

ADVOCATES FOR JUSTICE

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



GOOGLE "REAL TIME BIDDING" LAWSUIT FIGHTS FOR CONSUMER PRIVACY RIGHTS

CPM along with **Pritzker-Levine** and other co-counsel continue to prosecute this case in the U.S. District Court in Oakland, alleging Google violates the privacy rights of its users by secretly selling their personal information to thousands of third parties around the globe, despite Google's promise that "Google does not sell your personal information to anyone." The complaint alleges Google tracks consumers and **sells their personal information to buyers** in real-time auctions for targeted ads billions of times every day. The court heard oral argument on plaintiffs' motion for class certification. The case is being handled at CPM by **Joe Cotchett, Brian Danitz, Nanci Nishimura and Jeff Mudd.**

CPM Continues Fight Against Boeing for Deadly Safety Issues



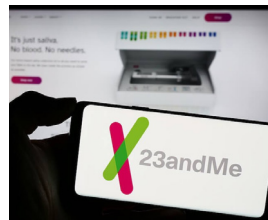
CPM along with **CaseyGerry Law Firm** files a Complaint against Boeing for the recent incident on Alaska Airlines Flight 1282 where a door plug blew out of new 737 MAX Airplane, CPM continues its fight for the victims of Ethiopian Airlines Flight ET 302 which crashed in March 2019 in Ethiopia. It was the second crash of a brand-new MAX airplane killing a combined 346 people. CPM is assisting in a challenge deal between Boeing and the Department of Justice to defer prosecution for Boeing's crimes. Boeing admitted that it engaged in a criminal conspiracy to defraud the FAA regarding its defective software. CPM attorneys **Frank Pitre, John Thyken, Nabilah Hossain** work with co-counsel Robert Clifford, Kevin Durkin, and Tracy Brammeier at the **Clifford Law Office** in Chicago.

CPM SECURES SETTLEMENTS FOR DIXIE FIRE VICTIMS



CPM's **Frank Pitre, Nabilah Hossain, Duffy Magilligan and Andrew Britton** recently obtained settlements for CPM's clients that lost their homes in the Dixie Fire. The Dixie Fire began on July 13, 2021 when a previously-damaged and decaying pine tree fell and landed on the PG&E electric distribution lines below. 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 proving that PG&E was negligent in the management of their high-voltage electricity system.



CPM's Lawsuit Against 23andMe Unveils Targeted Hack and Dark Web Sale

CPM and **Bottini & Bottini** filed a lawsuit on behalf of users of 23andMe whose user data was hacked and sold on a dark web, cybercrime forum. The complaint alleges that hackers accessed the personal information of 6.9 million individuals in a disclosure in October of 2023, 23andMe confessed that hackers had previously started breaking into customers' accounts in April 2023. Those of Jewish and Chinese descent were specially identified and targeted by the hackers on the cybercrime forum. The case is being handled by **Joe Cotchett, Mark Molumphy, Gia Jung, Tyson Redenbarger** and team.



CPM Takes on Apple for Overcharges on Phones and Watches

Both the U.S. Government and CPM have sued Apple - the Government for injunctions on the conduct of Apple for monopolizing with their products and CPM's case for monetary harm done to purchases of iPhones and Android phones by Apple's operations. The Government sued in **New Jersey** and CPM brought suit in the **Northern District of California**. The basic claim is that Apple iPhones caused their phones to be unable to connect with other phones and technology and thereby raised rates on the use of their devices. The CPM team is led by **Joe Cotchett** with **Karin Swope, Tom Loeser** (Seattle office), **Adam Zapala, Gia Jung, Grace Park and Alex Barnett** (New York office).

MAJOR FILINGS

CPM LEADS CHARGE IN HOLDING BANKS ACCOUNTABLE FOR SCAMS AFFECTING SENIORS



CPM has a long history of representing seniors who have lost their savings to scams. CPM is continuing this tradition with two new lawsuits for elderly citizens Diane Artemis Yaffe, age 76, of San Mateo County, and Alice Lin, age 80, of Los Angeles County, who both filed lawsuits seeking to recover damages from JPMorgan Chase Bank for facilitating the fraudulent theft of their life savings of over \$2,000,000 (two million dollars) combined from their accounts. As alleged in both complaints, filed in San Mateo County and Los Angeles County, scammers used "pig butchering" tactics and posed as IRS agents to trick the elderly plaintiffs into sending millions of dollars, often overseas, through multiple fraudulent transactions facilitated by Chase Bank. According to a government source, **"Pig butchering" scams** resemble the practice of fattening a hog before slaughter. Victims invest in supposedly legitimate ... investment opportunities before they are conned out of their money. Scammers refer to victims as "pigs," and may leverage fictitious identities, the guise of potential relationships, and elaborate storylines to "fatten up" the victim into believing they are in trusted partnerships before they defraud the victims of their assets—the "butchering." New evidence suggests that these scams are in some cases perpetrated by criminal networks in Southeast Asia who use victims of human trafficking to con victims. The litigation is being handled by **Anne Marie Murphy, Blair Kittle** and **Theresa Vitale** and has gained national attention.

