

ADVOCATES FOR JUSTICE

SAN FRANCISCO BAY AREA • LOS ANGELES • SEATTLE • NEW YORK

CPM REPRESENTS VICTIMS OF THE LAHAINA FIRES IN HAWAII



CPM has been retained by over 200 families whose lives were destroyed by the August 2023 fires in the historic town of Lahaina, Maui. The fire including over 2,000 structures, over 2,500 acres, and the lives of at least 98 innocent victims, leveled the town of Lahaina. CPM claims the electric utility, Hawaiian Electric, was aware that the National Weather Service had issued red flag warnings for West Maui. Hawaiian Electric should have de-energized their aging infrastructure, but kept electricity flowing until it was too late. State and local officials neither warned residents about the impending danger, nor helped them escape the flames. CPM has partnered with Maui native Cynthia Wong, a lawyer based in Wailuku, and James Bostwick, to help victims of the fire restore their lives and rebuild their town. Honorable Peter Cahill in

the Second Circuit Court of Hawaii on the island of Maui is assigned to the case. The case is being handled by **Frank Pitre, Duffy Magilligan, Nabilah Hossain, Julie Fieber, Andrew Britton and the CPM Wildfire team.**

Historic Settlement to be Distributed to Apple iPhone Consumers Impacted by Software Throttling



CPM, Co-Lead Counsel representing Apple customers, announced that the Ninth Circuit Court of Appeals dismissed an appeal challenging the historic agreement with Apple Inc. to settle a nationwide class action based on allegations that Apple issued software updates that slowed down

the performance of iPhones. Under the settlement, Apple agreed to pay a minimum of **\$310 million** and up to **\$500 million** in cash compensation. After 3 years of litigation, CPM, along with Kaplan Fox, successfully negotiated the settlement – the largest all-cash recovery in a computer intrusion case in history – for approximately 100 million iPhone users. The case is being handled by **Joe Cotchett, Mark Molumphy, Tyson Redenbarger, Elle Lewis** and team.

Deadly Boeing Crash in Ethiopia Headed For Trial in Chicago



CPM will begin a trial against The Boeing Company in November 2023 to determine the amount of compensation owed to families of victims of

the March 2019 crash of Ethiopian Airlines Flight 302. Boeing has admitted its defective MCAS flight controls system, was solely responsible for the crash that killed 157 people. CPM and its Co-Counsel represent the families of numerous victims from dozens of countries. CPM attorneys **Frank Pitre, John Thyken, Nabilah Hossain** lead CPM's Boeing Team.

CPM Litigates Race Harassment and Whistleblowing Case Against Tesla



CPM represents Marc Cage, an African-American former Tesla employee, in a wrongful termination lawsuit against Tesla. Cage alleges he was fired for blowing the whistle about several serious safety violations arising at the construction site in Tesla's Fremont factory. He also alleges he was discriminated against on the basis of his race, and that Tesla operated a hostile work environment for him as an African-American employee. The same week CPM filed Cage's complaint, the California Civil Rights Division (formerly the DFEH) sued Tesla for race harassment arising from the Fremont factory during the same time period Cage worked there. This case is being run by **Tamarah Prevost, Kevin Boutin, David Hollenberg** and team.

CPM File Lawsuit on Behalf of 7-Year-Old Twin Girls Whose Parents Were Killed in a Collision Caused by Two Street Racers



Gregory Ammen and Grace Spiridon were driving home down El Camino Real in Redwood City with their twin 7-year-old daughters. The lawsuit alleges that Cesar Salto Morales and Kyle Harrison stopped at a red light on El Camino Real and signaled to each other to race and accelerated their cars southbound down El Camino Real. Morales' vehicle struck the Ammens with a force of impact so strong that the Ammen's car flew over 100 feet. Both were killed instantly in the collision, survived by their twin daughters and family. This case is being handled by **CPM's Niall McCarthy, Tamarah Prevost** and team.



CPM
AIR



農曆新年
快樂

YEAR OF THE RABBIT 2023

MAJOR FILINGS

AMR Sued for Paramedic's Violent Sexual Assault of 82-Year-Old Asian Woman in Ambulance



CPM filed suit on behalf of an 82-year-old elderly Asian woman and San Mateo resident for a violent sexual assault that took place in the back of an AMR-operated ambulance on December 23, 2022 on the way to the hospital (for treatment due to a fall at her assisted living home). As alleged, Jane Doe was subjected to forced oral copulation by AMR paramedic Miguel Angel Nieblas Ontiveros while strapped to a gurney with body straps immobilizing her body, as well as a cervical-collar immobilizing her neck. AMR is the ambulance provider for San Mateo County and, as alleged, AMR hired and retained Ontiveros despite numerous red flags, including that he was facing felony grand theft charges stemming from his prior employment with the South San Francisco Fire Department. When the District Attorney brought

charges for the present sexual assault, shocking additional details were made public, including that Ontiveros was alleged to have committed an earlier sexual assault against another elderly patient seven months before he assaulted Jane Doe. The case is being handled by **Anne Marie Murphy, Duffy Magilligan** and team.

Lawsuit Filed Against Owners of Home That Exploded in San Francisco



CPM represents former residents of a home in the Sunset District in San Francisco Superior Court in a complaint alleging the owners of the home next door were negligent and are liable for the damages caused by a massive explosion in February 2023. David Garth and his wife Nang Phommavongsay lived next door to the home that exploded, which completely destroyed the home they lived in due to the explosion.

