

ADVOCATES FOR JUSTICE

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CPM SECURES GLOBAL SETTLEMENT OF \$4 BILLION FOR MAUI FIRE VICTIMS

CPM's Frank Pitre, Nabilah Hossain, Duffy Magilligan, Andrew Britton and Cynthia Wong led a team who recently secured a historic tentative global settlement of **\$4.037 billion** for the victims of the August 2023 Maui wildfires. This settlement, reached within one year, is unprecedented and allows affected individuals to rebuild their lives quickly without prolonged and costly litigation. Civil lawsuits involving deadly and damaging wildfires typically take years to adjudicate. CPM led the negotiations on behalf of all individual plaintiffs to reach the tentative agreement after more than four months of mediation. Under the proposed settlement, Hawaiian Electric Industries will pay \$1.99 billion, Kamehameha Schools \$872.5 million, and the state of Hawaii approximately \$800 million. Additional defendants will contribute between \$300-\$400 million. The settlement is an agreement in principle and includes a condition requiring the resolution of insurance subrogation claims. The Lahaina Fire destroyed over 2,000 structures and claimed the lives of at least 102 people. The result is considered outstanding for the victims.

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Public Entities Take on Shale Oil Producers for Gasoline Price-Fixing



CPM's Team led by **Joe Cotchett, Karin Swope** and **Adam Zapala** are represents the **City of San Jose** and **San Mateo County** alleging price-fixing by OPEC with shale oil producers. It is alleged that OPEC joined with U.S. shale oil producers in recent years to bring them into

the cartel of gasoline producers. The 2020 covid pandemic caused the cartel group with the shale oil producers to violate Federal and State antitrust laws with the sale of gas. The case has been transferred to the **District Court in New Mexico** for trial.



TRIAL TO BEGIN IN CHICAGO COURT IN DEADLY BOEING CRASH IN ETHIOPIA

CPM will begin a wrongful death trial in Chicago this November on behalf of the families of victims of the Boeing 737 MAX 8 airplane crash in Ethiopia in March 2019. Boeing has admitted its defective MCAS flight controls system was solely responsible for the crash that killed 157 people. The jury will determine the amount of compensation owed to the families for the loss of their loved ones. The case is being handled by CPM attorneys **Frank Pitre, John Thyken, Nabilah Hossain** and **Andrew Britton** with co-counsel.

Court Certifies Nationwide Class to Pursue Claims Against Elon Musk For Manipulating Market Price on Twitter Purchase



CPM and **Bottini & Bottini** serve as co-lead counsel representing a national class of 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, after making a firm offer to purchase all of Twitter's shares, Musk then issued a series of false statements/tweets in order to drive down the share price and renegotiate the deal. As alleged, Musk's tweets induced shareholders to sell their Twitter shares and the case seeks damages for Twitter's selling shareholders. On September 27, 2024, the Court certified a national class of shareholders to pursue securities fraud claims under Section 10(b) of the Securities Exchange Act of 1934 against Musk. The case at CPM is being handled by **Joe Cotchett, Mark Molumphy, Tyson Redenbarger** and **Gia Jung**.

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Landmark Trial Set for Atria Park Death Case of Elderly Citizen

Trial is set for May 2025, in the case where **Trudy Maxwell** died after being served and drank Ultra Klene, a toxic alkaline dishwasher fluid, while she was a resident of Atria Park at San Mateo. CPM represents the surviving children of Maxwell. Defendants appealed the San Mateo County Superior Court order denying their motion to compel arbitration. The Court of Appeal, First District argument took place September 12, 2024. The Maxwells prevailing will cause a major shift in the senior care industry to give greater protections for the elderly. The case is being handled by **Niall McCarthy, Anne Marie Murphy, Tamarah Prevost, David Hollenberg, Zachary Zaharoff** and team.



MAJOR FILINGS & INVESTIGATIONS

Parents of Man Shot By Security Guard In Downtown San Francisco File Lawsuit



CPM represents the Ryan Pinus' family in a lawsuit filed in San Francisco Superior Court seeking to hold Allied Universal Security Services liable for its role in allowing its employee to violently shoot and kill a peaceful business traveler on a public street. Pincus, 37, was murdered at approximately 12:30 A.M. on August 4, 2023 in San Francisco by a single gunshot wound to the torso. Visiting San Francisco on business, Pincus, a Los Angeles-based insurance executive, was walking back to his hotel following a Giants game when he was fatally attacked by Allied Universal security guard Anthony Hodges in front of the Hotel Bijou near the intersection of Mason and Eddy streets. Anthony Hodges confronted Pincus, drew his firearm and fired, leaving him to die on the street. The case is being handled by **Joe Cotchett, Duffy Magilligan, Blair Kittle, Vasti Montiel** and team.

Lawsuit Filed Against Real Estate Developers Ken Mattson and Tim Lefever and their Company for Fraud and Breach of Fiduciary Duty



Three major California Law Firms filed a class action lawsuit in the Northern District of California on behalf of investors across the United States who invested in the various investment properties owned by the real estate corporation LeFever Mattson, Inc., founded by Kenneth Mattson and Timothy LeFever. The suit alleges that they used a "complex web of corporate entities" to effectuate one of the largest real estate investment schemes in Northern California to deprive investors of their savings. LeFever Mattson, Inc. tricked investors into believing that their investments were sound by promising and making consistent payments of interest. These regular payments masked growing disarray and illegal commingling of investor funds across a series of unidentified real estate properties. The investment properties were largely dilapidated and neglected. The case is being handled by **CPM's Joe Cotchett, Blair Kittle, Vasti Montiel** and team.