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CPM REPRESENTS TWIN GIRLS AFTER PARENTS KILLED IN STREET RACING COLLISION

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. CPM initially filed the lawsuit against Morales and Harrison (the drivers) but have since also named the passengers in both vehicles as defendants, who allegedly egged the drivers on, and encouraged the drivers to race at dangerous speeds. This case is being handled by **CPM's Niall McCarthy, Tamarah Prevost, David Hollenberg** and team.

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CPM Files Suit Against Martinez Refinery on Behalf of Martinez Residents Over Toxic Chemical Releases Into The Community



CPM filed a class action lawsuit on behalf of Martinez residents Alena Cruz and Shannon Payne, seeking to represent all individuals who reside in the City of Martinez and the surrounding communities against the Martinez Refinery—including PBF Energy Inc., PBF Energy Western Region LLC, and Martinez Refining Company LLC. The Residents' suit against the owners of the Refinery stems from the Refinery's release of petroleum coke dust, spent catalyst and other toxic chemicals into the surrounding community going back to November of 2022 and July of 2023 and other previous times. The suit alleges that the Defendant owners have created a public nuisance by releasing toxic chemicals into local communities doing potentially severe medical harm. The suit further alleges the failures of the owners of the Refinery to prevent toxic chemical release, and failures to properly notify residents, the government, and other stakeholders when toxic releases have occurred. The case is being handled by **Joe Cotchett, Anne Marie Murphy, Blair Kittle, Vasti Montiel** and team.

Martinez Refining Company LLC. The Residents' suit against the owners of the Refinery stems from the Refinery's release of petroleum coke dust, spent catalyst and other toxic chemicals into the surrounding community going back to November of 2022 and July of 2023 and other previous times. The suit alleges that the Defendant owners have created a public nuisance by releasing toxic chemicals into local communities doing potentially severe medical harm. The suit further alleges the failures of the owners of the Refinery to prevent toxic chemical release, and failures to properly notify residents, the government, and other stakeholders when toxic releases have occurred. The case is being handled by **Joe Cotchett, Anne Marie Murphy, Blair Kittle, Vasti Montiel** and team.

CPM Files Sex Harassment and Wrongful Termination Actions Against National Staffing Company



CPM filed cases on behalf of two female employees against Planned Companies, a nationwide staffing company providing janitorial, concierge and security staff to commercial and residential buildings in San Francisco and around the country. The plaintiffs, Setare Mehr and Zhai Neemia, allege they were sexually harassed, underpaid, and wrongfully terminated, and are litigating their claims in San Francisco Superior Court. The case is being run by **Tamarah Prevost, Hannah Brown** and team.

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CPM Files New Price Fixing Case Against Yardi and Other California Landlords for Fixing the Prices of Multi-Family Rental Units

CPM has filed a class action on behalf of California's renters against Yardi, a software company, and landlords using the Yardi software, alleging that they have engaged in a price fixing conspiracy that has artificially inflated the rental price of multi-family rental units. The case is being handled by **Adam Zapala, Karin Swope** and team.

CONSUMER CASES UPDATE

CPM'S LEGAL PURSUIT TO UNCOVER FRAUD IN THE SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT



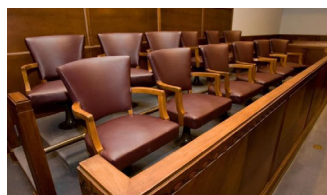
CPM represents the San Mateo County Community College District in a complaint alleging a wide-ranging **pay-to-pay fraud scheme** masterminded by former District Chancellor Ron Galatolo, who is facing criminal charges in connection with the scheme. The Defendants are five contractors who the complaint alleges defrauded the District of millions of dollars by failing to disclose the extent of their financial entanglements with Galatolo. Galatolo accepted lavish gifts, free lodging, fancy dinners, and traveled on the District's dime with Defendants' principals, all to ensure that he was able to pick the projects and contractors he desired. Following a flurry of demurrers and motions to strike filed by Defendants, CPM successfully opposed them, including an anti-SLAPP motion filed by Defendant Allana Buick & Bers, Inc. The case is currently in the discovery stage, and depositions are ongoing. The case is being handled by **Joe Cotchett, Niall McCarthy, Anne Marie Murphy, Brian Danitz, Nazy Fahimi, Dave Hollenberg** and working with **Goethals Legal**.