The complaint alleges that the defendants failed to exercise their obligations under the law to ensure that their tenant did not create a dangerous condition in the home. The tenant had been using the garage as a laboratory to fabricate "hash oil" and his use of highly incendiary chemicals sparked the explosion. **Joe Cotchett, Duffy Magilligan, David Hollenberg, Gia Jung** and team filed the case.

San Mateo County Defrauded by Local IT Contractor, New Lawsuit Alleges



Represented by **CPM**, San Mateo County filed a lawsuit against Eaton & Associates for billing taxpayers for work they never completed. Eaton & Associates, a San Mateo-based information technology contractor, has collected over

\$28 million in government contracts since 2013. The lawsuit alleges that over \$2 million alone was paid for a fiber-optic cable project. San Mateo County hired Eaton & Associates to perform the project from 2018 to 2022, which would have connected buildings in South San Francisco, San Mateo, Half Moon Bay, Daly City, and Pacifica with high-speed fiber-optic cable. When they discovered that Eaton & Associates never completed the work, the County brought a lawsuit to recover taxpayer funds. The case is being handled by **Duffy Magilligan, Nabilah Hossain** and team.

Wells Fargo Shareholder Sues Bank Executives for Sham Interview and Hiring Practices Allegedly to Increase Workforce Diversity



CPM and Bottini & Bottini Inc. announced that Amy Cook, a shareholder of Wells Fargo, filed a lawsuit in the United States District Court for the Northern District of California against certain officers and directors of Wells Fargo for their role in the Bank's allegedly sham hiring and promotion practices supposedly meant to increase workplace diversity.

The lawsuit alleges that Wells Fargo implemented an internal program called the Diverse Search Requirement where at least half the candidates interviewed for high paying jobs were required to be diverse and an interviewer on the hiring panel also have a diverse background. Wells Fargo also allegedly required senior-level approval of any exceptions to the process. Instead, as alleged, the Bank conducted fake interviews of racially and ethnically diverse candidates for positions that were already filled and issued misleading statements touting its hiring and promotion practices to create the false impression of success in its diversity initiatives. The case is being handled by **Frank Pitre, Mark Molumphy, Tyson Redenbarger, Gia Jung** and team.

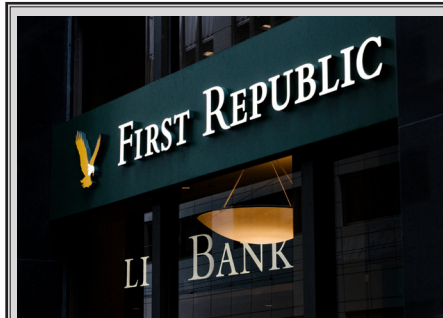
CONSUMER CASES UPDATE

Claims Against Bank of America to go Forward for Failing to Protect Unemployed Californians During Pandemic



Judge Larry A. Burns of the U.S. District Court in San Diego ordered that claims in the multi-district litigation against Bank of America go forward. The class action seeks to hold BofA accountable for violating state and federal laws and breaching its contract with hundreds of thousands of Californians who receive unemployment and disability benefits through BofA's prepaid debit cards. During the pandemic California

benefits recipients had their unemployment benefits stolen from their prepaid debit card accounts due to BofA's failure to implement basic security measures, including its failure to include industry-standard security chips on the cards. Under federal law, BofA is required to investigate cardholders' claims of unauthorized transactions on their account. Plaintiffs allege that instead of conducting the required investigations, Bank of America summarily denied cardholder claims, froze their accounts and deprived access to their benefits for months. The case is being handled by **CPM's Joe Cotchett, Brian Danitz, Andrew Kirtley, Gia Jung** and team.



First Republic Bank Financial Advisor Loses Elderly Couple's Millions of Investments for Scholarships

CPM filed a lawsuit on behalf of George Miller and Janet McKinley, local retirees, against Financial Advisor Samuel Schoner and First Republic Bank for alleged breach of fiduciary duty, negligence, elder abuse, and fraud. For more than 25 years, Plaintiffs generously gave millions of dollars of their own savings for scholarship giving to disadvantaged students and minorities—and they planned to continue. However, the complaint alleges the Defendants failed to protect those savings and \$7 million of scholarship money was wrongfully lost as a result of Defendants' disregard and fraud. The case is being handled by **CPM's Joe Cotchett, Tyson Redenbarger, Gia Jung** and team.



Consumers Sue Amazon for Inflated Prices and Anticompetitive Misconduct

CPM filed a lawsuit on behalf of consumers against Amazon.com, Inc. and Amazon.com Services, LLC for alleged breaches of antitrust and other laws. Amazon.com is the unrivaled dominant online retailer which commands more market share than the next fifteen largest online retailers combined. Amazon has achieved unrivaled control over e-commerce, not through fair competition on the marketplace, but by unfairly enforcing a price floor across the entire internet, duping its customers and strong-arming its wholesale suppliers and third-party sellers. American consumers, as a result, have been overpaying for online goods for years. The case is being led by **Joe Cotchett, Adam Zapala, Karin Swope, Gia Jung** and team.