CPM PURSUES WRONGFUL DEATH ACTION AGAINST FORD FOR DEFECTIVE VEHICLE CRASH



CPM represents the mother of a 16-year-old girl who was killed when the brakes failed in the Ford Fusion in which she was a passenger. The driver of the defective vehicle reported that she slammed on the brakes and the Ford did not slow down before she lost control and the vehicle flipped over. Police officers found that the vehicle experienced a catastrophic failure at the time of the crash and that there was an open recall for a defect in the vehicle's anti-lock braking system. In addition to Ford and the vehicle owner, CPM has filed suit against a Ford dealership that refused to perform the recall repair when requested by the vehicle's prior owner. The case is being handled by CPM attorneys **Frank Pitre, John Thyken, and Andrew Britton** in addition to co-counsel David Casey, Jason Evans, and Noah Moss at the **Casey Gerry** firm in San Diego.

CPM Represents Grandchildren of Woman Killed by Amtrak



CPM is representing the grandchildren of a woman who, while crossing tracks in a designated crossing zone on her way to the main platform of the Fremont train station, was struck and killed by an Amtrak train in spring 2023. The suit alleges that Amtrak and its defendant engineer were negligent in the operation of the train by, amongst other things, failing to keep a proper lookout for people in the crossing zone and failing to slow or control the train to avoid striking and killing pedestrians accessing the adjacent train station. The case is being handled by CPM attorney **Julie Fieber** and team.

CPM Investigating Unfair Practices by Pharmacy Benefit Managers (PBMs)



CPM is investigating a potential action against PBMs, middlemen between pharmacies and insurers, for a host of unfair business practices that are driving up the cost of prescription drugs. As recently reported by the FTC, vertical integration with health insurers has enabled PBMs to manage 95% of all prescriptions and to make billions in profits, increasing drug costs. Among other things, PBMs are steering patients to their own large pharmacies and entering into deals with brand drug manufacturers that exclude lower cost generic drugs. **Brian Danitz, Joe Cotchett, Adam Zapala, Karin Swope** and team are heading up the investigation.

MAJOR CASE UPDATES

Court Allows Lawsuit against Tesla for Misleading the Public about Tesla's Autopilot/ Full Self-Driving Technology to Move Forward



The US District Court for the Northern District of California has rejected an attempt by automaker Tesla, Inc. to dismiss a class action lawsuit that CPM has filed regarding Tesla's allegedly Full Self-Driving technologies.

Among other things, the District Court Judge ruled that the lawsuit can move forward on theories that Tesla's representations that its vehicles have all the hardware necessary to be full self-driving, as well as Elon Musk's repeated assertion that Tesla vehicles would soon be able to drive themselves from coast-to-coast, are false or misleading. Many consumers allegedly believed these claims and paid Tesla many thousands of dollars to add these technologies to their vehicles, but to date, have not received anything remotely approaching the "self-driving" vehicles they were promised. Fact discovery is moving forward at full speed in this lawsuit. The case is being handled by **Frank Pitre, Julie Fieber, Tom Loeser, Karin Swope, Andrew Britton** and team.

CPM Awarded Leadership in Health Information Data Breach Case



CPM was awarded leadership in a health information data breach of an Health Savings Account provider based in Utah. The case involves a massive data breach disclosed by HealthEquity that may have disclosed the personal and health information of 4.3 million people. According to its data breach notice filed with Maine's attorney general, HealthEquity said the data may include customer names, addresses, phone numbers, their Social Security number, information about the person's employer and the person's dependent, and some payment card information. The case is being led by **Tom Loeser, Karin Swope, Ellen Wen** and team in the Seattle office.

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CPM's Thomas Loeser Appointed to Plaintiff's Steering Committee for AT&T Data Breach Case



The Court has appointed CPM partner **Thomas Loeser** to the Plaintiff's Steering Committee in the **AT&T Data Breach MDL in Dallas**. In this role he joins an elite group of attorneys who will lead this important case. The case involves a massive data breach hidden for years and finally disclosed by AT&T. Hackers may have been circulating stolen AT&T customer data as far back as 2021. Criminal hackers that call themselves Shinyhunters were auctioning off an archive containing data on over 70 million AT&T accounts, including full names, email addresses, physical addresses, and at least in some cases, social security numbers and dates of birth. The case is being handled by **Tom Loeser, Karin Swope, Ellen Wen** and team.

Upcoming Trial in Saugus High School Shooting Case



Trial is set for January 6, 2025 for a joint lawsuit brought by the parents of two Saugus High School students killed in a

November 4, 2019, on-campus shooting. The suit alleges that the Hart Union High School District had no program in place to identify and intervene with troubled students and missed numerous red flags concerning the suicidal student who committed the murders. The trial court has already rejected arguments from the defendant District that it owed no duty to protect students from foreseeable harm by other students on the campus during school hours. The case is being led by CPM's **Julie Fieber, Duffy Magilligan, Nabilah Hossain, Andrew Britton** and team.

CPM Secures Settlement of Pandemic Nursing Home Death Case in Los Angeles



CPM filed one of the first pandemic nursing home death cases in California on behalf of the family of a nursing home resident at

Hollywood Premier Healthcare Center. The long time resident was stable until the facility experienced staffing problems. Infection spread quickly and families were denied access. Eventually, the National Guard took over the facility. After multiple legal challenges by the Defendants over several years, the facility finally paid its full insurance policy limits of \$1M. The case was handled by CPM's **Anne Marie Murphy** and team in the Burlingame office, and **Gary Praglin, Hannah Brown** and team in the CPM Santa Monica office.

