

FEDERMAN & SHERWOOD

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FIRM RESUME

WILLIAM B. FEDERMAN. Education: Boston University (B.A., cum laude, 1979); University of Tulsa (J.D., 1982); Phi Alpha Delta (Treasurer, 1980-1982). Admitted to practice: 1982, Oklahoma, U.S. District Court for the Western District of Oklahoma; 1983, U.S. District Court for the Northern District of Oklahoma, U.S. Court of Appeals, Tenth Circuit; 1985, District of Columbia; 1988, New York, U.S. District Court for the Eastern and Western Districts of Arkansas; 1990, U.S. District Court for the Southern District of New York; 1995, Texas; 1996, U.S. District Court for the Eastern District of Oklahoma; 1998, U.S. District Court for the Southern District of Texas; 1999, U.S. District Court for the Northern District of Texas, U.S. Court of Appeals, Federal Circuit; 2002, U.S. District Court of Colorado, U.S. District Court for the Eastern District of Texas; 2003, U.S. Court of Appeals, Second and Fourth Circuits, U.S. District Court for the Eastern District of New York; 2004, U.S. Court of Appeals, Fifth Circuit; 2005, United States Supreme Court, U.S. District Court for the Western District of Texas, Federal Bar Association; 2006, U. S. Court of Appeals, First and Eleventh Circuits; U.S. District Court for the Northern District of Ohio; 2007, U.S. Court of Appeals, Third Circuit; 2008, U.S. Court of Appeals, Eighth Circuit; 2009, U.S. Court of Appeals, Sixth Circuit; 2010, U.S. Court of Appeals, Seventh Circuit; 2012, U.S. Court of Appeals, Ninth Circuit. Lectures/Publications: *“Current Status of Securities Class Actions: Where are the Courts Taking Us?”* presented by the Houston Bar Association, 2014. *“Class & Derivative Actions and Securities Litigation,”* presented by the Business and Corporate Litigation Committee at the 2013 Annual Meeting of the American Bar Association; *“Litigation and Employment Law Update,”* presented by the Securities Industry Association Compliance and Legal Division; *Inside a Disclosure Crisis*, presented at the 30th Annual Northwest Securities Institute Annual Meeting and sponsored by the Washington Bar Association; *“Managing Directors’ Liability,”* presented at the 3rd Annual Energy Industry Directors Conference and sponsored by Rice University; *“Executive Liability - 2009 D & O Market Trends,”* presented by Chartis Insurance; *“Derivative Actions and Protecting the Corporation – Critical Issues in Today’s Banking,”* presented by the Oklahoma Bar Association and the Oklahoma Bankers Association; *“Arbitration - What Is It? Why Should a Lawyer Suggest or Use It?”*, presented by the Oklahoma Bar Association; *“The Attorney and Accountant as Targets in Failed Financial Institution Litigation,”* presented by the American Bar Association Trial Practice Committee; *“Effective Arbitration in the 1990’s - Adapting to Build a Successful Practice,”* presented by the Oklahoma County Bar Association; *“Current Issues in Direct Investments and Limited Partnerships: The Litigation Scene From All Perspectives,”* presented by the American Bar Association Litigation Section; *“Stockbroker Litigation and Arbitration,”* presented by the Securities Arbitration Institute; Author of *“Who’s Minding the Store: The Corporate Attorney-Client Privilege,”* 52 O.B.J. 1244, 1981; Author, *“Potential Liability From Indirect Remuneration in Private Oil and Gas Offerings,”* 11 Sec. Reg. L.J. 135, 1983; Author, *“Capitalism and Reality Meet in the Courts. . . Finally,”* 59 O.B.J. 3537, 1987. Member: Arbitration Panel, New York Stock Exchange; Federal Bar Association; Oklahoma County Bar Association (Member, Committee on Professionalism, 1987-1990); Oklahoma, Texas, New York and American Bar Association (Committee on Securities Litigation and Corporate Counsel); The District of Columbia Bar; American Inns of Court (Barrister and Master, 1990-1993, 2002-2004); inducted into the Outstanding Lawyers of America, 2003; received the Martindale-Hubbell peer review rating

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of AV Preeminent in both ethical standards and legal ability; recognized as one of the "Top Lawyers of 2013" for excellence and achievements in the legal community. Concentration: Securities and Shareholder Litigation in all State and Federal Courts, Arbitration and Mediation; Securities (Trial); Securities Due Diligence and Business Law.