CPM Continues to Advocate for Displaced Residents in the Aftermath of San Francisco's 33 Tehama Double Flood Disaster



CPM represents ninety individuals who resided at 33 Tehama, a luxury high-rise apartment building in San Francisco's Financial District. They were displaced from their homes after a massive flood on June 3, 2022, caused by a

standpipe on the 35th floor, which rendered the building uninhabitable. Plaintiffs who were present at the time were harmed by the sudden evacuation and haphazard messaging by Defendant Hines Interests Limited Partnership and its affiliated property management company, Willowick. After being placed in hotels and told they would be able to return within weeks, the same standpipe burst again on August 10, 2022, causing another massive flood and damaging the building further. CPM filed a complaint alleging common law and statutory violations in December 2022. Discovery has begun in earnest. CPM will begin taking depositions starting this month of Hines employees who handled the botched evacuation and repairs. The case is being handled by **Niall McCarthy, Nazy Fahimi, David Hollenberg** and paralegals **Valerie Barretto** and **Jon Deauna**.



JURY TRIAL WIN IN DISTRIBUTOR DISPUTE

Niall McCarthy, Nazy Fahimi and **Kevin Boutin** won a hard-fought jury trial in San Francisco which arose from a dispute involving a beer distributorship. CPM lawyers have recently tried different cases involving false claims violations, inverse condemnation, breach of contract, fraud, and personal injury.

Federal Court Approves Settlement Against Tesla for Solar Roof Deception



A federal court recently approved a class action settlement against Tesla relating to solar roofs. Plaintiffs alleged that Tesla deceptively carried out "bait and switch" schemes by having customers sign contracts to buy the company's solar roof tiles, only to cause price hikes in April 2021. By the terms of the settlement that Judge Vince Chhabria approved, 8,622 class members would receive payments totaling \$6.08 million to resolve claims over Tesla's decision to delay installation and dramatically increase the cost to purchase and install roofs to power their homes. Plaintiffs are represented by CPM's **Nazy Fahimi**, Eve-Lynn J. Rapp of **Edelson PC** and Peter A. Muhic of the **Miller Law Firm PC**.

CPM TAKES LEGAL ACTION AGAINST SPROUTS FARMERS MARKET FOR UNLAWFUL SALES TAX ON FEMININE HYGIENE PRODUCTS AND DIAPERS IN CALIFORNIA



CPM has filed suit on behalf of California consumers against Sprouts Farmers Market, Inc. and affiliates. The Complaint alleges that the grocery chain, with over 140 stores across California, has been **charging sales tax on feminine hygiene products and diapers in violation of state law**. California is among around half of the states in this country, including Texas and Florida, which have eliminated sales taxes on feminine hygiene products and diapers. Studies have shown that women across the country have struggled to afford necessary menstrual products, creating a public health crisis among impacted women. The lawsuit seeks restitution and an injunction to correct the unlawful business practice. The case is being handled out of the CPM Santa Monica office by **Kelly Weil, Gary Praglin, Hannah Brown** and **Theresa Vitale**.

BUSINESS FRAUD & ANTITRUST UPDATE

CPM Recovers Money for Restaurants in the Chicken Case in Illinois Federal Court



In advance of a scheduled trial, **CPM** has recovered substantial, additional money for a class of restaurants that alleged they paid too much for chicken based on a price-fixing conspiracy. Previously, along with their co counsel, CPM had obtained over \$100 million in settlements on behalf of their restaurant clients. Those settlements have been finally approved by the Court. Now, in advance of a scheduled March trial, CPM has recovered additional settlements to assist their clients. These settlement are subject to final approval by the Court and, if approved, would end the litigation. CPM is extremely pleased with the result in this case. The case is being handled by **Adam Zapala, James Dallal** and **Alex Barnett**.

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



CPM serves on the Plaintiffs' Steering Committee on behalf of plaintiffs who purchased and paid Google for applications ("apps") through the Google Play Store. Consumers are alleged to have overpaid or otherwise suffered economic losses due to Google's monopolization of the market. In September 2023

Consumer Plaintiffs and Google reached an agreement in principle to settle the case, after many months of mediation. The agreement in principle specifies that Google will pay approximately **\$700 million** to reimburse consumers for their allegedly inflated app purchases. **Nanci Nishimura** is on the **Steering Committee** and has been handling the case along with **Joe Cotchett, Adam Zapala, Karin Swope, James Dallal** and team.

CPM FILES CONSUMER FRAUD CASE AGAINST MANUFACTURERS OF NASAL DECONGESTANTS IN NEW YORK FEDERAL COURT



CPM has filed a massive class action on behalf of consumers against the manufacturers of nasal decongestants. The case alleges that the ingredient in nasal decongestants—phenylephrine—is no more effective than a placebo. The case further alleges that Defendants have been aware of this fact for a number of years, despite continuing to market their products as effective at treating nasal congestion. The cases have been consolidated before Judge Brian Cogan of the Eastern District of New York. CPM plans to take a leadership role in this important litigation on behalf of consumers who were harmed by Defendants' marketing and false statements. The case is being handled by **Adam Zapala** and **Alex Barnett**.

No Poaching Case Against Geisinger and Evangelical Health Systems Proceeds to Class Certification in Ohio Federal Court



CPM's "no poaching" case against Geisinger and Evangelical is proceeding to the class certification stage of the litigation. In this case, CPM and its co counsel have alleged that Geisinger and Evangelical—two competing medical providers in the central Pennsylvania region—conspired to limit competition for healthcare workers by agreeing not to actively recruit each other's employees. The Court previously sided with the Plaintiffs, refusing to dismiss the case. The parties have completed fact discovery and have exchanged expert reports regarding the economic damage caused by the alleged agreement. The case is being handled by **Adam Zapala, Elizabeth Castillo** and **James Dallal**.

