

ADVOCATES FOR JUSTICE

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Cotchett Honored Nationally With Induction - THE TRIAL LAWYER HALL OF FAME - 2011 -



In April 2011, **Joseph Cotchett** was inducted into the **Trial Lawyer Hall of Fame** for his lifetime of trying cases for the underdog, taking on the establishment and handling exceptional pro bono cases. He took on the Ku Klux Klan, the FBI, Wall Street, represented Filipino children against the U.S. Navy, and brought many environmental and discrimination cases. The Hall of Fame is one of the highest honors that recognizes

trial lawyers in America. It was established to honor exceptional trial lawyers throughout American history and the trial bar. Other inductees were **Fred Gray**, **Elaine Jones** and **Sheldon Schlesinger**. **Gray** was acknowledged for representing Rosa Parks and Martin Luther King, Jr. was also the first African-American President of the Alabama State Bar. **Jones** was acknowledged for leading the NAACP Legal Defense and Educational fund and a lifetime of pro bono work. She also received the Eleanor Roosevelt Human Rights Award from **President Bill Clinton**. **Schlesinger** was acknowledged for extraordinary verdicts for victims along with dedicating his work to civic causes in Florida and taking on the Tobacco industry.

MAJOR SETTLEMENT IN SRAM PRICE-FIXING ANTITRUST CASE



Joseph Cotchett and **Steven Williams** led a CP&M team that secured \$77 million in settlements in the Static Random Access Memory ("SRAM") price-fixing case. The

final settlement was reached hours before the trial was to begin. SRAM is a memory product used worldwide in computers, cell-phones and communications equipment. Important legal rulings were reached on cutting edge issues such as the extent to which the United States antitrust laws apply to foreign conduct, standing of class representatives and the proper showing for class certification.

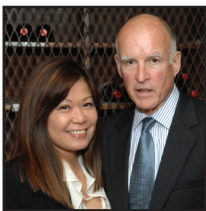


Largest False Claims Act Recovery in California History

The State of California has confirmed a **\$241 MILLION SETTLEMENT** of a health care whistleblower case filed by CP&M against the largest provider of medical laboratory testing in California. The case is a "false claims" action filed by **Chris Riedel**, who owns a lab

company, **Hunter Laboratories of Campbell, California**. The California Attorney General's Office joined the case after it was filed. The lawsuit alleged that, despite state law requiring that California receive the lowest price for lab services, **Quest Diagnostics**, the largest lab in California, routinely billed California prices far above what they were charging others for lab work. Other defendants remain.

Niall McCarthy, who led the team stated, "Chris Riedel risked everything - including his company - to bring this scheme to light. As a result of his efforts, hundreds of millions of dollars will be returned to California taxpayers. This case is just one example of the bilking of the U.S. and California governments that routinely takes place in the health care industry." **Justin Berger**, **Anne Marie Murphy** and **Eric Buescher** worked on the team. This is the largest false claims act recovery in California history.



NISHIMURA APPOINTED TO THE COMMISSION ON JUDICIAL PERFORMANCE BY GOVERNOR JERRY BROWN

Nanci Nishimura has been appointed by **Governor Jerry Brown** to the **Commission on Judicial Performance**.

The Commission consists of eleven members: one Justice of a Court of Appeal and two Judges of Superior Courts appointed by the Supreme Court; two attorneys appointed by the Governor; and six public members appointed by the Governor and the Legislature. Nishimura will serve a four-year term. Nishimura received her B.A. and M.A. from the University of Southern California and her J.D. from the Columbus School of Law at the Catholic University in D.C. The Commission reviews the conduct of Judges and reports to the California Supreme Court.

CALIFORNIA MUNICIPALITIES TAKE ON WALL STREET

Nanci Nishimura and **Daniel Sterrett** continue to lead the charge against 40 major banks, insurance companies and brokers that provided guaranteed investment contracts and swaps to cities, California counties, as well as other agencies. In the federal government's criminal investigation, Bank of America admitted that the bidding process for obtaining these municipal derivatives was rigged. The cases are all in Federal Court in New York awaiting trial.