Victory for Family of Poisoned Elderly Home Resident

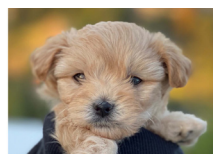
The family of Trudy Maxwell, a 93-year-old San Mateo resident who died horrifically after being served a highly-toxic industrial strength cleaner instead of fruit juice by Atria San Mateo, won a right to a jury trial. The court denied the Defendants' motion and ordered the case to proceed to a jury in the Superior Court. The Maxwell family is represented by **CPM's Niall McCarthy, Anne Marie Murphy, David Hollenberg** and team.

CPM Files Consumer Fraud Case Against Ambetter Health Insurance Plans



CPM and Co-Counsel filed a consumer fraud action against a number of health insurance entities generally known as "Ambetter." Plaintiffs allege Ambetter intentionally targets its health insurance products to **low-income individuals** who are often transitioning off Medicaid in their respective states by making false and misleading representations regarding its services. Plaintiffs allege that the provider networks are misrepresented and members have difficulty finding in-network providers. The case is being handled by **Adam Zapala, Alex Barnett, Jeff Mudd** and team.

CPM Wins Animal Abuse Trial - Southern California Puppy Mills -



A Los Angeles Superior Court Judge ruled in favor of victims of online puppy trafficker. Defendants sold puppies to unsuspecting families across Southern California. The online scam advertised "fully vaccinated purebred puppies". The puppies were deathly ill and either soon died or required lifesaving treatment. **CPM** obtained an injunction, so that Defendants can never advertise or sell dogs. The Judge awarded economic damages, emotional distress damages and \$100,000.00 to punish Defendants for their acts in harming innocent puppies. The case was handled by **Gary Praglin** and **Theresa Vitale** out of the Santa Monica office for the prevention of cruelty to animals.

BUSINESS FRAUD & ANTITRUST UPDATE



Court Allows Case to Proceed Against Delta Airlines and United Airlines

CPM serves as Co-Lead Counsel for purchasers of air transportation against American Airlines, Inc., Delta Airlines, Inc., Southwest Airlines Co., and United Airlines, Inc. for allegedly engaging in a conspiracy to restrict capacity and thereby raise prices for air passenger transportation services. In September 2022 Judge Collen Kollar-Kotelly denied Delta Airlines and United Airlines motion for summary judgment, thus allowing plaintiffs claims to move forward. To date, CPM and its co-lead counsel have recovered \$60 million for the class. The case being is handled by **Adam Zapala, Elizabeth Castillo, Alexander Barnett** and team.

CPM's Antitrust Case Against Google Reaches Agreement In Principle To Settle



CPM was appointed to the Plaintiffs' Steering Committee on behalf of plaintiffs who purchased and paid Google for a class of apps through the Google Play Store. The District Court recently heard argument and testimony in this monopolization case against Google regarding its sale of apps on Google Play Store. The District Court appointed Consumers are alleged to have overpaid or otherwise suffered economic losses due to Google's monopolization of the app market. In September 2023 Consumer Plaintiffs and Google reached an agreement in principle to settle the case, after many months of mediation. **Nanci Nishimura** is on the steering committee and has been handling the case with **Joe Cotchett, Adam Zapala, Karin Swope, James Dallal** and team.

CPM Reaches Agreement In Principle To Settle With Telescopes Manufacturers



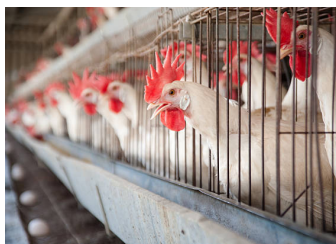
CPM serves as Co-Lead Counsel for Indirect Purchaser Plaintiffs ("IPPs") against telescope manufacturers for allegedly engaging in massive conspiracies to fix prices and allocate markets of telescopes and telescope products. In September 2023, after extensive litigation and discovery, IPPs reached a settlement in principle following months of mediation. This case has been handled by **Adam Zapala, Elizabeth Castillo, James Dallal** and team.

Court Approves CPM's \$52.5 Million Settlement In Beef Antitrust Case



The District Court for the District of Minnesota approved CPM's \$52.5 million settlement with JBS - one of the defendants in this antitrust litigation against beef packers. CPM, along with co-counsel, were appointed by the District Court to represent a class of direct purchaser plaintiffs that bought beef at artificially inflated prices due to defendants' alleged conspiracy to drive up beef prices. This litigation has been handled by **Adam Zapala, Elizabeth Castillo, James Dallal** and **Alex Barnett** of the New York office.

CPM Obtains Final Approval of \$104 Million in Settlements For The Price-Fixing of Chicken



In a major victory, the District Court for the N.D. of Illinois certified a class of commercial and institutional indirect purchaser plaintiffs ("CIIPPs") for litigation purposes against many of the nation's chicken processors. The Court of Appeals for the Seventh Circuit denied Defendants' request to appeal the District Court's decision certifying the class. Adam Zapala for CPM handled witness examinations and closing arguments during the proceedings for the class. Separately, the District Court approved \$104 million in settlements on behalf of a class of restaurants and commercial food preparers represented by CPM in the long-running litigation. This case is handled by **Adam Zapala, James Dallal, Karin Swope** and **Alex Barnett** of the New York office.