STUART W. EMMONS. Education: University of Oklahoma (J.D., 1987, with distinction); University of Oklahoma (B.B.A., Accounting, 1984, with distinction). Admitted to practice: 1987, Oklahoma; 1987, U.S. District Court for the Western District of Oklahoma; 1990, U.S. District Court for the Northern District of Oklahoma; 1992, U.S. Court of Appeals, Tenth Circuit; 1994, U.S. Court of Appeals, Eighth Circuit; U.S. Patent and Trademark Office; 2002, U.S. District Court for the District of Colorado; U.S. District Court for the Southern District of Texas; 2003, U.S. Court of Appeals, Second Circuit, U.S. Court of Appeals, Fourth Circuit; 2004, U.S. District Court for the Northern District of Texas; U.S. Court of Appeals, Fifth Circuit; 2005, United States Supreme Court. 1988-1989, Law Clerk to the Hon. Layn R. Phillips, U.S. District Court for the Western District of Oklahoma. Member: Oklahoma County and Oklahoma Bar Associations.

JAMES WOODRUFF Education: Rutgers University, (BBA, 1982); University of Oklahoma College of Law, Juris Doctor, with distinction, 1985; Admitted to Practice: Oklahoma, 1985, Maine 1987; and Colorado 1988; Federal Jurisdictions: US District Court for the Western District of Oklahoma, US District Court for the Eastern District of Oklahoma, and US Court of Appeals for the Tenth Circuit; Bar Membership: Oklahoma Bar Association; Positions Held: Attorney General, Pohnpei State, Federated States of Micronesia, 1997-2000; General Counsel, Federated States of Micronesia Development Bank, 2000-2004; Assistant General Counsel, Oklahoma Department of Agriculture, 2004-2015; Community Involvement: Member, Board of Directors, Independence Charter Middle School (Oklahoma Independent School District No. 89)-current; Member, Board of Directors, American Energy Swim Club-current.

SARA E. COLLIER. Education: Oklahoma Christian University (B.S. 2000); Oklahoma City University School of Law (J.D. 2004). Admitted to practice: 2005, Oklahoma; 2005, U.S. District Courts for the Western, Eastern and Northern Districts of Oklahoma; 2007, U.S. District Court for the Southern District of Texas. Member: Oklahoma Bar Association, American Bar Association, Federal Bar Association, American Trial Lawyers' Association. Languages: French.

CARIN L. MARCUSSEN. Education: Oklahoma State University (B.S., 2000); University of Oklahoma (J.D. with honors, 2003.). Admitted to practice: Supreme Court of Oklahoma, 2003; U. S. District Court for the Western District of Oklahoma, 2003; U.S. District Court for the Northern District of Oklahoma, 2004; U.S. District Court for the Eastern District of Oklahoma, 2005; U.S. Court of Appeals for the Tenth Circuit, 2006; U.S. Bankruptcy Court for the Western District of Oklahoma, 2012. Member: Oklahoma Bar Association (Civil Procedure & Evidence Code Committee; Disaster Relief Committee); Oklahoma Association for Justice; American Association for Justice; National Association of Professional Women. Publication: Democracy for Sale: The United States Supreme Court's Decision in Citizens United," *The Advocate*, Spring 2010. Honors: Marquis Who's Who of American Women, 2007; Pro Bono Award, Oklahoma County Bar Association, 2010; President's Award, Oklahoma Association for Justice, 2013; "Rising Star", *Oklahoma Super Lawyers*, 2008, 2009, 2011, 2013, 2014.

