

# **Exhibit A**

***Bonnett Fairbourn  
Friedman & Balint, P.C.***



## **ABOUT THE FIRM**

Bonnett, Fairbourn, Friedman & Balint, P.C. is an AV rated firm of 28 lawyers. Our clients include many individuals and local businesses, as well as major national and international companies in a wide range of civil litigation in both federal and state courts.

The firm has developed a recognized practice in the area of complex commercial litigation, including major class actions and is widely regarded as the preeminent firm in Arizona representing plaintiffs in class action proceedings. Over the last twenty years, the firm has successfully handled more than 100 class action lawsuits. We have represented consumers and victims in a wide range of class action proceedings, including actions alleging antitrust claims, securities fraud, civil rights claims and consumer fraud.

Our antitrust practice includes the prosecution of class claims on behalf of direct purchasers of products as well as indirect purchaser claims. These antitrust cases include, among others, class actions against Microsoft, MasterCard, Apple Computer and sellers of products such as polyester and rubber chemicals, waste management services, financial products and other industries. In addition to our class action practice, the firm also has represented plaintiffs in individual litigation asserting antitrust claims, including Culligan International.

Bonnett, Fairbourn, Friedman & Balint has taken a leading role in numerous important actions on behalf of consumers and investors, and we have been responsible for many outstanding results that have yielded dozens of multi-million dollar recoveries for class members in Arizona and throughout the United States.

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## **PRACTICE AREAS**

### **CLASS ACTION**

Bonnett, Fairbourn, Friedman & Balint represents consumers and investors in major class action cases in federal and state courts throughout the United States. Under the direction of Andrew S. Friedman, the firm's class action section represents plaintiff classes in the following areas:

Securities Fraud: Protects institutional shareholders and individual investors from corporate fraud and mismanagement.

Consumer Protection: Protects consumers from defective products and fraudulent marketing practices.

Antitrust: Protects individuals and businesses from price fixing, unfair business practices and other anticompetitive conduct.

Civil Rights and Employment: Protects employees and consumers against unfair practices and racial, age, gender, and other forms of discrimination.

Insurance and Health Care: Represents victims of fraud and unfair sales practices by life insurance companies and HMOs.

Tobacco: Seeks redress for fraudulent marketing of "Light" cigarettes as a less toxic version of "Full Flavor" varieties.

False Claims and Whistleblowers: Provides for awards to individuals who uncover false claims for payment submitted to the federal government.

### **SECURITIES**

Bonnett, Fairbourn, Friedman & Balint has extensive experience in plaintiffs' class action securities cases in and out of the State of Arizona. Its attorneys have recovered substantial verdicts and settlements in various high-profile cases representing bondholders who have suffered significant losses due to the criminal activities of individuals in the securities and banking industries, including victimized investors in the Lincoln Savings scandal.

### **APPELLATE LITIGATION**

Bonnett, Fairbourn, Friedman & Balint has extensive appellate experience at all levels of the state and federal court systems. Attorneys from the firm have appeared before the Arizona Court of Appeals, the Arizona Supreme Court, and numerous U.S. Circuit Courts. Decisions to appeal a matter are not made lightly by the firm; we carefully analyze the likelihood of a positive result for the client against the potential cost of an unfavorable outcome. Although we draw on the clerking and practical experience of many of our attorneys in making this analysis, a fully informed client is always an integral part of this process.



**ELAINE A. RYAN** is a firm shareholder. Her practice has focused on complex litigation, including class action litigation, since the early 1990's.

Ms. Ryan has represented millions of retail consumers, holders of automobile and health insurance policies, credit card customers, and debit card holders. She practices in both state and federal courts throughout the country.

Ms. Ryan was trial counsel in *Smith v. American Family Insurance Company*, a Missouri class action, wherein after a 3 and a half week jury trial, a unanimous jury awarded plaintiffs \$17.4 million in damages. Ms. Ryan was also trial counsel in *Lebrilla v. Farmers Insurance Group, Inc.*, a multi-state class action which settled on terms favorable to the class after a month long trial and just before closing arguments. Also, Ms. Ryan was involved in obtaining a settlement in *White v. State Farm Mut. Auto. Ins. Co.* (exceeding \$2.25 million) in Arizona state court.

Ms. Ryan has represented millions of purchasers of food, food supplements and over-the-counter drugs in state and federal courts throughout the United States in cases arising out of various false advertising claims made by manufacturers and retailers, including: Procter & Gamble, General Mills, Bayer, Clorox, WD-40, Dean Foods and Pharmavite. Ms. Ryan assumed a leadership role in many of these cases, and was appointed Co-Lead Plaintiffs' Counsel in *In re: Hydroxycut Marketing and Sales Practices Litigation*, No. 09-02087 (S.D. Cal.).