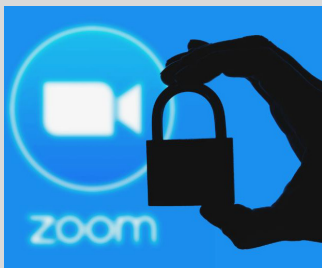
John Deere Sued on Behalf of Nation's Farmers - CPM Appointed Co-Lead Counsel in Illinois -



CPM was appointed by the Court in the Northern District of Illinois to lead a ground-breaking and cutting edge antitrust case regarding farmers' "right to repair" their John Deere agricultural equipment. Drawing on their strong self-reliance, farmers traditionally repaired their agricultural equipment themselves. As agricultural equipment became more complex and computerized, Plaintiffs allege that Deere locked farmers out of their ability to repair such equipment by requiring many repairs to be cleared by Deere-affiliated dealers. Plaintiffs also allege that Deere is attempting to monopolize the repair services market for which Deere reaps substantial revenue. As a result of Deere's conduct, Plaintiffs allege that farmers have overpaid for repair services for their Deere agricultural equipment. This litigation is being handled by **Adam Zapala, Elizabeth Castillo, Alex Barnett, James Dallal** and team.

STOCK FRAUD & SECURITIES ACTIONS UPDATE

CPM Completes Distribution of Historic Privacy Settlement For Zoom App Users Nationwide



The Northern District of California granted final approval of a groundbreaking settlement on behalf of a nationwide class of Zoom users and subscribers, requiring Zoom to pay \$85 million in cash compensation and implement comprehensive reforms to its business practices. CPM recently completed

distribution of settlement proceeds, providing cash benefits to both paid and non-paid users of Zoom. The class action alleged Zoom failed to provide end-to-end encryption of Zoom meetings, improperly shared user information, and many exposed left to “Zoombombing” by unauthorized third parties. The case included application of Section 230 of the Communication Decency Act and alleged violation of privacy and unfair competition laws in California where Zoom is based. The case is handled by **CPM’s Mark Molumphy, Tyson Redenbarger, Elle Lewis** and team.

CPM Obtains Final Settlement Approval For Investors in Eventbrite Public Offering Case



CPM received final approval of a settlement on behalf of IPO investors in Eventbrite, a national event ticketing company. CPM serves as co-lead counsel in the litigation pending in San Mateo County Superior Court. After learning of Eventbrite’s attempt to negotiate a settlement agreement with other investors resolving claims of all class

members for a paltry amount, CPM intervened and successfully petitioned the federal court to reject the settlement. In California state court, CPM then defeated motions to dismiss, obtained discovery and, with trial approaching, negotiated a new settlement for \$19.25 million, an amount ten times higher than the prior deal. The case is being handled by **Mark Molumphy, Tyson Redenbarger, Elle Lewis** and team.

Court Approves \$107 Million Settlement in Micro Focus Shareholders Lawsuit



CPM, which serves as co-lead counsel on behalf of a certified class of investors in the merger between Micro Focus and a subsidiary of Hewlett Packard Enterprise, recently negotiated and won final approval of a \$107 million settlement for the nationwide class.

CPM alleged Micro Focus made false statements and failed to disclose material information about the merger and, after years of litigation, negotiated the settlement – one of the largest IPO recoveries in the country. The case is being handled by **Mark Molumphy, Tyson Redenbarger, Elle Lewis** and team.

Twitter Shareholders Suit Alleges Musk Manipulated Twitter’s Stock Price



CPM and Bottini & Bottini filed suit in the U.S. District Court for the Northern District of California on behalf of Twitter shareholders against Elon Musk for allegedly manipulating the market for Twitter stock in his attempts to renegotiate his deal to purchase

the company. The suit alleges that Musk’s false statements and tweets delayed closing and induced shareholders to sell their Twitter shares, and seeks damages for Twitter’s selling shareholders. The case is being handled by **Joe Cotchett, Mark Molumphy, Tyson Redenbarger, Gia Jung** and team.

CPM Represents Uber Shareholders in Lawsuit Alleging Misstatements in Uber



CPM serves as counsel for a certified class of investors who invested in Uber’s IPO in 2019. The lawsuit alleges that Uber failed to disclose risks concerning Uber’s safety record, its mounting financial losses, and its illegal business model. CPM is currently deposition Uber’s directors as the case proceeds towards trial. Damages in the case are estimated at over \$2 billion. The case is being handled by **Mark Molumphy, Tyson Redenbarger** and team.

CPM Represents Silicon Valley Bank and First Republic Bank Shareholders



The collapse of Silicon Valley Bank and First Republic Bank has caused a major economic hit in the tech and financial world, impacting both individual and institutional investors. Led by **Joe Cotchett, Mark Molumphy** and

team of **Tyson Redenbarger** and **Gia Jung**, CPM represents shareholders who were wiped out after the collapse of the major banks.

ENVIRONMENTAL & POLLUTION UPDATE

Lawsuit by Worker Exposed to Toxic Dust During Camp Fire Cleanup to Go to Trial



CPM filed suit against a construction contractor for injuries suffered by a trucker who worked hauling toxic debris from the Camp Fire cleanup project. The suit alleges the truckdriver became ill after exposure to airborne toxic contaminants stirred up during the cleanup project. A Butte County Superior Court Judge ordered that the case go to trial on the claim that the contractor failed to provide its subcontractors, including the trucking company that plaintiff worked for, with the safety protocols for the project which made clear that the materials being hauled were potentially toxic and that anyone coming into contact with them needed respiratory protection. The case is set for trial in January 2024. This case is being led by **Julie Fieber** and team.