- CP&M SUPPORTS OUR TROOPS - BATON HANDED FROM 101ST AIRBORNE TO 82ND AIRBORNE



CP&M participates in the Americans Supporting Americans ("ASA") Program. CP&M fostered Alpha Troop 1st-75 Cavalry, 2nd Brigade Combat Team from the famed 101st Airborne Division in their deployment to Afghanistan. They are now coming home. CP&M will now turn its efforts to Ramadi, Iraq, where paratroopers from 1-325 HHC (the 82nd Airborne "All American" Division) began deployment. **Darren**



Kelley, a former 82nd Airborne paratrooper and Senior Paralegal for CP&M, heads up the program along with **Joseph Cotchett**, a former Special Forces JAG Colonel, **Pete McCloskey**, a former Marine Colonel decorated for heroism in Korea, and **Victor Luscap**, a Marine Corps veteran. CP&M shipped hundreds of pounds of goods to the troops.

SEVEN TEPEES YOUTH PROGRAM



Anne Marie Murphy is the newly-elected Secretary of the Board of Directors of

Seven Tepees Youth Program. It is a non-profit serving urban youth in **San Francisco**, which provides comprehensive services to youth, including mentoring, academic support, and college and career counseling in after-noon programs.

McCLOSKEY HELPS KEEP UC BERKELEY BASEBALL ALIVE



Due to the state's budget problems, UC Berkeley's baseball program was going to be cut. With successful and ongoing fundraising efforts from alumni and team supporters, including **Pete McCloskey**, a former Stanford player, and led by **Stu Gordon** of Gordon & Rees, a former Cal baseball player, Cal went on to the World Series of college baseball.

FINEMAN AND STERRETT WIN SECURITIES FRAUD JURY VERDICT IN LOS ANGELES FEDERAL COURT



A Los Angeles Federal jury awarded the California State Teachers' Retirement System ("CalSTRS") and other investors a multi-million dollar security fraud judgment against the former CEO of Homestore.com. The jury found **Stuart H. Wolff**, the former CEO and chairman of the board of Homestore, liable for damages while heading the company. The jury found that the CEO was responsible for the actions of other senior executives who engaged in a fraudulent scheme. The trial was headed by **Nancy Fineman**, along with **Daniel Sterrett**. CalSTRS had previously settled with other Homestore executives and with the company's auditor, PricewaterhouseCoopers. CP&M has represented CalSTRS for many years along with other pension funds.

THE AMERICAN LAWYER NAMES FINEMAN AS LITIGATOR OF THE WEEK

In March, *The American Lawyer's AmLaw Litigation Daily*, named **Nancy Fineman** as Litigator of the Week. The honor came after the above jury verdict was reached in Los Angeles Federal District Court.

CP&M AT THE FOREFRONT OF GLOBAL LITIGATION



The globalization of our economy has transformed litigation, as business disputes around the world become the subject of lawsuits in the United States. Recently there has been an explosion in the number of cases brought in U.S. courts arising from conduct taking place in China. CP&M attorneys **Mark Molumphy**, **Steven Williams** and **Aron Liang** are defending **VanceInfo Technologies Inc.** in a case involving transactions between Chinese companies. Although the matters that the plaintiff alleges took place in China, the plaintiff is pursuing the claim in **San Mateo County Superior Court**. Among the complex issues presented by this case is whether the Constitution and treaties permit a California court to assert jurisdiction over companies based outside of the U.S.

LEAD PAINT LITIGATION UPDATE

Nancy Fineman and **Frank Pitre** represent various public entities including the County of Santa Clara. The court recently ruled that the cases can proceed to trial and overruled the initial motions to dismiss by paint companies.