STEVE WOZNAK'S ARTIFICIAL INTELLIGENCE CASE AGAINST YOUTUBE GOES FORWARD



CPM represents **Steve Wozniak**, the **Co-Founder of Apple**, and victims of a "Bitcoin Giveaway" scam in a lawsuit against YouTube and Google that is testing the limits of Section 230 of the Communications Decency Act. Section 230 immunizes internet platforms from liability based on information posted by third parties. The Bitcoin scam convinces users to send in their Bitcoin promising double back. In March 2024, the Court of Appeal reversed the trial court's dismissal of the case based on Section 230 immunity, finding plaintiffs adequately alleged that YouTube is responsible for the "verification badges" that represented to users that the YouTube channels used by the fraudsters were trustworthy. The case is now back in the trial court, in the discovery stage, moving forward toward trial. The case is being handled by **Joe Cotchett, Brian Danitz** and **Gia Jung**.

BUSINESS FRAUD & ANTITRUST UPDATES



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 is on the Steering Committee 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, Karin Swope** and **Ellen Wen**.

CPM Takes on Apple for Overcharges on Phones/Watches



Both the U.S. Government and CPM have sued Apple - the Government for injunctions on the conduct of Apple for allegedly monopolizing their products and CPM’s case for monetary harm done to purchases of iPhones and Android phones by Apple’s operations. The basic claim alleges that Apple iPhones cause their phones to be unable to connect with other phones and technology thereby raising rates on the use of their devices. The CPM team is led by **Joe Cotchett** with **Karin Swope, Tom Loeser, Adam Zapala, Gia Jung** and **Grace Park**.

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CPM Appointed Lead Counsel in Tires Price Fixing Case in Ohio



CPM was named co-lead counsel for a class of end-payor plaintiffs who purchased replacement tires that defendants allegedly engaged in a conspiracy to unlawfully fix, artificially raise, maintain and/or stabilize prices, rig bids for, and allocate the market in the United States for replacement tires. This case is pending in the Northern District of Ohio. This case is being managed by **Adam Zapala** and **Elizabeth Castillo**.

CPM Files Price Fixing Case Against Yardi and Other CA 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. CPM defeated Defendants’ demurrer and the case is underway. This case is handled by **Adam Zapala, Karin Swope** and **Ellen Wen**.

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 in the class certification stage of litigation. CPM and its co-counsel allege 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. This case is being handled by **Adam Zapala** and **Elizabeth Castillo**.

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



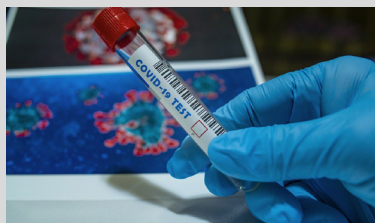
CPM serves on the Plaintiffs’ Steering Committee on behalf of plaintiffs who purchased and paid Google for applications (“apps”) through the Google Play Store. Consumers are alleged to have overpaid or otherwise suffered economic losses due to Google’s monopolization of the market. In September 2023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

JOHN DEERE CASE PROCEEDS IN ILLINOIS AFTER DISTRICT DENIES DEFENDANT’S MOTION TO DISMISS



CPM’s antitrust litigation against John Deere on behalf of our nation’s farmers proceeds after an Illinois Court refused to dismiss the case. The District Court sided with CPM’S farmers for their “right to repair” 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, this case is being managed by **Adam Zapala** and **Elizabeth Castillo** and team.

CONSUMER CASE UPDATES



UNITED STATES DOJ JOINS IN CPM WHISTLEBLOWER LAWSUIT FRAUDULENTLY OVERBILLING COVID UNINSURED PROGRAM

Both the U.S. Government and **CPM** sued LabQ Clinical Diagnostics, Inc. and its CEO Moshe Landau for fraudulently overbilling the federal program that reimbursed health care providers for COVID-19 testing for uninsured persons at the height of the COVID-19 pandemic. Both contend that LabQ and Landau billed the federal uninsured program without verifying whether the patient was indeed uninsured and, in some instances, simultaneously double-billed both the federal uninsured program and the patient's private health insurance company. CPM filed its complaint on behalf of three whistleblowers—the company's former Co-CEO and two lab industry leaders. Following CPM's work on the investigation, the U.S. Government intervened in the lawsuit, which occurs in only about 15 percent of federal whistleblower cases, and additionally obtained pre-judgment writs of attachment to prevent LabQ's and Landau's dissipation of the proceeds from its fraudulent overbilling, approximately 30 New Jersey residential homes. The case is being handled by **Niall McCarthy, Grace Park, Kevin Boutin, Zachary Zaharoff** and team.

Lawsuit Filed on Behalf of Residents in Los Angeles County for Uninhabitable Apartments - Marina del Rey -



CPM filed suit on behalf of 130 Marina del Rey residents for a monthlong gas outage at an apartment complex owned by real estate giant Equity Residential. The case alleges that corroded gas lines and a \$45 million construction project at Equity's sprawling Pearl Apartments caused the outage. Tenants were given no advance notice that their gas would be disconnected for a month during Winter of 2023, in violation of California's Health and Safety Code. No relocation was offered. The case is pending in Los Angeles County Superior Court, and is being handled by **Gary Praglin, Kelly Weil, Theresa Vitale** and team in the CPM Santa Monica office.