Environmental Case Against Top Plastic Producers Moves Forward



CPM represents Earth Island Institute in a first-of-its-kind lawsuit against the top consumer plastic companies, such as Coca-Cola, PepsiCo, and Nestle. The lawsuit asserts that the defendants created a nuisance and engaged in unlawful and unfair business practices by marketing their plastic products as recyclable, when in reality, the vast majority of plastic ends up polluting the environment. Led by **Joe Cotchett**, **Mark Molumphy** and team of **Tyson Redenbarger** and **Vasti Montiel**, CPM seeks to abate the plastic nuisance and require defendants to correct their statements about the recyclability of their products.



Carson Dominguez Channel Lawsuit Continues - Los Angeles -

CPM is Court-appointed **Lead Counsel** for more than 24,000 plaintiffs in the Dominguez Channel litigation pending in Los Angeles County Superior Court. The case arises from the Fall 2021 release of foul smelling Hydrogen Sulfide gas from the Dominguez Channel in the city of Carson and surrounding communities. The Complaint alleges the toxic stench formed as a result of various industrial releases into the Channel, and the resulting Hydrogen Sulfide gas enveloped local communities in a sickening smell that lasted for nearly eight weeks. Local residents became sick and many had to evacuate from their homes. The case is expected to continue for years due to its size and complexity. Claims are being made against Warehouse Owners, Warehouse Tenants, Marathon Oil, and the County of Los Angeles, who maintains the Dominguez Channel. The case is being handled by **Gary Praglin**, **Kelly Weil**, **Theresa Vitale** and team in the CPM Santa Monica office.

GUN LAWS & SHOOTING CASE UPDATES

CPM Prevails in The City Of San Jose's First-Of-Its-Kind Gun Ordinance Continues



CPM represents the City of San Jose in defense of its first-of-its-kind gun ordinance, which requires all gunowners within the City to obtain insurance to cover accidental harm caused by their guns, and pay \$25 to a non-profit organization to provide services within the City such as suicide prevention, domestic violence, and gun safety. Three sets of plaintiffs, led by the National Association of Gun Rights, initially filed legal attacks against the Ordinance; each were struck down, with permission to amend their complaint. The same two plaintiff groups filed an amended complaint, which the City moved to dismiss. On July 13, 2023, the Court ruled in the City's favor – finding that the insurance mandate portion of the Ordinance is constitutional, and that the fee portion was not ripe for judicial review. This ruling is a major win in the fight to prevent gun violence. The plaintiffs have since appealed the ruling, and CPM will continue to fight on behalf of the City to uphold San Jose's law in the appellate courts. This case is being run by **Joe Cotchett**, **Tamarah Prevost**, **Andrew Kirtley** and team.

Judge Orders Trial in Saugus High School Shooting Case



A joint lawsuit brought by the parents of two Saugus High School students killed in a November 4, 2019, on-campus shooting will proceed to trial, according to a Los Angeles County Superior Court ruling, trial will likely begin in January 2024. The parents of Gracie Muehlberger and Dominic Blackwell allege that the Hart Union High School District had no program in place to identify and intervene with troubled students and, as a result, missed numerous red flags concerning the suicidal student who committed the murders. They also allege the District did not adequately supervise or secure the school campus. The case is being led by **CPM's Julie Fieber** and team.

CALIFORNIA WILDFIRE CASE UPDATES



CPM PREPARES FOR TRIAL IN DIXIE FIRE AGAINST PG&E - PLUMAS COUNTY -

CPM's Frank Pitre, Nabilah Hossain, Duffy Magilligan and Andrew Britton are leading the trial team in preparation for the first Dixie Fire jury trial scheduled for April 2, 2024 in San Francisco. The Dixie Fire began on July 13, 2021 when a previously-damaged and decaying Douglas Fir pine tree fell and landed on the PG&E electric distribution lines below. The tree laid on the high-voltage line for more than ten hours before it burst into flames. By the time PG&E discovered the tree, the surrounding brush had ignited and the fire was burning out of control. The fire became the largest single wildfire in California history, which burned for 104 days across 960,000 acres. The fire damaged or destroyed over 1,400 structures and displaced thousands of victims in Butte, Plumas, Shasta, Lassen, and Tehama Counties. CPM took the lead on behalf of all Individual Plaintiffs in developing the liability evidence that will be presented at the April trial.

CPM REPRESENTS VICTIMS OF THE MCKINNEY FIRE - SISKIYOU COUNTY -



CPM's Joe Cotchett and Frank Pitre are leading the investigation into 2022's McKinney Fire, which began on July 29, 2022 in Siskiyou County. The McKinney Fire was ignited when vegetation contacted high-voltage electric distribution lines owned and operated by PacifiCorp, an electric utility serving residents of Northern California. The McKinney Fire caused the deaths of four people, injured many others, burned over 60,000 acres, and destroyed 185 structures, including approximately 90 homes in Siskiyou County. CPM is leading the effort to hold PacifiCorp accountable for the negligent inspections and maintenance of their electric distribution infrastructure. The case is being handled by CPM attorneys Duffy Magilligan, Nabilah Hossain, Andrew Britton and team.