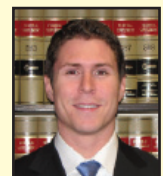
CP&M WELCOMES NEW ASSOCIATES



HESTER C. CHENG received her B.A. in Political Science from **University of California, Irvine** and her J.D. from **Santa Clara University, School of Law**. Her family resides in Hong Kong.



VICTOR S. ELIAS received his B.A. in English from **University of California Los Angeles** and his J.D. from **University of Southern California**. Before CP&M, Elias served as a Law Clerk for the **Hon. Micaela Alvarez**, United States District Judge for the Southern District of Texas.



BRYAN M. PAYNE received his B.B.A. and M.A. in Accounting from **University of Texas**. Payne attended the **University of California, Hastings College of the Law**, where he received his J.D. and graduated cum laude.

COTCHETT RECEIVES AWARD FROM CLCV

Joseph Cotchett was honored by the **California League of Conservation Voters ("CLCV")** with the **Environmental Leadership Award** at the **29th Annual Awards Ceremony** in June. Also receiving awards were **Louise Renne**, **Alan Salzman** and **Ian Kim**. The four were recognized for demonstrating leadership and preserving California's environment for our future.

CP&M TAKES ON GOLDMAN SACHS FOR DEFRAUDING INVESTORS



In April, CP&M attorneys **Joseph Cotchett, Phil Gregory and Jordanna Thigpen**, along with co-counsel, **Keker & Van Nest**, filed a lawsuit against Goldman Sachs for allegedly manipulating the 2008 financial crisis to defraud Silicon Valley executives of more than \$100 million. The suit alleges Goldman Sachs issued a margin call for the executives' investment accounts, which were managed by Goldman Sachs' Private Wealth Management Group, under false pretenses and through alleged misstatements.

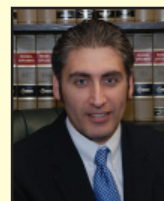
CNBC AMERICAN GREED FEATURES CP&M SETTLEMENT

Featured on CNBC *American Greed*, CP&M led by **Phil Gregory** represented victims of Boots DelBiaggio who ran off with millions. CP&M settled with investment banks who allegedly worked under his direction in the massive Ponzi scheme in San Jose.

CP&M WORKS TO SAVE REDWOODS IN RICHARDSON GROVE

CP&M led by **Phil Gregory** and **Pete McCloskey** represents local residents to stop the State of California from widening Highway 101 through the Grove that would cause the unnecessary destruction of old growth Redwoods. The case is headed for trial.

LARGEST JURY VERDICT AWARDED IN WRONGFUL DEATH SUIT IN SAN DIEGO COUNTY



In May, a San Diego jury awarded the family of Michael Mazurek \$17.4 million in a wrongful death suit. This is the largest individual wrongful death verdict ever reached in San Diego

County. Mazurek, Commander in the United States Navy, was biking when an American Medical Response van cut him off which caused him to crash into the vehicle and was run over by it. The Mazurek family was represented by **Frank Pitre** and **Ara Jabaghourian**. Pitre said of the verdict, "This verdict can only be considered a small consolation compared to the loss a loving wife and mother of three has to endure."

LEGAL AID SOCIETY OF SAN MATEO COUNTY RECOGNIZES OKCU



The Legal Aid Society of San Mateo County hosted its **14th Annual Awards luncheon** where **Niki Okcu** received the **Dorothy M. Wolfe Award** in recognition of her pro bono work on an elder abuse case for restoring an 89-year-old widow, Pauline Reade, to her home after she nearly lost it as a result of a scam contractor and banks.

BP GULF CASE UPDATE



Led by **Mark Molumphy, Matthew Edling, Imtiaz Siddiqui, Victor Elias** and **Bryan Payne**, CP&M represents shareholders in BP along with the **Mithoff Law Firm** from Houston. With extensive depositions going on in New Orleans, the discovery now shifts to London executives of BP involved in the spill and clean-up efforts.