CPM's John Deere Case Proceeds in Illinois Court Refused to Grant Defendant's Motion to Dismiss



CPM's "right to repair" antitrust litigation against John Deere on behalf of our nation's farmers will proceed after an Illinois Court refused to dismiss the case. The District Court sided with Plaintiffs on virtually all of the arguments. Specifically, the Court commended Lead Counsel and CPM's attorneys, stating in its Order: "The presentations were stellar in form and substance and extremely helpful. All counsel were outstanding advocates for their clients. The Court commends them for their presentations . . ." Adam Zapala argued the case for the Plaintiffs. At CPM, the case is being handled by **Adam Zapala, Alex Barnett, Elizabeth Castillo** and **James Dallal**.

Minnesota Court Approves \$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.

MAJOR CASE UPDATE



“STEVE WOZNIAK’S BITCOIN GIVEAWAY” LAWSUIT TO GO FORWARD COURT OF APPEAL REVERSES DISMISSAL UNDER SECTION 230

CPM represents Steve Wozniak, the Co-Founder of Apple, and 17 victims of a “Bitcoin Giveaway” scam in a lawsuit against YouTube and Google that is testing the limits of social media’s immunity under Section 230 of the Communications Decency Act. In January 2022, the superior court dismissed the complaint, stating “the Court has sympathy for the victims of this cryptocurrency scam, including Mr. Wozniak . . . But as the Court understands the current state of the law, such relief against YouTube . . . is barred” under

Section 230. In March 2024, the Court of Appeal reversed, finding plaintiffs adequately alleged that YouTube is responsible for the information it provided in its “verification badges,” which represented to users that the YouTube channels used by the fraudsters were authentic, and held that plaintiffs should be allowed to amend to allege that these verification badges materially contributed to the fraud. The case is being handled by **Joe Cotchett, Brian Danitz, Andrew Kirtley** and **Gia Jung**.

CPM Continues to Prosecute Unemployment Benefits Case Against Bank of America



CPM is co-lead counsel in a multi-district class action against Bank of America which distributes California unemployment insurance by debit card. During the pandemic, BofA automatically closed claims of unauthorized transactions by EDD cardholders and froze their accounts, leaving many without access to their benefits for months. In 2021, the court granted a Preliminary Injunction finding plaintiffs “demonstrated a strong likelihood of success on their claims” and that “continued denial of these benefits will seriously hinder the ability of many class members to feed their families and keep a roof over their heads.” In 2022, the bank’s regulators (OCC and CFPB) fined BofA \$225 million for this conduct. The case is being handled by CPM attorneys **Brian Danitz, Karin Swope** and **Andrew Kirtley**. CPM is working with Michael Rubin, Connie Chan, Stacey Leyton and Colin Clemente Jones of **Altshuler Berzon, LLP** and David S. Casey and Gayle M. Blatt of **Casey Gerry** in San Diego.

CPM Represents Victim’s Surviving Children in Landmark Elder Abuse and Wrongful Death Case



CPM represents the eight surviving children of Trudy Maxwell, who died after being served and drinking Ultra Klene, a toxic alkaline dishwasher fluid, while she was a resident of Atria Park at San Mateo. The Maxwell complaint alleges elder abuse on behalf of Trudy, and wrongful death on behalf of the Maxwell children. After Defendants moved to compel arbitration, CPM opposed that motion, and a San Mateo County Superior Court Judge denied Defendant’s motion. Defendants appealed. The appeal is fully briefed and is awaiting a date for oral argument in the Court of Appeal, First District. The case is being handled by **Niall McCarthy, Anne Marie Murphy, Tamarah Prevost** and **David Hollenberg**.

MAJOR INVESTIGATIONS



CPM INVESTIGATES ARTIFICIAL INTELLIGENCE IN THE MARKETPLACE

CPM is investigating all cases coming to the firm regarding **artificial intelligence (“AI”)**. AI’s recent proliferation in the marketplace has allowed bad actors to take advantage of it and companies to abuse it. CPM is dedicated to representing plaintiffs who have been harmed by misuse of AI. AI takes many forms and uses. Businesses now are using automated tools that may have biased or discriminatory impacts. Some businesses may be making deceptive claims about the capabilities or uses of artificial intelligence. Others still may be enabling AI products to improperly collect or use personal data, breaching user privacy. Companies may not properly be disclosing the risks or

internal uses of AI, which can be detrimental to shareholders and customers alike when those risks turn into real problems. **Stay informed and aware of the uses of AI, and please reach out to CPM if you think you have been harmed by the use of AI.**