Ms. Ryan has extensive experience litigating against life, auto and health insurance carriers on behalf of consumers. Her experience litigating against auto insurance companies includes representing policyholders whose cars were repaired with imitation parts, who were not compensated for necessary repairs and were not paid for their diminished value loss against a number of major insurers, including State Farm, Geico, Farmers, American Family, SafeCo, Hartford, Nationwide, Esurance and Allstate. Ms. Ryan also has represented policyholders in "vanishing premium" life insurance actions and medical providers in lawsuits against health insurers.

Ms. Ryan also has represented consumer credit card holders against several major retailers, and debit cardholders against major lending institutions. She was designated Team Co-Leader in *In re: Checking Account Overdraft Litigation, Larsen v. Union Bank* and *Dee v. Bank of the West*, MDL No. 2036 (S.D. Fl.).

Ms. Ryan also has been involved in precedent-setting appellate decisions in areas which include consumer and insurance law and class action procedure. These appellate decisions include *State ex rel. American Family Mut. Ins. Co. v. Clark*, 106 S.W.3d 483 (Mo. 2003) (automobile insurance and class action procedure); and *Lebrilla v. Farmers Group, Inc.*, 119 Cal. App. 4th 1070 (2004) (automobile insurance and class actions procedure).

Ms. Ryan is admitted to practice in the states of Arizona, Texas, Kansas, Missouri, Washington, Colorado, Utah and Idaho as well as the United States District Court for the District of Arizona, District of Eastern Michigan, District of Idaho, Western District of Wisconsin, and Northern District of Illinois. Ms. Ryan received her Juris Doctor from Duke University in 1989 and her Bachelor of Science with honors in Economics and Political Science from the University of Iowa in 1986.



**PATRICIA N. SYVERSON** is a firm shareholder. Her practice has focused on complex litigation, including class action litigation, since the early 2000's.

Ms. Syverson has represented millions of retail consumers, holders of automobile insurance policies, and credit card and debit card customers. She practices in both state and federal courts throughout the country.

Ms. Syverson was trial counsel in *Smith v. American Family Insurance Company*, a Missouri class action, wherein after a 3 and a half week jury trial, a unanimous jury awarded plaintiffs \$17.4 million in damages. Ms. Syverson was also trial counsel in *Lebrilla v. Farmers Insurance Group, Inc.*, a multi-state class action which settled on terms favorable to the class after a month long trial and just before closing arguments. Also, Ms. Syverson was involved in obtaining a settlement in *White v. State Farm Mut. Auto. Ins. Co.* (exceeding \$2.25 million) in Arizona state court.

Ms. Syverson has represented millions of purchasers of consumer products, food, food supplements and over-the-counter drugs in state and federal courts throughout the United States in cases arising out of various false advertising claims made by manufacturers and retailers, including: Procter & Gamble, General Mills, Bayer, Clorox, WD-40, Dean Foods and Pharmavite. Ms. Syverson assumed a leadership role in many of these cases.

Ms. Syverson also has represented consumer credit card holders against several major retailers, and debit cardholders against major lending institutions, including assuming a leadership role in *In re: Checking Account Overdraft Litigation, Larsen v. Union Bank* and *Dee v. Bank of the West*, MDL No. 2036 (S.D. Fl.).

Ms. Syverson has extensive experience litigating against auto insurance carriers on behalf of policyholders whose cars were repaired with imitation parts, who were not compensated for necessary repairs and were not paid for their diminished value loss against a number of major insurers, including State Farm, Geico, Farmers, American Family, SafeCo, Hartford, Nationwide, Esurance and Allstate.

Ms. Syverson has been involved in precedent-setting appellate decisions in areas which include consumer and insurance law and class action procedure. These appellate decisions include *State ex rel. American Family Mut. Ins. Co. v. Clark*, 106 S.W.3d 483 (Mo. 2003) (automobile insurance and class action procedure); and *Lebrilla v. Farmers Group, Inc.*, 119 Cal. App. 4th 1070 (2004) (automobile insurance and class actions procedure).

Ms. Syverson also has worked on numerous complex class action litigation matters involving annuity policies marketed and sold to senior citizens, insurer kickbacks known as "contingent commissions" in the insurance brokerage industry and discriminatory mortgage lending policies.