FERTILIZER FIRE LAWSUIT IN HINKLEY RAMPS UP - SAN BERNADINO COUNTY -



CPM represents over 400 residents of Hinkley and Barstow, California for illnesses and nuisance caused by a 2022 fertilizer fire at the Synagro bio-solid processing facility outside of Hinkley, California. The fire, which grew to roughly 40 acres, raged for days and then smoldered for months, sending noxious fumes and burnt biosolid

particulates into residential neighborhoods. Synagro, which received numerous Notices of Violation from local agencies leading up to the fire, was unable to stop the fire due to its on-site fire trucks being inoperable. The blaze was finally extinguished by aerial firefighting drops, but not before hundreds of residents were exposed to the fire's stench and particulate matter for months on end. The cases, filed against Synagro and its parent company Goldman Sachs, are moving forward in the Central District of California, and are being handled by Gary Praglin, Hannah Brown and team out of CPM Santa Monica.

CPM SECURING SETTLEMENTS WITH FIRE VICTIM TRUST - NORTH BAY & CAMP FIRES -



Following PG&E's 2019 bankruptcy, CPM helped hundreds of families file claims with the Fire Victim Trust, the \$13.5 Billion fund set up to compensate victims of the North Bay and Camp Fires. The North Bay Fires include 22 fires caused by PG&E's equipment in Sonoma, Napa, and Lake Counties on October 8, 2017. The Camp Fire, which ignited the following year, destroyed the town of Paradise and took the lives of 85 individuals. PG&E declared bankruptcy three months later. Victims of those fires represented by CPM have approved settlements totaling approximately \$200 million. The settlements are being negotiated by CPM's wildfire team, including Frank Pitre, Duffy Magilligan, Julie Fieber, Nabilah Hossain and Andrew Britton.



CPM has represented Wild Fire Victims for over 25 years in California, Oregon, Arizona and Hawaii. The firm is known for its expertise in this type of litigation against power companies, negligent land owners and different causes of fires.

HONORS FOR CPM ATTORNEYS

CPM ATTORNEYS SELECTED TO 2023 SUPER LAWYERS AND RISING STARS LIST



CPM is proud to announce that fourteen of the firm's attorneys have been selected as Northern California Super Lawyers - **Elizabeth Castillo, Joe Cotchett** (Top 10 & 100), **James Dallal, Brian Danitz, Nazy Fahimi, Julie Fieber, Duffy Magilligan, Niall McCarthy** (Top 100), **Mark Molumphy** (Top 100), **Anne Marie Murphy** (Top 100 & Top 50 Women), **Nanci Nishimura, Frank Pitre** (Top 10 & 100), **John Thyken** and **Adam Zapala**. Another seven attorneys were named to the Rising Stars List - **Kevin Boutin, Andrew Britton, David Hollenberg, Nabilah Hossain, Andrew Kirtley, Tamarah Prevost** and **Tyson Redenbarger**.

McCarthy Receives Consumer Watchdog's Lifetime Legal Achievement Award



CPM's **Niall McCarthy** was honored with Consumer Watchdog's **Lifetime Legal Achievement Award** at the RAGE for Justice Award Celebration. RAGE for Justice honors the heroes and heroines of the public interest movement. His story is told in John Jacobs' acclaimed book, *A Rage for Justice*. The Award Celebration took place in Beverly Hills and was presented to Niall by U.S. Senator Alex Padilla.



Four Partners Named To The Top 100 Lawyers and Top 100 Women Lawyers List In California

CPM partners **Joe Cotchett, Niall McCarthy, Nanci Nishimura** and **Tamarah Prevost** were recently named to the legal Daily Journal's **Top 100 Lawyer and Top 100 Women Lawyers** list in California for 2023. This list recognizes lawyers in California with performing cutting-edge legal work. Every year, the Daily Journal editors review thousands of submissions to produce the "Top 100 Lawyers" list from over 250,000 lawyers in California.

CPM PARTNERS NAMED TO CONSUMER ATTORNEYS OF CALIFORNIA 2024 BOARD OF DIRECTORS

Anne Marie Murphy
Secretary



Nazy Fahimi
Board of Directors



Duffy Magilligan
Board of Directors



Kelly Winter Weil
Board of Directors



Cotchett Honored at Public Citizen Event in Washington, D.C. - Lifetime Achievement Award -



CPM's **Joe Cotchett** was honored with the Lifetime Achievement Award at the **Public Citizen's 50th Anniversary Gala** in Washington, D.C. with over 800 guests. Cotchett was recognized for his lifelong dedication to fighting corporate malfeasance and protecting consumers and the environment. It was the first ever Public Citizen Lifetime Achievement Award. Pastor Chester Davis and Dannie Bolden were also awarded the Super Citizen Activist Award.

McCarthy and Kirtley Named 2023 California Lawyer Attorneys of the Year



CPM's **Niall McCarthy** and **Andrew Kirtley** have been named **2023 California Lawyer Attorneys of the Year** by the legal Daily Journal. Together, McCarthy and Kirtley defeated a three-year, multi-front legal battle to terminate milk quota, a critical financial resource for California's small family-owned dairy farms. These attorneys saved hundreds of California dairy farmers from immediate insolvency, which would have devastated the state's largest agricultural sector and caused unprecedented disruption to the nation's milk supply. McCarthy and Kirtley restored over \$500 million in quota asset value to family dairy farms across the state. In doing so, they claimed a major victory for their clients in California's "Milk Civil War."

