

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

In Re: LIQUID ALUMINUM SULFATE
ANTITRUST LITIGATION

Civil Action No. 16-md-2687 (JLL) (JAD)

**DECLARATION OF
SAMI H. RASHID
IN SUPPORT OF APPLICATION FOR
ATTORNEYS' FEES AND EXPENSES**

I, Sami Rashid, Esq., declare as follows:

1. I am a partner in the firm of Quinn Emanuel Urquhart & Sullivan LLP (“Quinn Emanuel”), counsel for SUEZ Water Environmental Services Inc., SUEZ Water New Jersey Inc., SUEZ Water Princeton Meadows Inc., SUEZ Water New Jersey Inc., and SUEZ Water Pennsylvania Inc. (“SUEZ”), and a member of the Plaintiffs’ Steering Committee above-captioned action (the “Action”). I am familiar with the facts contained herein based upon my personal knowledge, based upon information I learned from my colleagues at Quinn Emanuel regarding their work, and based upon information provided to me from the attorney and paralegal time diaries, and expense records, maintained in the ordinary course of business by Quinn Emanuel. I submit this declaration in support of Class Counsel’s application for an award of attorneys’ fees in the Action, as well as for reimbursement of expenses incurred by my firm in connection with the Action.

2. From the onset of the litigation, Quinn Emanuel has been heavily involved in working with lead counsel and other members of the Plaintiffs’ Steering Committee to develop the case and assess and implement effective litigation strategy. For example, Quinn Emanuel took a lead role in successfully moving before the Judicial Panel on Multidistrict Litigation (“JPML”) to have the original cases consolidated in a multidistrict action and transferred to the District of New Jersey. And following the consolidation and transfer to the District of New

Jersey, Quinn Emanuel assisted in drafting the Consolidated Amended Complaint. This required significant pre-complaint investigation, including reviewing initial documentary materials made available to the direct purchaser plaintiffs' counsel by Defendant General Chemical, among others.

3. Quinn Emanuel took the lead in researching, drafting, revising, and finalizing the successful oppositions to the motions to dismiss filed by Defendants GEO Specialty Chemicals ("GEO") and General Chemical. We also assisted in the successful opposition to the motions to dismiss filed by Defendants USALCO, Southern Ionics, and C&S Chemicals.

4. Quinn Emanuel also took the lead role in researching, drafting, revising and finalizing the successful opposition to GEO's motions in the Bankruptcy Court to reopen and enforce that Court's previous bankruptcy discharges so as to preclude or limit the claims in this Action. Quinn Emanuel partner Eric Winston, a bankruptcy litigation specialist, prepared for oral argument on the motions and presented the arguments to the Bankruptcy Court. Following oral argument, on December 4, 2017, the Bankruptcy Court denied GEO's motions, resulting in an 84-page opinion in Plaintiffs' favor.

5. Throughout the discovery process, Quinn Emanuel has been heavily involved in negotiating with Defendants GEO and General Chemical on issues pertaining to the production of transactional data. The negotiations and discussions surrounding these data issues took months and involved numerous meet-and-confers, written letters and emails, and other communications with Defendants in order to understand the systems where Defendants stored their data, what types of data were kept on those systems, and the availability of that data. It further involved negotiating with Defendants as to what types of data they would produce. These negotiations were complex, and required considerable time and attention.

6. Named plaintiff SUEZ is Quinn Emanuel's client and thus Quinn Emanuel has been the primary point of contact in liaising with SUEZ on a variety of issues. This has included phone calls and written communications regarding SUEZ's discovery obligations, meetings and teleconferences related to document collection, and the review of SUEZ's documents. It has also entailed discussions regarding developments in the action, including the settlement with GEO, among other issues.

7. Quinn Emanuel has also taken a lead role in coordinating with Plaintiffs' consulting experts to analyze the documents and data produced by Defendants for the purposes of class certification and liability. These ongoing efforts have been time-consuming given the importance of economic and statistical evidence of collusion in cases such as this. I have taken a lead role in this work with and related to the experts.