Ms. Syverson received her Bachelor of Arts Degree from the University of California at San Diego in 1996 and received her law degree in 1999 from California Western School of Law. Ms. Syverson was admitted to the Bar of the State of California in 1999 and the State of Arizona in 2000, and is admitted to practice before the United States District Court for the District of Arizona and the United States District Court for the Southern, Central and Eastern Districts of California.



**TODD D. CARPENTER** is a firm shareholder. His practice focuses primarily on major insurance fraud, anti-trust and unfair and deceptive business practices litigation primarily in California, but he has also represented plaintiffs in federal and state courts throughout the United States.

Mr. Carpenter is presently prosecuting class actions that seek to halt and remedy the harm caused by insurance companies who have employed unfair, fraudulent, and unlawful practices in connection with the sale of deferred annuities to senior citizens. The United States District Court in the Central District of California recently certified a nationwide class of over 200,000 senior citizens who were allegedly victimized by Allianz Life Insurance Company of North America. Mr. Carpenter has deposed senior level executives at Allianz's marketing organizations and has substantially participated in law & motion practice.

Mr. Carpenter is also acting as counsel in an anti-trust and monopolization consumer class action against Apple, Inc. wherein The United States District Court in the Northern District of California recently denied Apple, Inc.'s motion to dismiss. Mr. Carpenter was primarily responsible for Opposing Apple's Motion to Dismiss and the published decision can be found at *Tucker v. Apple Computer, Inc.*, 493 F. Supp. 2d 1090 (N.D. Cal. 2006).

Mr. Carpenter received his Bachelor of Business Administration Degree from the University of New Mexico in 1999. He received his law degree in 2002 from the University of San Diego, School of Law. Mr. Carpenter was admitted to the Bar of the State of California in 2004, and is admitted to practice before the United States District Court for the Southern and Central Districts of California.



**BONNETT, FAIRBOURN, FRIEDMAN & BALINT, P.C.**

**ATTORNEYS**

**JERRY C. BONNETT**, born Canton, Illinois, April 3, 1946; admitted to bar, 1973, Arizona; 1977, United States Supreme Court; U.S. Court of Appeals, Seventh, Eighth and Ninth Circuits; U.S. District Court, District of Arizona, and U.S. Tax Court. Education: University of Illinois (B.S., with highest honors, 1969; LL.M., 1974); Arizona State University (J.D., *magna cum laude*, 1973). Author and Articles Editor, Arizona State Law Journal, 1972-1973. Judge Pro Tem, Arizona Court of Appeals, Division One, 1986 and 1992.

**WILLIAM G. FAIRBOURN**, born Salt Lake City, Utah, April 21, 1947; admitted to bar, 1973, Arizona; U.S. District Court, District of Arizona. Education: University of Utah (B.S., 1970); Arizona State University (J.D., 1973). Member: Maricopa County Bar Association (Member, Board of Directors, 1984-1986); Arizona Association of Defense Counsel (Member, Board of Directors, 1981-1989; President, 1986); National Association of Railroad Trial Counsel; American Board of Trial Advocates (President Phoenix Chapter, 1994); Arizona State Bar Certified Specialist in Personal Injury and Wrongful Death.

**ANDREW S. FRIEDMAN**, born Plainfield, New Jersey, September 26, 1953; admitted to bar, 1978, Arizona; U.S. Court of Appeals, Ninth Circuit; U.S. District Court, District of Arizona; U.S. Supreme Court. Education: University of Rochester (B.A., with high distinction, 1975); Duke University (J.D., with high distinction, 1978). Order of the Coif. Member: State Bar Committee on Civil Practice and Procedure (1980-1984); State Bar Committee on Bench-Bar Relations (1991); State Bar Bankruptcy Section; National Association of Commercial Trial Attorneys (1991-present); American Bar Association, Trial Practice Committee, Subcommittees and Class and Derivative Actions.

**FRANCIS J. BALINT, JR.**, born Pittsburgh, Pennsylvania, January 9, 1957; admitted to bar, 1982, Virginia and District of Columbia; 1983, Arizona; U.S. District Court, Districts of Arizona and Virginia; U.S. Court of Appeals, Fourth and Ninth Circuits; U.S. Supreme Court. Education: University of Virginia (B.A., with high distinction, 1979; J.D., 1982). Former President and Current Director: Arizona Association of Defense Counsel (Member of Board of Directors 1988 through 2001; president 1999-2000).