MADOFF UPDATE

CP&M litigation against Madoff co-defendants is moving forward against various banks, accounting firms and Feeder funds. **Nancy Fineman, Imtiaz Siddiqui, Aron Liang** and **Brian Schnarr** head up the team. Justice Richard Lowe of the New York Supreme Court lifted the stay to allow discovery to go forward against the many defendants.

COTCHETT HONORED BY CONSUMER WATCHDOG

Joseph Cotchett was honored by Consumer Watchdog at the **25th Anniversary Rage for Justice Awards** ceremony held in Beverly Hills in June. The **Phillip Burton Lifetime Legal Achievement Award** was presented to Cotchett in recognition of his courage for advocating his voice on behalf of all Californians when Governor Schwarzenegger tried to sell off dozens of historic state buildings. Also receiving an award was **Tom Steyer** for his role in opposing Prop 23 in the 2010 elections. **Cotchett, Anne Marie Murphy** and **Eric Buescher** stopped the sale.

CP&M HELPS THE COMMUNITY - REBUILDING SENIORS' HOMES ON THE PENINSULA -



In April, CP&M participated in **Rebuilding Together**, the nation's leading non-profit, working to preserve affordable homeownership and revitalize communities for low-income homeowners, particularly the elderly and those with disabilities. This year, the CP&M team was headed up by **Debbie Mitchell**, CP&M Facilities Manager. With the support of 40 volunteers, the CP&M team scraped, primed, painted and restored the residence of a disabled adult living in Foster City. CP&M also donated more than \$5,000 to Rebuilding Together Peninsula. "This was an opportunity to take the hands-on teamwork approach our firm applies in the courtroom and apply it to those in need in our community," said Mitchell.

CP&M HAS OFFICES IN THE SAN FRANCISCO BAY AREA, LOS ANGELES, WASHINGTON, D.C. & NEW YORK

CASE UPDATE: SAN BRUNO PIPELINE EXPLOSION

FRANK PITRE - ARA JABAGHOURIAN - NIKI OKCU - JESSICA CURIALE

There have now been over fifty lawsuits filed by individuals and families affected by the PG&E pipeline explosion that destroyed the Crestmoor neighborhood of San Bruno. The cases have all been coordinated before the Honorable Judge Dylina of the San Mateo Superior Court, with CP&M and Corey, Luzaich, Pliska, de Ghetaldi & Nastari LLP serving as liaison counsel for all Plaintiffs. CP&M and the Corey firm filed a Master Complaint, which will serve as the single complaint going forward for all of the plaintiffs suing in this tragedy. Trials are to be set shortly.

COTCHETT COMMENCEMENT SPEAKER - UNIVERSITY OF SAN FRANCISCO -



In May, Joseph Cotchett was the commencement speaker for the University of San Francisco, where he also received an Honorary Doctorate of Humane Letters. In his commencement speech, he mentioned key factors on what it takes to be a successful person. He stated, "the first - and most important is confidence. If you don't have confidence, you will not succeed." He was greeted by spouses, partners and family of the graduates, as well as the faculty of USF.

CP&M 有办事处在旧金山湾区, 洛杉矶, 华盛顿和纽约

STERRETT LECTURES AT STANFORD LAW SCHOOL

Daniel Sterrett was a recent guest lecturer at Stanford Law School. Sterrett and his co-panelist Boris Feldman of the law firm Wilson Sonsini Goodrich & Rosati spoke to Professor Ronald Gilson's securities law class regarding the Private Securities Litigation Reform Act and settlement strategy.

CP&M IN THE COMMUNITY...



SAN FRANCISCO'S
BAY TO BREAKER'S
100th RACE



GOVERNOR JERRY BROWN
MEETS WITH CP&M



HON. JERRY HILL DINNER AT
NOTRE DAME DE NAMUR
UNIVERSITY IN BELMONT

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