8. Particularly relevant at this juncture, Quinn Emanuel was instrumental in reaching the Settlement Agreement with GEO. Stephen Neuwirth of Quinn Emanuel joined lead counsel, James Cecchi, in leading the negotiations for the direct purchaser plaintiffs. This included participation both in formal mediation sessions and more informal negotiations with GEO outside the presence of the mediator. Moreover, Quinn Emanuel bankruptcy litigation partner Eric Winston worked with GEO's creditors to develop a creative, innovative framework for maximizing the value of the settlement to the direct purchaser plaintiffs, by establishing an opportunity for the plaintiffs to share in the proceeds of a contemplated sale of GEO. Mr. Winston participated in many discussions in person and by phone with GEO and its creditors, and Mr. Neuwirth joined Mr. Winston in many of those discussions. Furthermore, because GEO suggested it would only be prepared to settle if it could achieve complete peace with all plaintiff groups in the pending multidistrict litigation (that is, not only the direct purchaser plaintiffs, but

also the indirect purchaser plaintiffs and the direct action plaintiffs), Mr. Neuwirth worked with Mr. Cecchi over many weeks to incorporate the indirect purchaser plaintiffs and the direct action plaintiffs into the overall settlement. This involved many phone calls and several in-person meetings.

9. The schedule attached hereto as Exhibit 1 is a summary indicating the amount of time spent by each attorney and professional support staff employee of Quinn Emanuel who was involved in the Action, and the lodestar calculation based on my firm's current billing rates. For personnel who are no longer employed by my firm, the lodestar calculation is based upon the billing rates for such personnel in his or her final year of employment by my firm. The schedule was prepared from contemporaneous daily time records regularly prepared and maintained by my firm, which are available upon request for review by the Court. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this request.

10. The hourly rates for the attorneys and professional support staff in my firm included in Exhibit 1 are the same as the regular rates that would be charged for their services in non-contingent matters and/or which have been accepted in other class action litigation.

11. The total number of hours expended on this Action by Quinn Emanuel through the end of August 2018 is 3,712.88. The total lodestar for my firm for that period is \$2,985,170.70, consisting of \$ 2,956,443.70 for attorneys' time, including non-partnership track staff attorneys, and \$28,727.00 for professional support staff time.

12. My firm's lodestar figures are based upon the firm's billing rates, which rates do not include charges for expense items. Expense items are billed separately and such charges are not duplicated in my firm's billing rates.

13. As detailed in the schedule attached hereto as Exhibit 2, through August 2018 Quinn Emanuel has incurred a total of \$281,239.45 in unreimbursed expenses in connection with the prosecution of this Action.

14. The expenses incurred in this Action are reflected on the books and records of Quinn Emanuel. These books and records are prepared from expense vouchers, check records and other source materials and are an accurate record of the expenses incurred.

15. With respect to Quinn Emanuel's standing, attached hereto as Exhibit 3 is a brief biography of the firm and biographies of the Quinn Emanuel partners who have been principally involved in this Action.

I hereby declare under penalty of perjury that the foregoing facts are true and correct.



Sami H. Rashid

Dated: September 15, 2018

Exhibit 1

<i>In re Liquid Aluminim Sulfate Antitrust Litig.</i>				
Quinn Emanuel Urguhart & Sullivan, LLP				
Last Name, First Name		Total Hours	Hourly Rate	Cumulative Lodetsar
ATTORNEYS				
Neuwirth, Stephen R.		266.00	\$ 1,375.00	\$ 365,750.00
Winston, Eric D.		208.30	\$ 1,090.00	\$ 227,047.00
Rashid, Sami H.		906.08	\$ 940.00	\$ 851,715.20
Peck, Julia J.		1.00	\$ 920.00	\$ 920.00
Emily M. Smith		10.30	\$ 765.00	\$ 7,879.50
Schmidt, Margaret		576.50	\$ 745.00	\$ 429,492.50
Beattie, Todd		218.90	\$ 745.00	\$ 163,080.50
Volpe, John		1,275.20	\$ 670.00	\$ 854,384.00
Diana Peng		3.20	\$ 350.00	\$ 1,120.00
James Harris		77.90	\$ 350.00	\$ 27,265.00
Isabelle Foucard		50.60	\$ 350.00	\$ 17,710.00
Gene Ming Lee		8.00	\$ 350.00	\$ 2,800.00
Rashad Chambers		20.80	\$ 350.00	\$ 7,280.00
TOTAL ATTORNEYS		3,622.78		\$ 2,956,443.70
PARALEGALS				
Michael Guerrero		88.60	\$ 320.00	\$ 28,352.00
LITIGATION SUPPORT				
James Bandes		1.50	\$ 250.00	\$ 375.00
TOTAL STAFF		90.10		\$ 28,727.00
TOTALS:		3,712.88		\$ 2,985,170.70