**VAN BUNCH**, born Chattanooga, Tennessee, April 28, 1957; admitted to bar, 1984, Arizona; 2007, West Virginia; U.S. District Court, District of Arizona. Education: Vanderbilt University (B.A., 1979); University of Tennessee at Knoxville (J.D., with high honors, 1984). Order of the Coif. Member: State Bar of Arizona Bankruptcy Section.

**MICHAEL N. WIDENER**, born Mt. Ranier, Maryland, June 10, 1950; admitted to bar, 1983, Arizona and Tennessee; United States Supreme Court; U.S. Court of Appeals, Ninth Circuit; U.S. District Court, District of Arizona. Education: University of Virginia (B.A., with distinction, 1972); University of Illinois (M.S., 1974); University of Arizona (J.D., 1982). Author and Articles Editor, Arizona Law Review, 1980-1982. Law Clerk to Hon. James Duke Cameron, Supreme Court of Arizona, 1982-1983. (Certified Specialist, Real Estate Law, Arizona Board of Legal Specialization).

**ROBERT J. SPURLOCK**, born Janesville, Wisconsin, November 23, 1954; admitted to Arizona bar, 1984; U.S. District Court, District of Arizona. Education: University of Wisconsin-Madison (B.S., with honors, 1976), Arizona State University (J.D., 1984). Law Clerk to the Honorable D.L. Greer, Arizona Court of Appeals, 1984-1985; Member: Phoenix Association of Defense Counsel; State Bar Bankruptcy Section; Defense Research Institute; Arizona Association of Defense Counsel; American Bankruptcy Institute.

**C. KEVIN DYKSTRA**, born Phoenix, Arizona, March 30, 1964; admitted to Arizona bar, 1989; U.S. Court of Appeals, Ninth Circuit; U.S. District Court, District of Arizona. Education: Northern Arizona University (B.S., 1986); California Western School of Law (J.D., 1989). Director: Arizona Association of Defense Counsel.

**ELAINE A. RYAN**, born Emmetsburg, Iowa, June 15, 1963; admitted to Arizona bar, 1989; Texas bar, 2008; Kansas bar, 2010; Missouri bar, 2010; Washington bar, 2010; Colorado bar, 2011; Utah bar, 2011; Idaho bar, 2011; U.S. District Court, District of Arizona; U.S. District Court, District of Eastern Michigan; U.S. District Court, District of Idaho; U.S. District Court, Western District of Wisconsin; U.S. District Court, Northern District of Illinois. Education: University of Iowa (B.S., with distinction, 1986); Duke University (J.D., 1989).

**WENDY J. HARRISON**, born Walnut Creek, California, May 24, 1965; admitted to California bar, 1990, Arizona bar, 1992; U.S. Court of Appeals, First, Third, Fifth, Sixth and Ninth Circuits; U.S. District Court, District of Arizona; U.S. District Court, Central, Northern and Southern Districts of California. Education: University of California, Berkeley (B.A., with honors, 1987); University of Southern California Law Center (J.D., 1990).

**ANDREW Q. EVERROAD**, born Phoenix, Arizona, August 8, 1969; admitted to Arizona bar, 1995; U.S. District Court, District of Arizona. Education: University of Arizona (B.A., 1992); University of London – Bloomsburg, 1990; Arizona State University (J.D., 1995). Law clerk to the Honorable Thomas C. Kleinschmidt, Arizona Court of Appeals, 1995-1996.

**KATHRYN A. HONECKER**, born Naples, Florida, May 9, 1973; admitted to Illinois bar, 1998; Arizona bar, 2001; U.S. Court of Appeals, Tenth Circuit; U.S. District Court, District of Arizona; U.S. District Court, Northern District of Illinois; U.S. District Court, District of Colorado. Education: Carthage College (B.A., *cum laude*, 1995); Creighton University (J.D., *cum laude*, 1998).

**PATRICIA N. SYVERSON**, born San Diego, California, July 16, 1975; admitted to California bar, 1999; Arizona bar, 2000; U.S. District Court, Central and Southern Districts of California; U.S. District Court, District of Arizona. Education: University of California at San Diego (B.A., 1996); California Western School of Law (J.D., 1999).

**JONATHAN S. WALLACK**, born Huntington, New York, June 7, 1975; admitted to Arizona bar, 2001; U.S. District Court, District of Arizona. Education: University of Arizona (B.A., 1998); University of Arizona (J.D., *cum laude*, 2001).

**GUY A. HANSON**, born Baltimore, Maryland, November 12, 1952; admitted to Arizona bar, 1991; U.S. District Court, District of Arizona. Education: University of Florida (B.S., 1976); University of Florida (J.D., 1990).



