

## Law360's Weekly Verdict: Legal Lions & Lambs

By **Andrew Strickler**



*Law360, New York (July 30, 2015, 9:25 PM ET)* -- Attorneys from Sullivan & Cromwell LLP lead this week's legal lions, playing a central role in a big-ticket pharmaceutical acquisition and scoring a win for client AT&T Inc. at the Federal Communications Commission. Our legal lambs were led to slaughter by Bohm Law Group attorneys who got too friendly with a California jury.

### Legal Lions

In a blockbuster pharma deal, Teva Pharmaceutical Industries Ltd. and its Sullivan & Cromwell team shook hands on a **\$40.5 billion cash-and-stock** purchase of the generic arm of Allergan plc. That deal ends Teva's bid for a hostile takeover of instead of continuing to pursue a hostile bid for Mylan NV. The proposed purchase, expected to close in the first quarter of 2016, includes Allergan's generic commercial units in the U.S. and abroad, its generic research and manufacturing operations, an over-the-counter business and some existing brands. **Latham & Watkins LLP** led the charge for Allergan, with **Weil Gotshal & Manges LLP** advising on antitrust and a **Cleary Gottlieb Steen & Hamilton LLP** team on international competition and finance.

The Federal Communications Commission voted to **approve AT&T Inc.'s** \$48.5 billion merger with **DirectTV** over objections from rivals after the companies agreed to a series of provisions. **Sullivan & Cromwell LLP** represented AT&T in the transaction, with **Crowell & Moring LLP**, **Arnold & Porter LLP**, **Akin Gump Strauss Hauer & Feld LLP** and **Debevoise & Plimpton LLP** acting as advisers to regulatory or financial aspects. DirecTV was advised on the transaction by a **Weil Gotshal & Manges LLP** team led by Frederick Green and Michael Lubowitz. **Jones Day** advised on antitrust aspects of the deal, with **Simpson Thacher & Bartlett LLP** representing DirecTV's compensation committee.

Lawyers from **Kahn Swick & Foti LLC** and **Boies Schiller & Flexner LLP** handling a long-running class action targeting **Halliburton Co.** scored a **victory this week** when a Texas federal judge court granted certification in part to investors. U.S. District Judge Barbara M. Lynn granted the **Erica P. John Fund Inc.** its class cert. motion for an alleged corrective disclosure but denied certification for five others. The case is on remand from the Supreme Court, which granted Halliburton's petition for certiorari challenging the high court's 1988 ruling establishing the fraud-on-the-market presumption of reliance. The fund is represented by **Kim Miller**, **Lewis Kahn** and **Neil Rothstein** of Kahn Swick, and **David Boies** and **Carl Goldfarb** of Boies Schiller. Halliburton is represented by **Baker Botts LLP** and **Godwin Lewis PC**.

Lawyers for **Circuit Check Inc.** convinced the Federal Circuit that a Wisconsin judge **shouldn't have overturned** a \$1.86 million patent jury verdict won by Circuit Check against rival **QXQ Inc.** The court found the prior art the judge said rendered the patents obvious — including rock carving and a machining technique — involved simple concepts unrelated to the invention, a machine component used to test circuit boards. Circuit Check is represented by **Courtland Merrill** and **Daniel Hall** of **Anthony Ostlund Baer & Louwagie PA.** QXQ is represented by **Michael Harrison.**

## Legal Lambs

A California federal judge came down hard on an objector to the **Hewlett-Packard Co.** shareholder settlement over its acquisition of **Autonomy Corp.**, refusing to grant a \$2.3 million fee request. U.S. District Judge Charles R. Breyer signed off on the deal but had harsh words for objector **Rodney Cook** and his attorney, **Kathleen Herkenhoff** of the **Weiser Law Firm PC.** Cook was entitled to **“absolutely nothing”** for alerting the court of an alleged conflict at plaintiffs firm Cotchett Pitre & McCarthy LLP, the judge said. **Robert Weiser, Brett Stecker** and **Kathleen Herkenhoff** of the Weiser firm and **Richard Maniskas** of **Ryan & Maniskas LLP** represented Cook. The Cotchett team, which was awarded more than \$2.6 million, includes **Joseph Cotchett, Mark Molumphy, Matthew Edling** and **Jennifer Crutchfield.** **Robbins Geller Rudman & Dowd LLP** also represented plaintiffs.

**Bohm Law Group** attorneys **Lawrance Bohm** and **Kate Langmore** also got a **bad job review** in recent days. A California federal judge referred the pair to the state bar for inviting jurors who gave client **AutoZone Inc.** a \$185 million punitive damages award out for drinks, and schmoozing with one juror during the trial. The case focused on allegations that AutoZone had a “glass ceiling” policy that makes it difficult for women to get promoted within the company. The judge declined to say whether the firm should be disqualified but called the actions a “clear violation.” In addition to Lawrence Bohm, the plaintiff is represented by **Charles Edward Moore.**

Former **Wilson Sonsini Goodrich & Rosati PC** staffer **Dimitry Braverman** committed a **“crime of temptation”** justifying two years in prison, a New York federal judge said. Braverman, onetime information technology employee, admitting to making stock trades ahead of mergers and acquisitions on which Wilson Sonsini was advising, taking in about \$305,000 on deals involving at least eight clients. The judge also faulted Braverman for continuing to engage in insider trading following the 2011 arrest of then Wilson Sonsini associate **Matthew Kluger** on charges of orchestrating a separate \$37 million stock-tipping scheme. Braverman is represented by **Silvia Serpe** and **Paul Ryan** of **Serpe Ryan LLP.**

**Locke Lord LLP** was **booted from its class counsel role** in a suit against **EFT Holdings Inc.** accusing it of selling pills containing high levels of lead. A California federal judge said the Texas-based firm had a conflict through a malpractice suit against **Edwards Wildman Palmer LLP,** which flubbed the original putative class action in the consolidated case. Locke Lord and Edwards completed their merger in January, with the dominant Locke side of the deal later shedding the Edwards name. Plaintiffs are represented by **Don Howarth, Padraic Glaspy** and **Jessica Walsh** of **Howarth & Smith** and **Stephen Tuggy** of Locke Lord. EFT Holdings and the other individual defendants are represented by **Winston & Strawn LLP.**

Rapper **50 Cent** will pay an **additional \$2 million** in punitive damages to a woman whose sex tape was posted online, a New York City jury found. The jury’s verdict came two weeks after plaintiff Lastonia Leviston — the mother of rival emcee Rick Ross’ child — won a \$5 million verdict in her suit against the rapper. A Connecticut bankruptcy judge has also allowed Leviston to move ahead with the punitive damages phase of her case despite the rapper's bid for litigation protection in Chapter 11. 50 Cent is

represented by **James Renard** and **William Brewer III** of **Brewer Attorneys & Counselors**. Leviston is represented by **Philip Freidin** of **Freidin Dobrinsky Brown & Rosenblum PA**.

--Additional reporting by Jeff Zalesin, Melissa Lipman, Ed Beeson, Max Stendahl, Lisa Ryan, Y. Peter Kang, and Emily Field. Editing by Chris Yates.

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