A. BROOKE MURPHY. Education: Oklahoma City University (B.A. summa cum laude, 2005; Robert L. Jones Outstanding Senior Paper Award; Women's Leadership Award); University of

Oklahoma College of Law (J.D. 2010, with honors; Dean's List, First Amendment Moot Court Team, Assistant Articles Editor of Oklahoma Law Review). Admitted to practice: 2010, Oklahoma; U.S. District Court for the Western District of Oklahoma; U.S. District Court for the Northern District of Texas. Publication: *Credit Rating Immunity? How the Hands-Off Approach Toward Credit Rating Agencies Led to the Subprime Credit Crisis and the Need for Greater Accountability*, 62 Okla. L. Rev. 735 (2010). Member: Oklahoma Bar Association.

OF COUNSEL:

JOHN CHARLES SHERWOOD. Education: Texas Christian University, (BBA, magna cum laude, 1981); Baylor School of Law (J.D., 1984). Areas of Practice: Litigation. Board Certified: Civil Trial Law, Personal Injury Trial Law, Texas Board of Legal Specialization. Organizations: Texas Trial Lawyers, Association of Trial Lawyers of America, Dallas Trial Lawyers Association, Dallas Bar Association, Former Chairperson of the Solo and Small Firm Section of the Dallas Bar Association (1999), Member of the College of the State Bar of Texas, and founding President of Citizens For a Fair Judiciary (Political Action Committee). Licenses and Courts of Practice: Member of the State Bar of Texas, National Board of Trial Advocacy, Licensed as a Certified Public Accountant by the Texas State Board of Public Accountancy, admitted to practice before the United States Tax Court, United States District Court, Northern District of Texas, United States Fifth Circuit Court of Appeals, and the United States Supreme Court. Papers Presented: *Other People's Money*, Presented to the Dallas Bar Association, Solo and Small Firm Section; Recognition: "Top Attorneys in Texas, Business Litigation," (2012).

PARALEGALS:

NANCY G. BEATTY. Ms. Beatty has over thirty years of legal experience. She primarily works on coordinating and administering of class action product liability and other complex litigation. Ms. Beatty has served on several professional advisory boards in Oklahoma and Tennessee.

SHARON J. KING. Ms. King has worked in the legal community for over ten years, after having worked in the securities and insurance industry for over fifteen years. She primarily works on insurance bad faith, personal injury, wrongful death and civil litigation.

ROBIN K. HESTER. Ms. Hester has been a litigation legal assistant since 1983. Before joining Federman & Sherwood, Ms. Hester was a litigation case manager handling over 150 securities and civil litigation cases and managing 5 legal assistants. She primarily works in securities and civil litigation, as well as providing technology support for the firm.

FRANDELIND V. TRAYLOR. Ms. Traylor has worked in the legal community for over twelve years. She attended the University of Central Oklahoma, where she majored in liberal arts and was on the Dean's Honor Roll. She provides class action, securities litigation and product liability support for the firm.

ALLICIA D. BOLTON. Ms. Bolton has worked in the legal profession for over nine years. She has experience in a wide area of the law, including real estate and corporate law. Ms. Bolton provides securities and complex litigation support for our firm.

FEDERMAN & SHERWOOD maintains offices in Oklahoma City, Oklahoma and Dallas, Texas. The firm has a national practice that handles consumer class actions, securities, business, product liability actions and other complex litigation. The firm has had leadership roles in several MDLs and has been appointed lead counsel or co-lead counsel in over 60 class actions (consumer and financial matters) and derivative actions, working with a multitude of law firms from all over the country in nearly every case. FEDERMAN & SHERWOOD also has experience trying complex cases. Additionally, among its other accomplishments, in the past year, FEDERMAN & SHERWOOD, acting as lead counsel for the plaintiff classes, briefed, argued and won major victories before the Fifth and Tenth Circuit. *See Spitzberg v. Houston American Energy Corp.*, 758 F.3d 676 (5th Cir. 2014); *Nakkhumpun v. Taylor*, 782 F.3d 1142 (10th Cir. 2015).