ENVIRONMENTAL & POLLUTION UPDATE

CPM Defends Environmental Stewardship Against SLDMWA



CPM has submitted its Ninth Circuit brief defending a decision by the Eastern District of California granting summary judgment in favor of Defendants San Luis & Delta-Mendota Water Authority (“SLDMWA”), the Bureau of Reclamation, and the Grassland Water District in a citizen suit. The case is Pacific Coast Federation of Fisherman’s Ass’n et al. v. Conant et al., Case No. 23-15599. Plaintiffs in the suit had alleged that SLDMWA’s operation of the San Luis Drain in California’s Central Valley violated the Clean Water Act. The district court rejected their argument, finding that they had failed to identify any additional pollutants added by a point source to the Drain that would vitiate its exempt status as an agricultural drain carrying irrigation return flows and agricultural storm water. A decision from the Ninth Circuit is expected in early 2025. The case is being handled by **Joe Cotchett, Julie Fieber** and team.

CPM Appeals Consolidated Class Action Against City of Fresno for Negligent Water Treatment Plant Operation



CPM has submitted its appeal to the Fifth District Court of Appeal in a long-running consolidated class action case against the City of Fresno over the City’s negligent operation of a water treatment plant. The trial court had rejected Plaintiffs’ argument that the City had a mandatory duty to operate the plant consistent with its operating permit and state law, so as to avoid destroying citizen’s residential pipes with the result that they received contaminated drinking water. On appeal, Plaintiffs have argued that the City singled out residents in Northeast Fresno to carry the burden of receiving improperly treated surface water, so that the rest of the City’s customers would have an adequate water supply. A decision from the Fifth District is expected soon. CPM’s team is lead by **Frank Pitre, Julie Fieber** and team.

Lawsuit Filed on Behalf of Maywood Residents in Los Angeles County for Exposure to Cancer Causing Ethylene Oxide



CPM filed suit on behalf of Maywood, CA residents for their decades long exposure to the potent carcinogen Ethylene Oxide. The case is against Sterigenics and other Defendants for emitting Ethylene Oxide from their sterilization facility into the neighborhood, poisoning unknowing residents and causing breast, stomach, and blood cancers. The lawsuit seeks an injunction to stop Sterigenics from polluting above health-protective limits, compensation for illness and death caused by cancer, and punitive damages. The case is being handled out of the CPM Santa Monica office by **Gary Praglin, Kelly Weil, Hannah Brown, Theresa Vitale** and team.

CARSON DOMINGUEZ CHANNEL LAWSUIT CONTINUES IN LOS ANGELES



CPM was 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 UPDATE

CPM DEFENDS THE CITY OF SAN JOSE’S FIRST EVER GUN ORDINANCE IN LANDMARK LEGAL BATTLE



CPM represents the City of San Jose in defense of its **first-of-its-kind gun ordinance**, which requires all gun owners within the City to obtain insurance covering accidental harm caused by their guns, and to 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. In July 2023, the Court ruled largely in the City’s favor – a major win in the fight to prevent gun violence. Several of the plaintiffs have since appealed the ruling to the Ninth Circuit, 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 handled by **Joe Cotchett, Tamarah Prevost, Andrew Kirtley** and team.

WILDFIRE CASE UPDATES



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, FOR NEGLIGENT OPERATIONS

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 biosolid 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 submit 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 over \$250 million. The settlements are being negotiated by CPM's wildfire team, including **Frank Pitre, Duffy Magilligan, Julie Fieber, Nabilah Hossain** and **Andrew Britton**.

CPM REPRESENTS VICTIMS OF THE LAHAINA FIRES IN HAWAII



CPM has been retained by over 400 families whose lives were destroyed by the August 2023 fires on the island of Maui. The Lahaina Fire destroyed over 2,000 structures, 2,500 acres, and took the lives of at least 98 innocent victims. The Upcountry Fires devastated multiple communities in

Olinda and Kula. 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. CPM also claims that telecommunications and cable operators, as well as the State and County, contributed to the ignition and spread of the fires. 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.

CPM REPRESENTS VICTIMS OF THE MCKINNEY FIRE - SISKIYOU COUNTY -



CPM's **Frank Pitre, Nabilah Hossain, Duffy Magilligan** and **Andrew Britton** 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.

SECURITIES & FINANCIAL ACTIONS UPDATE

Wells Fargo Shareholders Sue 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. At least half the candidates interviewed for high-paying jobs were required to be diverse, and an interviewer on the hiring panel also had 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 already filled. It issued misleading statements touting its hiring and promotion practices to create a false impression of success in its diversity initiatives. CPM, Bleichmar, Fonti & Auld, LLP, and Motley Rice, LLC serve as co-lead counsel. The case is being handled by **Frank Pitre, Mark Molumphy, Tyson Redenbarger, Gia Jung** and the team.