GOOGLE "REAL TIME BIDDING" LAWSUIT FIGHTS FOR PRIVACY RIGHTS

CPM along with **Pritzker-Levine** and other co-counsel continue to prosecute this class action to protect privacy rights in the U.S. District Court in Oakland. Plaintiffs allege that Google sells personal information, including browsing history, in Google's Real Time Bidding auctions for targeted ads billions of times every day, and that Google does this despite its express promise that "Google does not sell your personal information to anyone." Real Time Bidding has been described as the biggest data breach the world has ever seen, resulting in detailed profiles of the interests and browsing habits of internet users. The district court previously denied Google's motion to dismiss as to the majority of plaintiffs' claims, and Plaintiffs are currently preparing to file their motion for class certification. The case is being handled at CPM by **Brian Danitz, Nanci Nishimura** and **Karin Swope** and team.

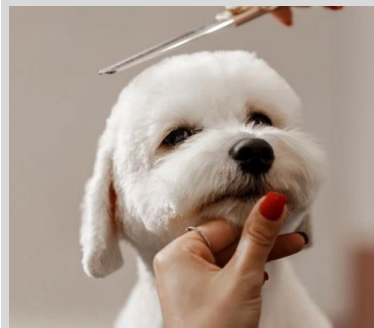
ANIMAL ABUSE CASE UPDATES

CPM Prevails in Animal Abuse Lawsuit Arising from Illegal Puppy Trafficking - Los Angeles -



After years of litigation against unscrupulous puppy traffickers, nine victims of a pandemic puppy scam had their day in court. **CPM** successfully represented families who purchased sick and underage doodles from a family of puppy traffickers in parking lots over Southern California. The puppies came with fabricated pedigrees and veterinarian records. After purchase, the families discovered that their puppies were deathly sick with parvo and intestinal parasites, and had been dyed reddish brown with hair dye. After a five-day Court trial, the Plaintiffs obtained a permanent injunction against the sellers, who are barred from ever advertising or selling dogs again. The Court entered Judgment for over **\$1,000,000** for damages to dogs and cats. CPM received the **ALDF Pro Bono Achievement Award** for its work combating animal abuse. The case was being handled by **Gary Praglin, Theresa Vitale** and team in the CPM Santa Monica office.

Animal Abuse Class Action Receives Preliminary Approval of Settlement



CPM represents individuals and many putative class members against Healthy Spot arising from allegations of dangerous dog grooming and unfair business practices. Several dogs were strangled and mutilated at the hands of Healthy Spot groomers in multiple locations throughout Southern California. Other dogs suffered minor grooming injuries. The **\$725,000** settlement will be shared among class members whose dogs were harmed by grooming during a two year period. The class action settlement recently received Preliminary Court Approval. The case is being handled by **Gary Praglin, Theresa Vitale** and team in the CPM Santa Monica office.

ENVIRONMENTAL & POLLUTION UPDATES

SURFRIDER, THE SIERRA CLUB, HEAL THE BAY, AND SAN FRANCISCO BAYKEEPER SUE EXXON FOR HIDING THE TRUTH ABOUT PLASTIC POLLUTION



CPM represents a coalition of non-profit environmental organizations including the **Surfrider Foundation**, the **Sierra Club**, **Heal the Bay** and **San Francisco Baykeeper** filed a lawsuit against ExxonMobil (“Exxon”), the world’s largest producer of single-use plastic polymers. The complaint, filed in San Francisco County Superior Court, alleges violations of California nuisance law and California unfair competition law and alleges Exxon concealed the harms caused by single-use plastics. The suit further alleges that Exxon systematically led the public to believe that plastic waste is easily and safely disposable via recycling, incineration or landfills, when in reality, plastic persists in the environment for thousands of years, leaking toxic chemicals that are known to harm human health and the environment. Exxon’s conduct has exacerbated the environmental crises of plastic pollution and harmed California’s coasts and waterways. The California Attorney General’s Office also filed a separate action addressing the same crises. The case is being handled by **Niall McCarthy, Tyson Redenbarger, Grace Park** and team.

Court Allows Landmark Plastic Pollution Lawsuit Against Proctor & Gamble, Coca-Cola, Pepsi Co and Major Consumer Goods Companies



Earth Island Institute, represented by **CPM**, received a momentous court order allowing its landmark lawsuit to proceed against major consumer goods companies for allegedly creating a public nuisance from their plastic packaging, polluting California waterways with plastic trash. The San Mateo County Superior Court Judge denied defendants’ demurrers seeking to dismiss the case, finding that Earth Island’s complaint properly alleged that plastic producers could be held liable for creating a public nuisance based on allegations they promoted their products as recyclable while knowing it was difficult if not impossible to recycle, and by doing so also contributed to a public hazard. After over four years of litigation, this major decision means that Earth Island’s claims can proceed on its merits toward trial in California. The case is being handled by **Joe Cotchett, Mark Molumphy, Tyson Redenbarger, Vasti Montiel** and team.

Dominguez Channel Lawsuit Continues in Los Angeles County



CPM is court-appointed Lead Counsel for thousands of plaintiffs in the Dominguez Channel litigation pending in Los Angeles County Superior Court. The case arises from the sickening and relocation of thousands of Carson, California families who endured exposure to elevated levels of Hydrogen Sulfide, a noxious chemical which smells like sewage, in their homes and communities for approximately two months. The odor emanated from the Dominguez Channel following a series of catastrophic industrial releases and improper cleanup and channel maintenance. The case is being handled by **Gary Praglin, Kelly Weil, Theresa Vitale, Carter Courtney** and team in the CPM Santa Monica office.

