us, et al.*, No. 2:09-cv-06151-AB (E.D. Pa.); *In re Online DVD Rental Antitrust Litigation*, MDL No. 2029 (N.D. Cal.); *In re Processed Eggs Antitrust Litigation*, MDL No. 2002 (E.D. Pa.); *In re Air Cargo Shipping Services Antitrust Litigation*, MDL No. 1775 (E.D.N.Y.); *In Re: Municipal Derivatives Antitrust Litigation*, No. 1:08-md-01950-VM (S.D.N.Y.); *In Re Optical Disk Drive Products Antitrust Litigation*, No. 3:10-ms-02143-RS (N.D. Cal.); *In Re Aftermarket Filters Antitrust Litigation*, No. 1:08-cv-04883 (N.D. Ill.); *In re McKesson HBOC, Inc. Securities Litigation*, Master File No. 99-CV-20743 (N.D. Cal.); *In re K-Dur Antitrust Litigation*, MDL No. 1419 (D.N.J.); *In re Relafen Antitrust Litigation*, C.A. No. 01-12222 (D. Mass); *In re Buspirone Antitrust Litigation*, MDL No. 1413 (S.D.N.Y.); *In re Linerboard Antitrust Litigation*, C.A. No.98-5055 (E.D. Pa.); *In re Dynamic Random Access Memory (DRAM) Antitrust Litigation*, No.M-02-1486 PJH (N.D. Cal.); *In re Baycol Products Litigation*, No. 1431 (D. Minn.); and *In re Vitamins Antitrust Litigation*, Misc. No. 99-0197(TFH) (D.D.C.).

Mr. Caldes is a 1986 graduate of the University of Delaware, where he earned a B.A. with a double major in Economics and Political Science. He received his J.D. in 1994 from Rutgers



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School of Law at Camden, and then served as law clerk to the Honorable Rushton H. Ridgway of the New Jersey Superior Court, Cumberland County.

Mr. Caldes is admitted to practice in the Commonwealth of Pennsylvania, the State of New Jersey, the United States District Court for the District of New Jersey, the United States District Court for Eastern District of Pennsylvania and the United States Court of Appeals for the 3rd Circuit.

**JEFFREY L. SPECTOR** is a partner in the Antitrust Practice Group. Mr. Spector has been prosecuting complex class actions for over a decade, representing consumers and small businesses in a wide array of cases involving products in a variety of industries, including the automotive, protein, construction, health care, baby product and financial instrument markets. Presently, Mr. Spector is helping to lead the litigation for SRK as co-lead counsel for a proposed class of hospitals in *In Re: Da Vinci Surgical Robot Antitrust Litig.*, No. 3:21-cv-03825-VC (N.D. Cal.), and on the Plaintiffs' Steering Committee in *Cheng v. Toyota Motor Corp.*, No. 1:20-cv-00629-WFK-CLP (E.D.N.Y.).

In addition, Mr. Spector is currently working extensively with expert economists in several pending actions, including *In re Broiler Poultry Antitrust Litigation* 1:16-cv-08637 (N.D. Ill.), *In re Pork Antitrust Litigation*, No. 0:18-cv-01776-JRT-HB (D. Mn.), and *In re: Local TV Advertising Antitrust Litig.*, MDL No. 2867, No. 18 C 6785 (N.D. Ill.). In November 2021, Mr. Spector received an award for *Outstanding Antitrust Litigation Achievement in Private Law Practice* from the American Antitrust Institute as part of the team that litigated *In re Peanut Farmers Antitrust Litig.*, No. 2:19-cv-00463-RAJ-LRL (E.D. Va.), which achieved settlements of over \$100 million for a class of peanut farmers.

Mr. Spector has served as part of the SRK co-lead counsel teams in *In re Interior Molded Doors Antitrust Litigation*, No. 3:18-cv-00718-JAG (E.D. Va.), *In re Automotive Parts Antitrust Litigation*, No. 2:12-md-02311 (E.D. Mich.), *In re Domestic Drywall Antitrust Litigation*, No. 13-md-2437 (E.D. Pa.); *In re Blood Reagents Antitrust Litigation*, No. 09-md-02081 (E.D. Pa.); *McDonough, et al. v. Toys "R" Us, Inc. d/b/a Babies "R" Us, et al.*, No. 2:06-cv-00242 (E.D. Pa.); and *Elliott, et al. v. Toys "R" Us, Inc. d/b/a Babies "R" Us, et al.*, No. 2:09-cv-06151 (E.D. Pa.), cases which have settled for a combined total of over a half-billion dollars. Mr. Spector has extensive experience working closely with experts on a variety of issues, including analyzing industry market structure, class certification, and estimating damages (including through the use of econometric techniques).

Mr. Spector has previously been involved in litigating, among other cases, *In re Aftermarket Filters Antitrust Litigation*, No. 08-cv-04883 (N.D. Ill.); *In re Municipal Derivatives Antitrust Litigation*, No. 08-md-01950 (S.D. N.Y.); *In re NCAA Student-Athlete Name and Likeness Licensing Litigation*, No. 09-cv-1967 (N.D. Cal.); *In re Optical Disk Drive Products Antitrust Litigation*, No. 10-ms-02143 (N.D. Cal.); and *In re Fresh and Process Potatoes Antitrust Litigation*, No. 10-md-02186 (D. Id.).

Mr. Spector graduated from the Wharton School of the University of Pennsylvania in 2000

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with a B.S. in Economics and concentrations in Marketing and Legal Studies. He received his J.D. from Temple University in 2007. Prior to attending law school, Mr. Spector worked for the William Morris Agency in New York as a part of its prestigious Agent Training Program.