CPM REPRESENTS CALIFORNIA VICTIM IN INSURANCE FRAUD CASE AGAINST SAFELITE GROUP



CPM represents a victim on behalf of the State of California arising from an insurance fraud scheme planned and carried out by Defendants Safelite Group, Inc., Safelite Fulfillment, Inc., doing business under its trade name Safelite Auto Glass, and Safelite Solutions, LLC, involving the production of false and misleading bills to insurance

companies concerning a replacement part Safelite uses to repair automobile glass, as well as for services that Defendants only provided for a small number of customers. As a direct result of Defendants' conduct, false and fraudulent claims have been made against consumers and insurance policies issued by numerous insurance companies, including but not limited to GEICO, Allstate Insurance Company, Nationwide Mutual Insurance Company, The Travelers Companies, Inc., and Progressive Corporation. As a direct result of the Defendants' conduct, insurance companies and their policyholders have incurred substantial financial losses. The case is being handled by **Mark Molumphy, Tyson Redenbarger, Gia Jung, Elle Lewis** and team.

MUSK ORDERED TO RESPOND TO LAWSUIT BY SHAREHOLDERS



CPM and **Bottini & Bottini Inc.** serve as co-lead counsel representing 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. By Order dated December 11, 2023, the Court upheld Plaintiffs' claims under Section 10(b) of the Securities Exchange Act of 1934 against Elon Musk. The case is being handled by **Joe Cotchett, Mark Molumphy, Tyson Redenbarger, 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 elderly citizens, 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.

INTRODUCING NEW CPM PERSONNEL

THOMAS E. LOESER - Seattle Office



Joined **CPM** as a **Partner** in April 2024. He obtained his B.A. from **Middlebury College**, M.B.A from **University of Washington** and J.D. from **Duke University School of Law**. In 2002, he was appointed an **Assistant United States Attorney in Los Angeles** where he prosecuted all manner of federal crimes including the elite Cyber and Intellectual Property Crimes Section. Tom is a Member of Lawdragon's 500 Leading Lawyers in America and the National Trial Lawyers Top 100 Trial Lawyers. Tom will be working in CPM's Seattle office on consumer, business fraud, securities and cyber cases.

CARTER COURTNEY - Santa Monica Office



Joined **CPM** as an **Associate** in April 2024. Carter is a native Angeleno and third generation lawyer. He has an undergraduate degree in Cinema Studies from **New York University**, and obtained his J.D. from **Loyola Law School** in Los Angeles. He previously worked at a small entertainment law firm in Beverly Hills. Carter has extensive writing experience, having edited three full length novels. He also has written over 100 articles for an online animation publication. Carter will be working in CPM's Santa Monica office on securities, antitrust, AI and cyber cases.

CPM EVENTS



Ribbon Cutting Ceremony for New UC Law SF Building Next to the Cotchett Law Center

A Ribbon Cutting Ceremony that marked the completion of the main UC Law San Francisco building - a dynamic multi-institutional learning community. Speakers included S.F. Mayor **London Breed**, CA Assemblymember **Phil Ting**, U.S. Attorney for the Northern District of California **Ismail Ramsey**, S.F. District Attorney Brooke Jenkins, former S.F. Mayor **Willie L. Brown, Jr. '58**, and **Joe Cotchett**. In 2020, one of the buildings at **UC Law SF** is named the **Cotchett Law Center** in honor of alumnus

Joe Cotchett '64 for his achievements in the law and his decades of philanthropy and other contributions to the college, which include teaching, student mentoring, and service on the Board of Directors.



Nanci Nishimura's Leads in Addressing Anti-Asian Hate



In February, **Nanci Nishimura** helped organize a program on Anti-Asian Hate in America for the Northern District Historical Society. The NDHS board is comprised of federal judges and lawyers who present programs of significant legal and historical subjects relevant to the public, including the Native American genocide, War Crimes, Anti-Asian Hate, and the upcoming **60th Anniversary of the Civil Rights Act**.

CPM's Commitment to Supporting the Community through San Mateo PAL



CPM is an avid supporter of the **San Mateo Police Activities League** - a local program that builds a stronger and safer community through kids. CPM staff along with HR Director and San Mateo PAL Board Member, **Darren Kelly** attended their annual fundraiser - Lights & Sirens Awards and Recognition Dinner on March 22, 2024.

CPM Partners Speak at CAOC 2024 Sonoma Seminar



In March, **CPM** partners **Niall McCarthy**, **Anne Marie Murphy** and **Nazy Fahimi** had the opportunity to share some insight and connect with an amazing audience at this year's CAOC Sonoma Seminar. The seminar covered a wide range of relevant legal issues including trial techniques, pre-litigation tactics, workers' compensation, the use of technology and elder abuse.



HONORS FOR CPM ATTORNEYS

2024 LAWDRAGON 500 LEADING PLAINTIFF CONSUMER LEADERS IN THE COUNTRY



This year several **CPM** attorneys were named as the 2024 Lawdragon 500 Leading Plaintiff Consumer Leaders which included **Joe Cotchett, Julie Fieber, Nabilah Hosain, Duffy Magilligan, Niall McCarthy, Anne Marie Murphy, Nanci Nishimura, Frank Pitre** and **Gary Praglin**. Cotchett and Pitre are among the 100 esteemed members of the Lawdragon Hall of Fame. Lawyers were selected through a time-honed process of independent journalistic research and submissions. **Julie Fieber** was also named to the Lawdragon Green 500 list as a Leader in Environmental Law for 2024.