HONORS & COMMUNITY COMMITMENT



Elizabeth Tran Castillo **One of The Best Lawyers in America**

CPM's Elizabeth Tran Castillo was recently recognized as one of **The Best Lawyers in America: Ones to Watch**. The Best Lawyers in America list is based on a nationwide peer-review survey process in which thousands of leading attorneys confidentially evaluate other attorneys. The Ones to Watch are recognized for their "monumental strides they are taking in their legal career and the impact they are making on their communities."

Gia Jung Speaks About AI and Copyright Authorship in New York



CPM's Gia Jung was invited to speak about Artificial Intelligence and copyright authorship at the **Copyright Society's Copyright and Technology 2023 Conference**, held at Fordham School of Law. She and fellow panelists discussed what it means to be an "author," whether that "author" must be a human being, and the various doctrines adopted by courts throughout the years in trying to identify and define an author.

Kirtley Appointed to the California Access to Justice Commission



CPM's Andrew Kirtley was appointed to the **California Access to Justice Commission** by Consumer Attorneys of California. The Access to Justice Commission is comprised of judges and leading attorneys in private and non-profit sectors. The Access to Justice Commission advances access to justice for all Californians.

CPM Receives Animal Law Pro Bono Award



In October, CPM's Gary Praglin, Theresa Vitale, Lincoln Bernard and Melissa Bressick were presented with the **2023 Animal Legal Defense Fund Advancement in Animal Law Pro Bono Achievement Award** at the Animal Law Conference in **Los Angeles**. The CPM team was recognized for representing multiple parties against online puppy traffickers who have harmed defenseless animals and devastated innocent families and is the voice for animals harmed by pet groomers.

Tamarah Prevost Honored as Top 40 Attorneys Under 40, Voted to PRC Board

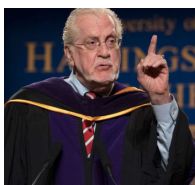


CPM partner Tamarah Prevost has been named one of the legal Daily Journal's **Top 40 Under 40 for 2023**. The Daily Journal highlighted Prevost's recent work on the San Jose Gun Ordinance Law and an action against Tesla, alleging that African-American workers were frequently subjected to racial slurs and other forms of bias in the workplace. Prevost was also recently voted on as a Board Member of PRC (formerly Positive Resource Center), which provides legal advocacy.



Nanci Nishimura Honored By San Mateo County As A Community Hero

In October, **Nanci Nishimura** was named a **Community Hero** by San Mateo County Chamber of Commerce. During these extraordinary times, Nishimura was noted as a remarkable individual who stepped up to address challenges with courage and commitment to make a change in our society. Recognized by the Daily Journal as one of the **Top Women Lawyers in California**, she believes in using her experience and skills to help others. During the pandemic and continuing since, she helped tenants renegotiate, reduce, or cancel business purchase agreements and lease payments; is working on anti-Asian hate initiatives, including the Short-Code Project; and has worked with the White House on cabinet, commission, and judicial appointments. Nishimura is co-chair and founding member of **Leaders Forum**, created by the **White House Initiative** on Asian Americans, Native Hawaiian and Pacific Islanders, which promotes diversity at the highest levels of public service, private enterprises, and philanthropy. She was appointed by the Governor of California Uniform Law Commission and is currently Vice Chair. She is an advisory board member of the **Smithsonian Institution Traveling Exhibition Services (SITES)**, a trustee of the **California Science Center Foundation**, trustee and commissioner of the **Asian Art Museum** in S.F., and a trustee of the **Northern District of California Historical Society**.



Cotchett Receives Award from University of San Francisco

In September, Joe Cotchett received the **Cable Car Award** from the University of San Francisco. The award is presented to an individual or individuals who, though never having attended USF, through their generosity, have promoted the vision and mission of the university and are "alumni" in spirit. Cotchett said "I am all about education. The world begins and ends in education. USF is always changing, always growing, always developing, always bringing in a new sense of being. I just think the whole campus radiates friendship and education. USF takes people that need a voice, it's what I do as a lawyer, I would like to think I give a voice to those that have no voice."



Four Partners Recognized As The Best Lawyers in America

CPM is proud to announce that four of the firm's attorneys have received recognition in the **2024** edition of **The Best Lawyers in America**. The four attorneys recognized are **Joe Cotchett, Frank Pitre, Niall McCarthy** and **Karin Swope** of the Seattle office. The Best Lawyers in America list is based on a peer-review survey process in which thousands of leading attorneys confidentially evaluate other attorneys in their practice areas.

- WELCOMING CPM'S NEW PARTNER-



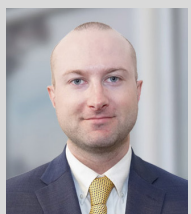
ANDREW KIRTLEY grew up in Louisville, Kentucky and earned his J.D. from Northeastern University School of Law and a Master of Environmental Law and Policy from Vermont Law School. During law school, Andrew completed externships with U.S. Magistrate Judge Ronald Ellis in the Southern District of New York (New York, NY), the U.S. Department of Justice (Washington, DC), the Navajo Nation Department of Justice (Window Rock, AZ), and the Human Rights Law Network (New Delhi, India). Before joining the firm, Andrew spent several years as an attorney in the District of Columbia, where he worked at a tenants' rights law firm, the D.C. Bar Pro Bono Center, and a boutique law firm specializing in federal environmental and civil rights litigation.