**KIMBERLY C. PAGE**, born Washington, D.C., February 16, 1968; admitted to Georgia bar, 1993; Alabama bar, 1993; Arizona bar, 2004; U.S. District Court, Northern, Middle and Southern Districts of Alabama; U.S. Court of Appeals, Eleventh Circuit. Education: Miami University (B.A., 1990); Cumberland School of Law of Samford University (J.D., *magna cum laude*, 1993).

**CHRISTINA L. BANNON**, born Ames, Iowa, September 16, 1968; admitted to Arizona bar, 1995; U.S. Court of Appeals, Ninth Circuit, 1997; U.S. District Court, District of Arizona. Education: Arizona State University (B.A., *summa cum laude*, 1989); Arizona State University College of Law (J.D., *cum laude*, 1995). Associate Articles Editor, Arizona State University Law Journal, 1994-1995. Law Clerk to Hon. E. G. Noyes, Jr., Arizona Court of Appeals, 1995-1996.

**MANFRED P. MUECKE**, born Inglewood, California, August 28, 1971; admitted to California bar, 2002; U.S. District Court, Southern District of California. Education: California State University Northridge (B.A., 1996); University of San Diego (J.D., 2002).

**TODD D. CARPENTER**, born Sioux City, Iowa, May 31, 1975; admitted to California bar, 2004; U.S. District Court, Southern District of California. Education: University of New Mexico (B.B.A. 1999); University of San Diego School of Law (J.D., 2002).

**WILLIAM F. KING**, born Phoenix, Arizona, October 21, 1978; admitted to Arizona bar, 2005; U.S. District Court, District of Arizona. Education: Rockhurst College (B.A., 2001); Creighton University School of Law (J.D., *cum laude*, 2005).

**TONNA K. FARRAR**, born Sedalia, Missouri, April 9, 1972; admitted to Missouri bar, 1997; Kansas bar, 1998, California bar, 2005; U.S. District Court, Eastern and Western Districts of Missouri; U.S. District Court, District of Kansas; U.S. District Court, Central, Eastern, Northern and Southern Districts of California. Education: University of Missouri, Columbia (B.A. 1994); University of Missouri, Kansas City School of Law (J.D. 1997).

**T. BRENT JORDAN**, born Urbana, Illinois, November 21, 1967; admitted to Minnesota bar, 1993, Pennsylvania bar, 2003; U.S. District Court, Eastern District of Pennsylvania. Education: University of Illinois (B.A., B.S., *magna cum laude*, 1990); University of Minnesota Law School (J.D., *cum laude*, 1993). Judicial clerkship: United States Magistrate Judge Raymond L. Erickson, United States District Court, District of Minnesota, 1993-1995.

**ANDREW M. EVANS**, born Hanover, New Hampshire, September 26, 1973; admitted to Arizona bar, 2006. Education: University of Colorado at Boulder (B.S., *cum laude*, 1997); Arizona State University College of Law (J.D., 2006).

**TY D. FRANKEL**, born Phoenix, Arizona, November 13, 1983; admitted to Arizona bar, 2009; U.S. District Court, District of Arizona. Education: Boston College (B.A., Dean's List, 2006); Boston College Law School (J.D., *cum laude*, 2009).

**LINDSEY M. GOMEZ-GRAY**, born San Leandro, California, June 24, 1984; admitted to Arizona bar, 2009; U.S. District Court, District of Arizona. Education: Arizona State University (B.A., *magna cum laude*, 2006); Arizona State University College of Law (J.D., *cum laude*, 2009).

**KEVIN R. HANGER**, born Chandler, Arizona, September 1, 1983; admitted to Arizona bar, 2009; U.S. District Court, District of Arizona. Education: University of Arizona (B.S., *cum laude*, 2006); University of Oklahoma College of Law (J.D., with honors, 2009).

**ERIC D. ZARD**, born Brainerd, Minnesota, April 4, 1984; admitted to Arizona bar, 2009; U.S. District Court, District of Arizona. Education: University of Minnesota (B.S., 2006); University of Saint Thomas, Minneapolis (J.D., 2009).

**BARRETT N. LINDSEY**, born Phoenix, Arizona, May 14, 1985; admitted to Arizona bar, 2011. Education: Arizona State University (B.S., *magna cum laude*, 2007); Creighton University (J.D., *magna cum laude*, 2010). Law Clerk to the Honorable Richard E. Dorr, United States District Court, Western District of Missouri, 2010-2012.