Pitre Honored By CAL American Board Of Trial Advocates For His Leadership As President

At the CAL ABOTA annual Hawaii Convention held in November, **Frank Pitre** received an award for his distinguished service as CAL ABOTA President for 2023. Through Frank's leadership, one of CAL ABOTAs significant achievements last year was their successful defense of judicial independence by promptly and publicly responding to unfair criticism of San Bernadino Superior Court Judge Cara Hutson. Frank helped to create CAL ABOTA's Rapid Response Program to address unfair judicial criticism in the aftermath of unwarranted attacks against Santa Clara Superior Court Judge Aaron Persky. Since that time the Rapid Response Program has successfully been utilized to address unfair criticism of Judges in several instances. Frank now serves as a member of CAL ABOTA's Executive Committee.



CPM Wins Golf Championship in Support of Justice and Equity

CPM golfers - **Niall McCarthy, Collin McCarthy** and **Darren Kelly** - win the 32nd San Mateo Legal Aid Golf Classic. CPM has been a long-standing supporter of San Mateo Legal Aid - a local organization that fights social injustice through civil legal advocacy and helps low-income clients with civil legal issues.

CPM Receives Animal Law Pro Bono Award



CPM's **Gary Praglin, Theresa Vitale, Lincoln Bernard** and **Melissa Bressick** were presented with the Animal Legal Defense Fund Advancement in Animal Law Pro Bono Achievement Award 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.



Niall McCarthy Honored as One of the Top Plaintiff Lawyers in California

Niall McCarthy was named to the *Daily Journal's* list of "Top Plaintiff Lawyer" in California for 2023. Each year, the Daily Journal recognizes the best 40 plaintiff lawyers in the state. McCarthy is has been named to the list many times.

Joe Cotchett Named Leading Commercial Litigators in California for 2024



Joe Cotchett was named among the top attorneys selected to the *Daily Journal's* Leading Commercial Litigators in California for 2024. The selected attorneys were recognized for leading major litigation in California and nationally. He was admitted to the **California Trial Lawyer Hall of Fame** and **American Trial Lawyer Hall of Fame** for his extraordinary courtroom trials.



Adam Zapala Recognized as One of the Top Antitrust Attorneys

Adam Zapala was named one of the *Daily Journal's* Top Antitrust Attorney for 2023. The list features the publication's selection of the top 25 antitrust lawyers practicing in California. Zapala works with CPM's antitrust team composed of several attorneys nationwide as well as business fraud and related cases.

Mark Molumphy Named to Bay Scholars Board



Mark Molumphy was renominated to serve on Board of Directors of the prestigious **Bay Scholars** organization, a non-profit that has disbursed millions of dollars in scholarships to provide college prep education for promising under-resourced students across the Bay Area. The organization has already awarded 2,880 scholarships with a 100% college matriculation rate by its students.

McCarthy Receives Consumer Watchdog's Lifetime Achievement Award



CPM's **Niall McCarthy**, who was the recipient of the Legal Lifetime Achievement Award from Consumer Watchdog, alongside with fellow Activist of the Year awardee **Nalleli Cobo, Jane Fonda**, and Consumer Watchdog President **Jamie Court**, at the Rage for Justice Awards event.

HONORS & COMMUNITY COMMITMENT



CPM PARTNER ANNE MARIE MURPHY NAMED TO ADVISORY BOARD OF THE CIVIL JUSTICE RESEARCH INSTITUTE

The **Civil Justice Research Initiative** (CJRI) is a think tank chaired by Erwin Chemerinsky, Dean of Berkeley Law School and Founding Dean of the UC Irvine School of Law. CJRI Berkeley is housed at Berkeley Law. **Anne Marie Murphy** recently joined the organization's Advisory Board, which includes prominent attorneys in private practice from around the United States as well as established legal scholars and researchers from prominent law schools around the country. CJRI's mission is to systematically identify and produce highly credible, unbiased research on critical issues concerning the civil justice system, including expanding access to justice.



Gov. Gavin Newsom Reappoints Nanci Nishimura to the CA Uniform Law Commission

Governor Gavin Newsom reappointed **Nanci Nishimura** to the **California Commission on Uniform State Laws** as **Vice Chair**, where she has served since 2019. Nishimura is a founding member and **Co-Chair** of the **Leaders Forum** and a **member** of the California Science Center Foundation Board of Trustees, Asian Art Museum Foundation of San Francisco Board of Trustees, San Francisco Asian Art Commission and the Smithsonian Institution.



