

SECURITIES AND FINANCIAL SERVICES LITIGATION

Williams & Connolly LLP has wide-ranging experience in securities litigation, corporate directors' and officers' liability litigation, derivative actions, SEC enforcement proceedings and financial services litigation. The firm currently represents the auditors of HealthSouth in putative criminal and civil class action cases alleging widespread securities fraud and overstatement of earnings by at least \$1.4 billion since 1999. Former top executives of a prominent energy company and of Fannie Mae and Freddie Mac retained Williams & Connolly LLP lawyers to represent them in class action and other lawsuits concerning financial reporting and business practices.

Williams & Connolly lawyers argued that the statute of limitations barred a shareholder class action suit alleging options backdating against the co-founder of a global communications company, which resulted in dismissal of all claims. The firm successfully defended one of the law firms that represented Enron in a series of consolidated class actions alleging that the law firm assisted Enron in committing violations of the securities laws. After four years of intense litigation, the plaintiffs dropped their claims against the law firm with no settlement payment. Recently, the firm successfully upheld a dismissal on appeal to the Second Circuit of an exempt transaction under the securities rule on short-swing profits, on behalf of a private equity fund, and obtained summary judgment for a major internet company in another short-swing trading case. For Friedman, Billings, Ramsey Group, one of the top 10 investment banks in the nation, Williams & Connolly lawyers obtained dismissal of multiple securities cases in the Southern District of New York. The firm also recently obtained dismissal on all counts of a securities class action claim against a top executive of BearingPoint. Williams & Connolly LLP lawyers have also successfully defeated a number of shareholder derivative suits, including one against a major internet search engine on the ground that the shareholder failed to make pre-suit demand on the board of directors. In other securities actions, the firm has represented UBS, a prominent industrial waste management company, an electric company, Australia's largest telecommunications company, and an apparel company, among many others.

The firm also handles a broad range of litigation for large regional banks and other banking institutions. A partner in the firm has authored three treatises (*Banking Crimes, Bank Directors', Officers'*

"WILLIAMS AND CONNOLLY
LIKES TO SAVE ITSELF FOR
CLIENTS IN MORTAL DANGER."

The American Lawyer

"THE POWERHOUSE WASHINGTON
LAW FIRM WITH A DEEP BENCH."

Wall Street Journal

"WILLIAMS & CONNOLLY, THE
WASHINGTON POWER LAW FIRM."

Washington Post

"A REPUTATION FOR FIERCE
REPRESENTATION OF ITS HIGH-
PROFILE CLIENTS."

National Law Journal

"ONE OF THE CITY'S MOST
PRESTIGIOUS AND FEARED LAW
FIRMS."

The New Republic

"TIGHTLY KNIT, HIGHLY TRAINED,
AND NOTORIOUSLY RELENTLESS."

Legal Times

"WASHINGTON D.C.'S WILLIAMS &
CONNOLLY IS ONE OF THE MOST
PRESTIGIOUS FIRMS IN THE
COUNTRY - AND ONE OF THE MOST
TIGHT-LIPPED."

Vault.com

and Lawyers' Civil Liabilities, and Corporate Counsel Guidelines), and is frequently called on for advice and defense of litigation.

REPRESENTATIVE SECURITIES AND FINANCIAL SERVICES LITIGATION

- **Enron Securities Litigation** - Represented Enron's former law firm in securities, derivative and ERISA litigation and in SEC and DOJ investigations alleging that the law firm assisted Enron in committing violations of the securities laws.
- **HealthSouth Securities Litigation** - Representing HealthSouth's former "Big Four" auditor in federal securities class action litigation.
- **WorldCom Securities Litigation** - Representing former WorldCom director and audit committee member in federal securities class action litigation.
- **Freddie Mac Securities Litigation** - Representing former CEO of Freddie Mac in securities class actions and derivative claims brought against the company in the wake of its billion dollar restatement of earnings in November 2003.
- **Friedman, Billings & Ramsey Securities Litigation** - Represent FBR in securities class action and derivative litigation.
- **Fannie Mae Securities Litigation** - Representing the former CEO's of Fannie Mae in securities litigation.
- **BearingPoint Securities Litigation** - Representing the former CEO of BearingPoint in securities class action and derivative claims, as well as in an ongoing SEC investigation. The court dismissed all charges against our client.
- **Adelphia Securities Litigation** - Represented a major financial institution in the Adelphia securities class action litigation.
- **Homestore Securities Litigation** - Represented America Online in securities class action litigation.
- **Boston Communications Group Inc. ("BCGI")** - Handled securities class actions and derivative suits for issuers and other public companies including Boston Communications Group Inc.
- **First Central Securities Litigation** - Represented McGladrey & Pullen in federal securities class action litigation.
- **In re MicroStrategy, Inc. Securities Litigation** - Represented MicroStrategy, Inc. in a federal securities fraud class action alleging improper accounting. The client secured an early settlement of the matter. *American Lawyer* magazine (September 2001) selected this as the case most reflecting the securities litigation arising out of the fall of the tech stocks in early 2000.
- **Waste Management Securities Litigation** - Once heralded as the largest earnings restatement in United States history, Williams & Connolly defended Waste Management, its audit committee and select outside Directors in a wide range of suits and proceedings before the SEC, various regulatory agencies and the courts in derivative and class action suits arising from corporate earnings restatements, ultimately resulting in a favorable resolution of all claims.
- **In re Marketspan Security and Derivative Litigation** - Represented outside directors of Long Island Lighting Company in securities and derivative litigation arising out of merger with Brooklyn Union Gas Company.
- **Telstra** - Represented Telstra, Australia's largest telecommunications company, in securities class actions and derivative litigation related to its ownership and sale of stock in Infonet.
- **KDDI** - Represented KDDI, a Japanese telecommunications company, in securities class actions and derivative litigation related to its ownership and sale of stock in Infonet.
- Represented the CEO of a major engineering and manufacturing company in derivative litigation in multiple states that arose after the company suffered large operating losses. The litigation eventually was resolved favorably.
- Represented a major Fortune 100 corporation in derivative litigation that arose after it became known that the company was the subject of a criminal antitrust probe. The litigation was eventually resolved favorably.

- Currently represent a Fortune 500 corporation in derivative litigation in Delaware that arose after public reports of disputes and litigation between the corporation and certain of its business partners. The matter is ongoing.
- Successfully defended a law firm in a derivative action against controlling shareholders and outside general counsel of a Mid-Atlantic based company. The litigation was resolved favorably.