LAWSUIT FILED ON BEHALF OF MAYWOOD RESIDENTS IN LOS ANGELES COUNTY FOR EXPOSURE TO CANCER CAUSING ETHYLENE OXIDE



CPM represents residents of **Maywood, CA** who live near a Southern California sterilization facility and have been unknowingly exposed to elevated levels of the potent carcinogen Ethylene Oxide for decades. The facility is currently operated by Sterigenics. The lawsuit alleges that Plaintiffs’ exposure to Ethylene Oxide from the sterilization facility has caused breast, stomach, and blood cancer clusters in this small neighborhood. The case is being handled by **Gary Praglin, Kelly Weil, Theresa Vitale** and team in the CPM Santa Monica office. Press described it as a landmark case.

WILDFIRE CASE UPDATES

CPM Represents Victims of the McKinney Fire - Siskiyou County -



CPM is leading the investigation into the 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. The case is being handled by **Frank Pitre, Nabilah Hossain, Duffy Magilligan** and **Andrew Britton**.

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 SECURES SETTLEMENTS FOR DIXIE FIRE VICTIMS IN NORTHERN CALIFORNIA

CPM recently obtained settlements for CPM's clients who 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. The case is being handled by **Frank Pitre, Nabilah Hossain, Duffy Magilligan** and **Andrew Britton**.

PROFILE - NABILAH HOSSAIN - PLAINTIFF MAGAZINE:

PLAINTIFF MAGAZINE - SEPTEMBER 2024



Hossain left the San Francisco DA's Office after just 10 months and took another leap - this time into civil practice as a senior associate with Cotchett, Pitre & McCarthy. There she found her New York DA experience would not go to the wayside. "I jokingly call this job being like a civil DA - all (the same elements) are there," she explained. "You meet a client. It's really important that you're honest with them about what your causes of action can be, what their potential recovery can be, that you explain to them, sort of, how the world works, how this case works. And you have to go out and do your own investigating because you don't have a police department or an investigator; you have to go figure it out yourself."

"A lot of that requires you to get the best story out of (your client), even the details that they don't know are important," Hossain continued. "So, it kind of ended up being the exact same thing, and I didn't even know it at the time. It's beyond my wildest dreams."

Indeed, her dream of becoming a district attorney was realized, just in a different form. Hossain worked her way up to partner in a little more than a year at CPM, having worked on class action cases against PG&E related to the Kincade and Dixie wildfires as well as claims against Tesla, Boeing and large insurance companies. She's currently working on cases related to the January 2023 Half Moon Bay mass shooting and the August 2023 Maui wildfires.

Hossain specializes in sex abuse, mass casualty, wrongful death and catastrophic injury cases. She certainly doesn't shy away from the most complex litigation.

"I'm really lucky to be at a firm that gets a lot of these bigger cases that have lot of victims, and a lot of victims of the same accident or negligent act," she said. "So, it's got its own complicating procedural aspects and managing aspects."

SECURITIES & FINANCIAL ACTION UPDATES

CPM RANKED ONE OF THE NATION'S TOP LAW FIRMS FOR SECURITIES FRAUD CASES IN 2024



The prestigious Institutional Shareholder Services (ISS) issued its Securities Class Action 2024 report ranking **CPM** as one of the nation's top securities class action law firms based on recoveries for investors during 2023. For the fifth time in the past five years, CPM's Securities Team led by **Mark Molumphy** has been ranked amongst the nation's elite securities firms by ISS.

Court Denies Wells Fargo's Motion To Dismiss Shareholder Claims Against Directors For Discriminatory Hiring And Lending Practices



CPM was appointed co-lead counsel in 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 hiring and lending practices. The action alleges that the Bank's management implemented an internal program called the Diverse Search Requirement requiring at least half of all candidates interviewed for high-paying jobs be diverse, with senior-level approval of any exceptions. Instead, as alleged, the Bank conducted fake interviews of racially and ethnically diverse candidates for positions already filled. The suit also alleges Wells Fargo engaged in discriminatory lending practices, unfairly harming black and Hispanic borrowers. On September 20, 2024, the Court denied the director defendants' motion to dismiss allowing this case to proceed. **CPM, Bleichmar, Fonti & Auld, LLP** and **Motley Rice, LLC** serve as co-lead counsel. The case is being handled by **Mark Molumphy, Tyson Redenbarger, Gia Jung** and the team.

Whistleblower Action Against Safelite, Alleging Insurance Overbilling Scheme Impacting Thousands of Customers - Set for Trial



CPM represents a former employee of Safelite, the dominant auto glass replacement company in the United States, who filed a whistleblower action on behalf of the States of California and Illinois. The whistleblower alleges that defendants Safelite Group, Inc., Safelite Fulfillment, Inc., and Safelite Solutions, LLC, for years, overbilled customers and their insurance companies for installing "OEM" or Original Equipment Manufacturer parts used for automobile glass replacements even though cheaper and less effective parts were actually used. The suit also alleges that Safelite overbilled customers and insurers for Covid-era sanitation wipes that were never used to disinfect cars. The fraudulent claims were allegedly made to some of the largest insurance companies in the country, including GELCO, Allstate Insurance Company, Nationwide Mutual Insurance Company, The Travelers Companies, Inc., and Progressive Corporation. The San Mateo County Superior Court denied Safelite's motion to strike the claims and set the case for trial in September 2025. The case is being handled by **Mark Molumphy, Tyson Redenbarger, Gia Jung, Elle Lewis** and team.