Gov. Gavin Newsom

CPM Paralegal Diaz-Marquez Inspires Students at Cabrillo Education Foundation Career Panel



CPM paralegal **Juan Ramon Diaz-Marquez** participated in a career panel held by the Cabrillo Education Foundation, a non-profit organization that partners with the Cabrillo Unified School District to enrich the educational experience for students. There were around 160 students in attendance. The panel included Juan, along with a professional soccer player, an athletic trainer, a construction manager where they discussed their career path decisions and gave advice to the students who wanted to pursue a similar path.

CPM Attorney Seminar featuring Distinguished Attorney Jim Brosnahan

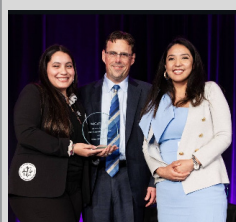


Jim Brosnahan

Prestigious attorney Jim Brosnahan honored CPM with a presentation on **"Trying A Case To A Jury"**. A good friend of CPM and a long-time partner of **Morrison & Foerster**. He is a Fellow of every trial bar and a legend of the law. He taught at Berkeley Law for many years. His talk was how good attorneys should present evidence to a jury and the court - how to direct and cross-examine witnesses and introduce evidence. He is an early member of the California Hall of Fame Trial Lawyers. He is married to the former distinguished Judge Carol Brosnahan.



CPM RECEIVES CORPORATE LEADER AWARD



In March, **CPM** was honored with the **Corporate Leader Award** from ICA Cristo Rey Academy. The award is given to those who are extraordinary advocates of the ICA Cristo Rey mission, to honor the awardee for their significant commitment of skills, resources, time and talent to positively impact the ICA Cristo Rey community. Each year, CPM hosts a student from ICA Cristo Rey to work at the firm. **CPM's Niall McCarthy** and Senior Paralegal **Jeanette Sanchez**, an ICA graduate, accepted the award.



Molumphy Selected to ABTL Board

Mark Molumphy has been named to the Board of Governors of the **Association of Business Trial Lawyers for Northern California**, an organization comprised of representatives from leading plaintiff and defense law firms throughout California, as well as judges from the California state and federal courts. ABTL was founded in 1973 to promote communication between the bench and bar, and today includes over 5,000 members throughout the State, providing monthly and annual seminars with speakers from the California and United States Supreme Courts. **Molumphy was recently selected to serve as editor of the ABTL Report.**

TAMARAH PREVOST SPEAKS AT THE WOMEN TRIAL LAWYERS CAUCUS LEADERSHIP SUMMIT IN TEXAS



CPM's Tamarah Prevost had the opportunity to speak at the American Association for Justice's Women Trial Lawyers Caucus Leadership Summit - "Go Big or Go Home" in Austin, Texas. Prevost was a panelist and contributed to the dialogue on "Don't Go Overboard: Impactful Networking for Every Personality" with Moderator - Bridget Long and other panelists - Megan Whiteside, Madison Donaldson.

CPM EVENTS

CPM Supports Bay Area Families In Need of Financial Assistance for School



CPM's **Mark Molumphy** (Bay Scholars Board Member) and staff attended the Bay Scholar's 10th Annual Giving Thanks by Giving Back Luncheon in San Francisco with Guest Speaker Rob Bonta, Attorney General of the State of California. Through this event and sponsorships, Bay Scholars has financially and personally supported Bay Area families that cannot afford the high school education they want for their children.

TOY DRIVE FOR THOSE LESS FORTUNATE



During the holidays, CPM hosted a toy drive to help spread the joy. All the toys were hand delivered by CPM's Facility Manager, **Tiffany Jensen** to Central County Burlingame Fire Station No. 34 to distribute to those less fortunate.

CPM Sponsors the Pars Equity Center Gala for a Good Cause



CPM was a proud sponsor of the Pars Equity Center's Annual Nowruz Gala in March. CPM attorney **Nazy Fahimi** and staff attended the fundraising gala. Pars serves immigrant communities by providing legal and social services, with a focus on helping refugees and asylees.

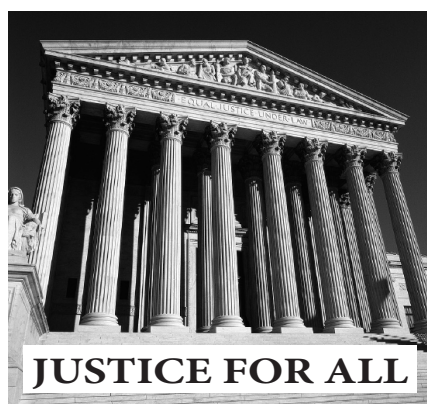
Niall McCarthy Joins VP Kamala Harris During California Visit



Niall McCarthy pictured with Vice President Kamala Harris during the Vice President's one of many trips home to California in January. She lectured on women's rights and new laws. McCarthy has been a close friend of Harris for over 25 years.



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"Justice is the great interest of man on earth. It is the ligament which holds civilized beings and civilized nations together. Whoever labors on this edifice with usefulness and distinction, whoever strengthens its pillars, or contributes to raise its dome still higher, connects in name, with that which is and must be as durable as the frame of human society."

— Daniel Webster