Mr. Spector is admitted to practice law in Pennsylvania, New Jersey, and the United States District Courts for the Eastern District of Pennsylvania and the District of New Jersey, and the United States Courts of Appeals for the 3rd Circuit and 4th Circuit. He is currently a member of the American and Philadelphia Bar Associations.

**DIANA J. ZINSER** is a partner concentrating her practice in consumer protection and healthcare litigation and is currently involved in a number of cases including *In re Merck Mumps Vaccine Antitrust Litigation*, No 2:12-cv-03555 (E.D. Pa.); *In re Effexor XR Antitrust Litigation*, CA No. 11-5479 (D.N.J.); *In re Niaspan Antitrust Litigation*, No. 2:13-md-2460 (E.D. Pa.); *In re Suboxone Antitrust Litigation*, (E.D. Pa.), and *Vista Healthplan, Inc. v. Cephalon, Inc. et al.*, C.A. No. 2:06-cv-01833 (E.D. Pa.). Prior to joining SRK, Ms. Zinser was an attorney with the law firm Kessler Topaz Meltzer & Check, LLC, where she was involved with antitrust and complex consumer litigation.

Ms. Zinser graduated *cum laude* from Saint Joseph's University in 2003 with a B.A. in Political Science and a minor in Economics, where she was a member of the Phi Beta Kappa, Pi Sigma Alpha, and Omicron Delta Epsilon Honor Societies. She earned her J.D. from Temple University Beasley School of Law in 2006. While attending law school, she received a summer fellowship from the Peggy Browning Fund and worked as a legal intern for Sheet Metal Workers Local Union No. 19.

Ms. Zinser is admitted to practice law in Pennsylvania and the United States District Court for the Eastern District of Pennsylvania. She is currently a member of the Pennsylvania and Philadelphia Bar Associations.

#### ASSOCIATES

**ICEE ETHERIDGE** focuses her practice on class actions in the antitrust field. She is currently working on *In Re Interior Molded Doors Antitrust Litigation*, No. 3:18-cv-00718 (E.D. Va.). Prior to joining SRK, Ms. Etheridge worked extensively on *In re Foreign Exchange Antitrust Matter*, 1:13-cv07789 (S.D.N.Y.).

Ms. Etheridge graduated from Temple University Beasley School of Law in 2003 with her Juris Doctor degree. She has provided pro-bono legal counsel to victims of childhood sexual abuse. She currently volunteers as a certified tax-preparer for low-income families and individuals through the IRS' Volunteer Income Tax Assistance Program. While in law school, Ms. Etheridge served on the board of the Black Law Students Association. She is a proud alumni of the Jackie Robinson Foundation Scholars Program and an avid yoga practitioner.

Ms. Etheridge is currently admitted to practice in the State of New Jersey, the Commonwealth of Pennsylvania, and the Eastern District of Pennsylvania. She is currently a

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member of the Pennsylvania Bar Association and Philadelphia Bar Association.

**CARY ZHANG** focuses her practice on class actions in the antitrust and consumer protection fields..She is currently working on *Frasco v. Flo Health, Inc.*, No. 3:21-cv-00757 (N.D. Cal.); *Staley v. Gilead Scis., Inc.*, 3:19-cv-02573-(N.D. Cal.); *In re Broiler Poultry Antitrust Litigation* 1:16-cv-08637 (N.D. Ill); *In re daVinci Surgical Robot Antitrust Litigation* No. 3:21-cv-03825 (N.D. Cal.)

Ms. Zhang graduated from Temple University Beasley School of Law, where she was a Law & Public Policy Scholar, a teaching assistant in constitutional law, and won a Trial Advocacy Certificate. She earned her Bachelor of Science in Psychology from the University of Pittsburgh and graduated *magna cum laude*. Ms. Zhang completed internships with the ACLU-PA, the Education Law Center and AEquitas, a Washington D.C. nonprofit combating gender-based violence and human trafficking.

Her experience also includes internships at the Camden County, New Jersey Prosecutor's Office, Camden and Montgomery County, Pennsylvania Public Defender's Office

Ms. Zhang clerked for the Honorable Michael L. Ravin in the Essex County, New Jersey Criminal Court and assisted the Honorable Viktoria Kristiansson as a judicial intern in the Family Court of the Philadelphia County Court of Common Pleas

Ms. Zhang is currently admitted to practice in the State of New Jersey and the District of New Jersey.

In addition to English, Cary speaks Spanish and Mandarin Chinese.

#### **OF COUNSEL**

**MARY ANN GEPPERT** graduated *cum laude* from St. Joseph's University in 2000, with a B.S. degree in Finance. She received her Juris Doctor degree from the Widener University School of Law in 2003, where she served as the Articles Editor of the Widener Law Symposium Journal. She also was a legal intern for the Honorable James J. Fitzgerald of the Philadelphia Court of Common Pleas.

Among the cases in which Ms. Geppert has participated are *In re Google Inc. Street View Electronic Communications Litigation*, C.A. No. 5:10-md-02184 (N.D. Cal.); *Vista Healthplan, Inc. v. Cephalon, Inc. et al.*, C.A. No. 2:06-cv-01833 (E.D. Pa.); and *In re Merck Mumps Vaccine Antitrust Litigation*, C.A. No. 2:12-cv-03555 (E.D. Pa.).

Ms. Geppert is currently admitted to practice law in Pennsylvania, New Jersey, the United States District Court for the Eastern District of Pennsylvania, and the United States District Court for the District of New Jersey. Ms. Geppert was named as a Pennsylvania Rising Star by *Philadelphia Magazine* in 2010 and 2013.

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