Exhibit 2

In Re Liquid Aluminum Sulfate Antitrust Litigation Monthly Expense Report

FIRM NAME: QUINN EMANUEL URQUHART & SULLIVAN, LLP

REPORTING PERIOD: Entire period through August 2018

EXPENSE SUMMARY:

CATEGORY	DESCRIPTION	AMOUNT	RECEIPT PROVIDED: YES/NO (If No, Provide Reason)
Litigation Assessment			
Federal Express/Local Courier, etc.			Yes
Postage Charges			No - Internal Soft Cost
Facsimile Charges			
Long Distance			Yes - External Conf. Calls
In-house Photocopying			No - Internal Soft Cost
Outside Photocopying			
Hotels			
Meals			Yes
Mileage			
Air Travel			Yes
Deposition Costs			
Lexis/Westlaw			Yes
Court Fees			Yes
Witness/Expert Fees			Yes
Investigation Fees/Service Fees			
Transcripts			
Ground Transportation (i.e., Rental, Taxis, etc)			Yes
Miscellaneous (Describe)			No - Internal Soft Cost
TOTAL EXPENSES		\$281,239.50	

EXPENSE DETAIL:

CATEGORY	DESCRIPTION	AMOUNT	RECEIPT PROVIDED: YES/NO (If No, Provide Reason)
Air Travel Total		5,895.92	
Court Fees Total		512.00	
Federal Express/Local Courier, etc. Total		108.93	
Ground Transportation (i.e., Rental, Taxis, etc) Total		3,660.99	
In-house Photocopying Total		1,664.46	
Investigation Fees/Service Fees Total		251,542.00	
Lexis/Westlaw Total		13,578.10	
Long Distance Total		438.77	
Meals Total		1,207.19	
Miscellaneous (Describe) Total		2,628.49	
Postage Charges Total		2.60	
Grand Total		281,239.45	

Exhibit 3



Firm Overview

Quinn Emanuel Urquhart & Sullivan, LLP was founded in 1986 in Los Angeles. Since that time, the firm has become the largest law firm in the world dedicated solely to business disputes. Quinn Emanuel now has 780+ attorneys and offices in Boston, Brussels, Chicago, Hamburg, Hong Kong, Houston, London, Los Angeles, Mannheim, Munich, New York, Paris, Perth, San Francisco, Seattle, Shanghai, Silicon Valley, Stuttgart, Sydney, Tokyo, Washington, D.C., and Zurich.

We understand that Quinn Emanuel tries more major business cases than any other law firm. At least once each year, the firm is in a trial or an arbitration pursuing or defending against a claim for over \$1 billion in damages. Quinn Emanuel partners have tried over 2,645 trials and arbitrations and won 88% of them.

Awards and Accolades

Quinn Emanuel's excellence has been repeatedly recognized and awarded. For example:

- *The American Lawyer* twice ranked Quinn Emanuel among the top six business litigation departments in the U.S. and has named us the top IP department in the country.
- Quinn Emanuel has been repeatedly selected for *The National Law Journal's* "Plaintiffs' Hot List."
- Quinn Emanuel was named a finalist for *The Recorder's* 2016 Litigation Department of the Year award.
- In 2016, Quinn Emanuel was named a "Litigation Powerhouse" and one of the top three firms for litigation by Law360.
- The Firm was shortlisted for "US Law Firm of The Year" by *Legal Business 2018*.
- Quinn Emanuel has been named one of the "four firms in-house counsel fear the most" four times since 2010. The "Fearsome Foursome" are selected based on BTI Consulting Group's recent survey of over 300 General Counsel, Chief Legal Officers, and other legal decision makers at major corporations.
- The 2019 edition of *Best Lawyers USA* has selected our attorneys for recognition in such practice areas as Antitrust Law and Antitrust Litigation.
- *The Legal 500 United States 2018* has recommended the firm as a Top-Tier Firm in seven practice areas, and is recommended in a further 16 practice areas. In addition, Stephen Neuwirth was listed as an elite "Leading Lawyer."