\$200 Million Settlement Granted Preliminary Approval In Uber IPO Litigation - San Francisco Federal Court -

CPM represents investors who purchased shares in Uber Technologies, Inc.'s initial public offering in May 2019, alleging that the ride-sharing company's offering documents misstated the legality of its business model, its passenger safety record, and its financial condition. The defendants include Uber officers and directors, and the investment banking firms that acted as underwriters for Uber's IPO. Last year, the federal court denied the defendants' motions to dismiss and certified a national class of investors. Earlier this year, the Class negotiated a settlement requiring Uber to pay \$200 million to investors. On August 9, 2024, the Court preliminarily approved the Settlement and set a Settlement Hearing to consider whether to grant final approval of the Settlement and related relief. The case is being handled by **Mark Molumphy, Tyson Redenbarger, Gia Jung** and team.



CPM Seeks to Certify Multiple Classes in EDD Case Against Bank of America

CPM is Co-Lead Counsel with **Altshuler Berzon** in a multi-district class action against BofA for violating federal and state laws in mishandling its distribution of Californian's unemployment insurance benefits during the pandemic. The complaint alleges that BofA automatically closed claims of unauthorized transactions and froze cardholder accounts, leaving many without access to their benefits for months on end. In June 2021, the district court granted a Preliminary Injunction finding plaintiffs had shown the Bank's "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." More than a year later, in July 2022, the bank's regulators (OCC and CFPB) fined the Bank \$225 million and entered a consent order requiring BofA to provide relief to harmed consumers. The district court will hear plaintiffs Motion for Class Certification in January 2025. The case is being handled at CPM by attorneys **Brian Danitz, Karin Swope** and **Vasti Montiel**.

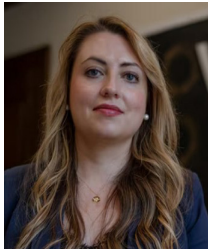
INTRODUCING NEW CPM ATTORNEYS

JACOB ALHADEFF - Seattle Office



Joined CPM as an **Associate** in October 2024. He obtained his **B.A.** from **The Evergreen State College** and **J.D.** from **University of Washington School of Law**. Jacob is working in CPM's Seattle office on Consumer Protection class actions, False Claims/Whistleblower, Shareholder Rights/Corporate Governance, Antitrust & Global Competition, Environmental Law, Privacy & Intellectual Property, and Securities/Financial Fraud cases.

VARA LYONS - Seattle Office



Joined CPM as **Senior Associate** in October 2024. She obtained her **B.A.** from **Washington University in St. Louis** and **J.D.** from **George Washington University**. Vara is working in CPM's Seattle office on Consumer Protection class actions, False Claims/Whistleblower, Shareholder Rights/Corporate Governance, Antitrust & Global Competition, Environmental, Privacy & Intellectual Property, and Securities/Financial Fraud cases.

CHRISTIAN RUANO - Burlingame Office



Joined CPM as an **Associate** in October 2024. He obtained his **B.A.** from **University of California, Davis, M.A.** from **Boston University** and **J.D.** from **University of California Law, San Francisco**. Christian will be working on numerous Consumer cases including Antitrust & Global Competition, Mass Torts, Environmental, Privacy & Intellectual Property, and Securities/Financial Fraud cases.

ELLEN WEN - Seattle Office



Joined CPM as an **Associate** in April 2024. She obtained her **B.A.** from **Colorado College** and **J.D.** from **University of Washington School of Law**. Ellen will be working in CPM's Seattle office on Consumer Protection Class actions, False Claims/Whistleblower Law, Shareholder Rights/Corporate Governance, Antitrust & Global Competition, Environmental Law, Privacy & Intellectual Property, and Securities/Financial Fraud.



ZACHARY ZAHAROFF - Burlingame Office

Joined CPM as a **Senior Associate** in August 2024. He obtained his **B.A.** from **University of Washington** and **J.D.** from **U.C. Berkeley School of Law**. Zack is an experienced civil litigator who cut his teeth handling commercial disputes for over five years at a premier international law firm in San Francisco and New York. He represents whistleblowers in corporate fraud cases, fights to protect seniors who are victims of abuse, and represents other clients that have been preyed upon or treated unfairly. He has experience leading case teams in all phases of litigation in state and federal courts across the country, as well as in Alternative Dispute Resolution.

INTRODUCING OF COUNSEL JOINING CPM



CYNTHIA WONG - Maui, Hawaii Office

Joined CPM as **Of Counsel** in Hawaii this year. Cynthia began her journey toward a career in law when she was a young girl growing up in Maui. She started college in Washington, D.C., and interned for the late Senator Daniel K. Inouye. After two years, she transferred to Philadelphia and obtained her **B.A.** from the **University of Pennsylvania**. Cynthia then returned to Hawaii where she received her **J.D.** from the **University of Hawaii, Richardson School of Law**. Most recently, she opened her own law firm in Maui after having practicing for over 15 years with James Krueger, at Krueger – Wong. Before joining Krueger, Cynthia started her career in Honolulu at two private law firms. She returned to Maui in 1995 and was a Deputy Prosecuting Attorney with the County of Maui. Her career has included hundreds of trials, arbitrations, and mediations. It is an honor to be Of Counsel to Cotchett, Pitre & McCarthy.