- WELCOMING CPM'S NEW ASSOCIATES -



JOHN STEPHEN BEKE *Senior Associate in the Burlingame Office*

Stephen attended Queen's University and Oxford University and was honored with a Rhodes Scholarship. Stephen then obtained his J.D. from Harvard Law School and during Law School, he clerked for the Hon. Sidney R. Thomas at the United States Court of Appeals for the Ninth Circuit. Prior to joining the firm, Stephen worked at Doyle Law in Los Angeles, Wilson, Sonsini, Goodrich & Rosati in Palo Alto, and Cravath, Swaine & Moore in New York. His a native of Canada.



BLAIR KITTLE *Associate in the Burlingame Office*

Blair grew up between Los Gatos and Davis, California before attending U.C. Berkeley for both his undergraduate and law degrees. Prior to law school, Blair worked as a paralegal at a large corporate firm in San Francisco. During law school, Blair was a dean's scholar, competed on the negotiations and trial teams and interned with the Contra Costa District Attorney's office. Before joining the firm, Blair worked as a deputy district attorney and at a plaintiff's civil firm in Oakland.



VASTI MONTIEL *Associate in the Burlingame Office*

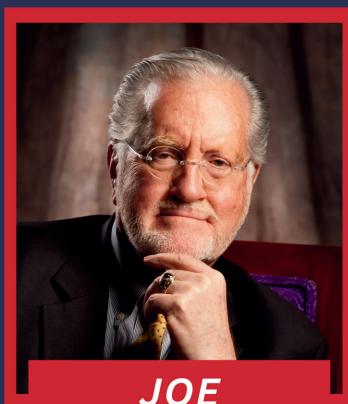
Vasti practices civil litigation focusing on consumer protection class actions, commercial litigation, and securities. She received her J.D. from Santa Clara University School of Law. During law school Vasti participated in the Litigation Skills Clinic through the Community Law Center. Where she assisted clients to enforce their consumer rights against various unfair creditors and debt buyers. Vasti also participated in various community outreach programs such as the Bridge to Justice Clinic and the Workers' Rights Clinic. During Spring 2020, Vasti participated in the Border Service Project where she traveled with a group of fellow law students to the Florence Immigrant and Refugee Rights Project (FIRRP) in Tucson, Arizona for a week of volunteer work. Vasti currently volunteers with Santa Clara University School of Law as 1L Alumni Mentor.



CPM SANTA MONICA OFFICE CONTINUES TO GROW

Front row (L to R): Jeffrey Mudd, Carlos Urzua, Robert Hutchinson, Gary Praglin, Kelly Weil, Theresa Vitale. Back row (L to R): Jayde Alexander, Kegan Smith, Lincoln Bernard, Grace Park, Melissa Bressick, Mallory Soto, Claudia Hernandez.

TO OUR PARTNERS
for their well-deserved recognition in 2023



**JOE
COTCHETT**



**NIALL
MCCARTHY**

TOP 100 LAWYERS



**NANCI
NISHIMURA**



**TAMARAH
PREVOST**

**TOP 100 WOMEN LAWYERS
IN CALIFORNIA - 2023**



**UNIVERSITY OF CALIFORNIA - COLLEGE OF THE LAW - SAN FRANCISCO
HONORS JOE COTCHETT - CLASS OF 1964**

University of California - College of the Law - San Francisco opened its new Academic Village with one of the buildings being named after **Joe Cotchett** - Class of 1964. It was named for his dedication to the law and support of his alma mater over the past 50 years of practice. He was inducted into the **California Trial Lawyers Hall of Fame** in 1999 and the **American Trial Lawyers Hall of Fame** in 2011. He has been honored as a Fellow of the American College of Trial Lawyers, an advocate of the American Board of Trial Advocates, a Fellow of The International Society of Barristers, and among a select number of Fellows in The International Academy of Trial Lawyers. The building is located at 333 Golden Gate Avenue in San Francisco.

CPM EVENTS



LA RAZA CENTRO LEGAL SAN FRANCISCO'S 50TH ANNIVERSARY GALA

CPM sponsored the celebration & awards gala honoring Dolores Huerta with the 2023 Champion of Justice Lifetime Achievement Award.



BLOOD DRIVE - CPM teamed up with Stanford Blood Center so our employees could give back to the community. Stanford Blood Center is a community-based blood center, which means it goes directly to people in need locally.

WOMEN'S HEALTH LUNCHEON
CPM was a sponsor of the Annual Mills Peninsula Hospital Foundation - Women's Health Luncheon & Lecture at the beautiful Kohl Mansion in Burlingame, California. This event raises money to ensure access to vital programs and services for women's health.



**CPM & ICA CRISTO REY
ACADEMY WORK STUDY**
CPM partners with ICA for a high school program so student like Gabby can engage in hands-on work experience.

MENTAL HEALTH AWARENESS MONTH

The CPM DEI Committee hosted a fitness/wellness class led by a local instructor for CPM staff and attorneys.



CPM SUMMER LAW CLERKS
CPM welcomed the Summer Law Clerks at the Giants baseball game.

SMCTLA JUDGES NIGHT

CPM Attorneys at the SMCTLA Judges Night honoring Hon. Nancy Fineman and the Courts.



COTCHETT PITRE & MCCARTHY LLP

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"Cotchett, Pitre & McCarthy have few peers that equal their ability in litigation. Their commitment to the cause of justice and their ethical standards stand apart. They are people who give back to the community and give lawyers a good name."

— Judge of the Superior Court (Retired)