William B. Federman has practiced law for over thirty-three (33) years and has extensive experience litigating and trying complex cases and class actions. Prior to founding FEDERMAN & SHERWOOD, Mr. Federman was a co-founder and managing director of DAY, EDWARDS, FEDERMAN, PROPESTER & CHRISTENSEN, PC an Oklahoma City firm that merged three law firms together to create a 28 lawyer law firm that focused on serving the financial community and insurance companies and that received a top rating by A.M. Best. Mr. Federman has received the Martindale-Hubbell peer review rating of AV Preeminent for both ethical standards and legal ability. He has served on the Oklahoma County Bar Ethics Committee and has been honored as a featured speaker at many bar events, including the American Bar Association, the Houston Bar Association, and the Oklahoma Bar Association. Mr. Federman has served as Lead or Co-Lead for Plaintiffs and/or on the Plaintiffs' Steering/Executive Committee for many consumer class actions, which most recently includes, among others:

- *In re Farmers Insurance*, a MDL transferred to the Western District of Oklahoma, challenging Farmers' use of credit scores for setting premiums, that eventually settled for over \$20 million for the class;
- *Home Depot*, a MDL pending in the Northern District of Georgia, involving a data breach case causing the loss of consumers' private information in a data breach;
- *Dakota Growers*, a class action in the District Court of Minnesota that was litigated in coordination with a later-filed, similar action in New Jersey, alleging the defendant mislabeled its products, which resulted in settlement and payments to class members of approximately \$7 million; and
- *In re General Motors Piston Slap Products Liability Litigation*, a MDL transferred to the Western District of Oklahoma.

Mr. Federman also has experience practicing in this Court, most recently as counsel for Lead Plaintiffs in *In re Galena Biopharma, Inc. Derivative Litigation*, Case No. 3:14-cv-382-SI (D. Ore., Portland Div.). Multiple lawsuits were filed in this jurisdiction as well as the Delaware Chancery Court. Mr. Federman and the other plaintiffs' counsel worked cooperatively to bring all cases before this Court – so that the case can be efficiently and effectively prosecuted.

Carin L. Marcussen will be the point person for this litigation. Ms. Marcussen has more than (12) years of experience¹ in complex civil litigation on behalf of individuals as well as plaintiff classes, with much of that litigation having been brought against the insurance industry. Ms. Marcussen has worked on behalf of the plaintiff class in such notable cases as:

- *Sikes v. Farmers*, a class action in Oklahoma state court challenging Farmers' use of a computer software program, Colossus, to adjust first-party injury claims. This case

¹ Ms. Marcussen' certificate of good standing is attached as Exhibit "5."

resulted in a settlement which included injunctive relief and supplemental payments to class members of over \$20 million.

- *Hensley v. Computer Sciences Corporation*, a class action in Arkansas state court against software companies and insurers alleging a conspiracy to deprive first-party insureds of policy benefits. This case resulted in a settlement for injunctions against the defendants and supplemental payments to class members of over \$300 million to the class.
- *Burgess v. Farmers*, a class action in Oklahoma state court asserting that the insurer was systematically under-paying homeowners' claims. This case resulted in a \$130 million jury verdict against the defendants.

Ms. Marcussen has been recognized by her peers and the judiciary for professional excellence. She has been consistently honored as a "Rising Star" by *Oklahoma Super Lawyers* magazine², and serves on the Oklahoma Bar Association's Civil Procedure and Evidence Code Committee, and its Disaster Relief Committee.

Mr. Federman and Ms. Marcussen will be supported by additional attorneys and staff at Federman and Sherwood, all of whom have experience and training in complex and class action litigation.

² 2008, 2009, 2011, 2013, 2014