When Cynthia Wong woke up on August 8, 2023, she didn't know that the trajectory of her 30 year legal career was about to change forever. But when she witnessed the trauma and devastation caused by the Maui fires (and realized that so much of it could have been avoided), she made a bold choice. Today, along with **CPM's Maui Fire Team** led by **Frank Pitre**, we represent many of those who were traumatized and continue to be traumatized by their losses, including family members, personal property, and community loss.

"This is the most important litigation on a large scale of which I've been involved in my entire career," says Cynthia. "We care deeply about our clients, most of whom live and work in our community. Our pursuit of justice is endless, especially for our clients who have persevered despite their trauma. This work is allowing me to make a positive difference, and this is exactly why I became a lawyer."

HONORS FOR CPM ATTORNEYS

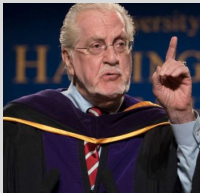


CPM PARTNERS NAMED NORTHERN CALIFORNIA SUPER LAWYERS AND RISING STARS - BURLINGAME -

CPM is pleased to announce that 20 lawyers have been included in the 2024 **NORTHERN CALIFORNIA SUPER LAWYERS** and **RISING STARS** list. **Super Lawyers** recognizes the top attorneys, across a variety of practice areas and firm sizes, using a patented process of independent research and peer input.

Front Row (L To R): Adam J. Zapala, Nanci E. Nishimura, Niall P. McCarthy (Top 100), Joseph W. Cotchett (Top 10, Top 100), Frank M. Pitre (Top 10 Ranked #1, Top 100), Mark C. Molumphy (Top 100), Anne Marie Murphy (Top 100, Top 50 Women), Elizabeth T. Castillo; Middle Row (L To R): Tyson C. Redenbarger, Julie L. Fieber, Nabilah A. Hossain, Donald J. Magilligan, Tamarah P. Prevost, John P. Thyken, Sarvenaz J. Fahimi, Brian Danitz; Back Row (L To R): Gia Jung, David G. Hollenberg, Kevin J. Boutin, Andrew W. Britton

CONGRATULATIONS TO JOE COTCHETT & FRANK PITRE TOP 10 IN NORTHERN CALIFORNIA 2024



JOE COTCHETT

• Ranked Top 10 •

Cotchett Pitre & McCarthy, Burlingame



FRANK PITRE

• Ranked Number One •

Cotchett Pitre & McCarthy, Burlingame

Ranked out of almost 200,000 attorneys in Northern California, Super Lawyers selects attorneys using a patented multiphase selection process.

Julie Fieber Named Lawdragon Green 500



CPM's Julie Fieber was selected to The Lawdragon Green 500: The 2024 Leaders in **Environmental Law** list. This collection of inspiring lawyers are selected by a time-honed process of journalistic reporting, nominations and vetting.

Duffy Magilligan Named Incoming Chair of CORA



CPM's Duffy Magilligan named the incoming Chair of Community Overcoming Relationship Abuse (CORA). Pictured with past CORA chair, Linda Adler - Thanking her for her leadership, hard work, and commitment to helping the organization achieve its mission in San Mateo County.

CPM Partners Named Top Women Lawyers 2024



NABILAH HOSSAIN



TAMARAH PREVOST

CPM partners Nabilah Hossain and Tamarah Prevost

were named to the 2024 Daily Journal's **Top Women Lawyers** list. The list highlights the top 100 women attorneys practicing throughout California.

Elizabeth Tran Castillo Listed in The Best Lawyers in America



CPM's Elizabeth Tran Castillo was recently honored as one of **The Best Lawyers in America: Ones to Watch** for Antitrust Law for 2025. The Ones to Watch distinction celebrates legal professionals making significant strides in their careers in the law.

Nanci Nishimura Appointed Advancement Chair of Smithsonian Institution Advisory Board



Nanci Nishimura was appointed Chair of Advancement for the **Smithsonian Institution** Traveling Exhibition Services and Affiliates (SITES) Advisory Board, overseeing more than 200 affiliate museums and traveling exhibitions throughout the US and territories. She also celebrated the 20th anniversary of the **National Museum for the American Indian** in Washington, DC. Nishimura worked on legislation for the Senate Select Committee on Indian Affairs creating the museum for the Smithsonian while a Legislative Aide for Senator Daniel Inouye.

Four Partners Recognized As The Best Lawyers in America for 2024



CPM is proud to announce that four of the firm's attorneys have received recognition in the **2025** edition of **The Best Lawyers in America**. The four attorneys recognized are **Joe Cotchett, Frank Pitre, Niall McCarthy** and **Karin Swope** of the Seattle office. The Best Lawyers in America list is based on a peer-review survey process in which thousands of leading attorneys confidentially evaluate other attorneys in their practice areas.

LEGAL ADVANCEMENT COMMITMENT

CPM Hosts Mock Trial on Workplace Harassment at Historic Courthouse



CPM conducted a thought-provoking mock trial on workplace sexual harassment, challenging attorneys to showcase their trial practices and skills at the old San Mateo County Courthouse in Redwood City in front of **Judge Joseph Scott**.

Tom Loeser Speaks at PerfectLaw Conference in LONDON



CPM's **Tom Loeser** participated in a panel discussion on Privacy and Data Breach Regulation and Safety at the PerfectLaw Conference in **London**. The Conference is a "prestigious international event that focuses on the concept of collective redress, which refers to legal mechanisms that allow a large group of individuals who have suffered similar harm or injury to pursue their claims together as a single entity".

Cotchett, Molumphy & Zapala Recognized by CHAMBERS USA



CPM's partners were recently recognized for excellence in the Chambers USA Legal Guide 2024: **Joe Cotchett** - Antitrust; Securities, Litigation: General Commercial; **Mark Molumphy** - Securities; **Adam Zapala** - Antitrust. The Chambers USA guide and legal rankings cover practice areas at nationwide levels, with hundreds of ranking tables identifying the best practice groups and lawyers working across the US. CPM lawyers have been recognized nationally for the past 20 years.

CPM Attorneys Speak and Attend LAS Elder Abuse Conference at UC Law SF



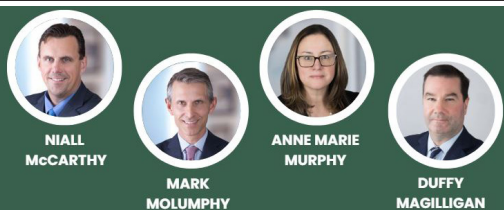
CPM proudly sponsored the 18th Annual LAS Elder Abuse Conference held earlier this year at UC Law San Francisco. CPM's **Dave Hollenberg** was a **Co-Chair** of the event. CPM's **Anne Marie Murphy** and **Gary Praglin** delivered presentations. CPM's **Theresa Vitale** also assisted the conference. CPM continues to expand its practice protecting the rights of elders as they navigate life's challenges from nursing homes, financial scams and predatory lending.

Tamarah Prevost Speaks at AAJ Convention in Nashville



Tamarah Prevost was a speaker at the American Association of Justice 2024 Annual Convention in Nashville where she discussed Tackling Discovery Requests for Social Media and headed up a Voir Dire Workshop: Connecting with the Jury Panel. Prevost is also Vice Chair for AAJ.

CPM ATTORNEYS SELECTED TO IRISH LEGAL 100 FOR 2024



Niall McCarthy, Mark Molumphy, Anne Marie Murphy and **Duffy Magilligan** were selected to the **Irish Legal 100 for 2024**. The Irish Legal 100 is comprised annually of the most accomplished and distinguished lawyers of Irish descent from across America including attorneys and members of the judiciary.

HONORING THE LIFE OF FORMER CPM PARTNER PETE MCCLOSKEY



PAUL "PETE" N. MCCLOSKEY, a former Congressman, environmental champion, decorated Marine veteran, Stanford and Stanford Law alumni and **CPM** partner, died peacefully at his home on May 8, 2024 in Winters, California, in the care of his wife of forty-two years, **Helen**, and their five dogs. Pete was considered to be one of the country's great trial lawyers, as well as a great public servant and war hero.

A renowned attorney who has tried over 100 jury trials, Pete began his law career as Deputy District Attorney for Alameda County, and then as the founding partner of McCloskey, Wilson & Mosher, which evolved into the law firm of Wilson, Sonsini, Goodrich & Rosati. Pete served in Congress from 1967 to 1983, ran against Richard Nixon in 1972 for the Republican Presidential nomination - he is one of the founders of **Earth Day** and was a leader of the Congressional Environmental Group. Pete received his B.A. from **Stanford University** and his J.D. from **Stanford Law School**. He has written four books and has taught legal ethics and political science at Stanford and Santa Clara Universities. His books include: **Guide to Professional Conduct for New Practitioners**, California State Bar (1961); **The U.S. Constitution**, BRL (1961); **Truth and Untruth: Political Deceit in America**, Simon & Shuster (1971); and **The Taking of Hill 610**, Eaglet Books (1992), describing his service in Korea. Pete was a rifle platoon leader in the Marines in Korea and was awarded the **Navy Cross, Silver Star**, and **two Purple Hearts**.

"He was one of the greatest persons and trial lawyer I knew." - Joe Cotchett

COMMUNITY ACTIVITIES

Teamwork Makes the Dream Work(out)!



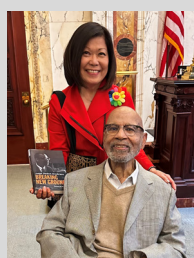
CPM's employee Barry's Bootcamp event - Staying fit and strong as a team

CPM Law Clerk Day



CPM Law Clerks take over Oracle Park as they celebrate their summer activities with the fans

"The Civil Rights Act at 60" - ND Historical Society



Nanci Nishimura with Judge Thelton Henderson (Ret.), the keynote speaker at the Northern District Historical Society celebrating "The Civil Rights Act at 60" with U.S. Attorney Ismael Ramsey, Court of Appeals Justice Teri Jackson, and moderated by District Court Judge William Alsup. Nishimura organized the speakers and serves on the NDHS board celebrating the anniversary of the Act.



CPM Actively Engaging in Voter Registration Efforts

With the elections coming up, CPM staff, relatives and friends are out getting people to VOTE. Trisha Danitz is shown working weekends with a group over in the Central Valley. Join us to make sure everyone votes on November 5th!



CPM Staff Supporting Women's Health Programs

CPM was a sponsor of the Annual Mills Peninsula Hospital Foundation - Women's Health Luncheon & Lecture at the beautiful Kohl Mansion in Burlingame, California with guest speaker, Venus Williams. This event raises money to ensure access to vital programs and services for women's health.

COTCHETT PITRE & MCCARTHY LLP

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www.cpmlegal.com



"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