Success for Plaintiffs

When representing plaintiffs, our lawyers have won over \$60 billion in judgments and settlements, \$28 billion of which was recovered in a recent two-year period. Along the way, we have obtained five 9-figure jury verdicts, thirty-four 9-figure settlements, and fifteen 10-figure settlements.

We have the expertise and resources to prosecute any case, from complex technical patent cases to the world's most sophisticated financial frauds or conspiracies that violate the antitrust laws. And our experience defending major companies allows us to see the big picture when representing plaintiffs—a significant edge over firms that confine their practice to representing plaintiffs. It allows us to fully understand the mechanics of businesses, complex financial deals and technologies, and ensure that we are able to deliver the same quality demanded by Fortune 100 companies when litigating against them.

Antitrust Practice

Quinn Emanuel is uniquely qualified to assist companies, either as plaintiffs or defendants, in dealing with antitrust and competition disputes across the globe. Quinn Emanuel is one of the only top tier law firms that regularly represent companies both as plaintiffs and defendants. Our work representing both plaintiffs and defendants has made us more effective advocates in either context. We can bring to bear our unique insight into the plaintiffs' and defendants' bar.

Quinn Emanuel's talented and deep antitrust bench has generated extraordinary results. When acting for plaintiffs, we have achieved unparalleled recoveries. In recent years, Quinn Emanuel has, for example:

- achieved over \$430 million in settlements as court-appointed co-lead counsel for the direct purchaser plaintiff class in *In re Flexible Polyurethane Foam Antitrust Litigation* (N.D. Ohio);
- secured approximately \$1.9 billion settlements for the class in the *In re Credit Default Swaps Antitrust Litigation* (E.D.N.Y.);
- won perhaps the most significant antitrust jury trial of recent years, defeating Rambus' multibillion dollar claims against our client Micron, even after Micron had admitted guilt for price fixing in connection with the government's amnesty program;
- secured settlements for plaintiffs of \$130 million cash, along with conduct changes valued at hundreds of millions of dollars more, as co-lead plaintiffs' counsel in the antitrust class action litigation concerning credit cards used at truck stops (E.D. Pa.);
- secured \$110 million for Songkick in a lawsuit alleging that Ticketmaster and its parent corporation, Live Nation, illegally monopolized and attempted to monopolize the market for artist presale ticketing services in the United States; and
- obtained dismissal for Mattel of a Sherman Act suit brought by a competitor seeking \$1 billion in alleged compensatory damages.



STEPHEN NEUWIRTH

Partner

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Stephen Neuwirth, one of the leading antitrust attorneys in the United States, chairs Quinn Emanuel's worldwide Antitrust and Competition Law practice. He has been recognized by Law360 in 2017 as one of just five antitrust "MVPs" nationwide, by Corporate LiveWire in 2016 as U.S. Antitrust and Competition Lawyer of the Year, by the National Law Journal in 2015 as an Antitrust "Trailblazer," and by Law360 in 2014 as a "Titan of the Plaintiffs' Bar." Chambers USA has described Mr. Neuwirth as "renowned for his deep understanding of corporate transactions and antitrust matters" and "recognized as a 'leading light' for his plaintiffs' work." Mr. Neuwirth has also been ranked a Non-IP Litigation Star by LMG Life Sciences 2017.

In 2014-2015 alone, Mr. Neuwirth has achieved over \$800 million in recoveries when representing plaintiffs. But Mr. Neuwirth is also one of the rare attorneys with a blue chip practice on both sides of the "v.," also representing defendants in some of the most important litigation in the nation. In recent years, for example, Mr. Neuwirth has on three occasions achieved voluntary dismissal of class action antitrust claims against Quinn Emanuel clients – in each instance without the clients having to make any monetary payment. In addition, Mr. Neuwirth also has been active in sports law matters, including recent representations of the Washington Nationals Baseball Club in litigation against the Baltimore Orioles concerning fees for television broadcast of Nationals games, and of Madison Square Garden and the New York Rangers in defense of federal antitrust claims alleging that the National Hockey League and other parties colluded to fix prices for television and internet broadcast of NHL games. Mr. Neuwirth has also handled major matters for Mexican companies with U.S. claims, including representation of Grupo Televisa, the world's largest Spanish-language media company, in U.S. litigation successfully enjoining JP Morgan's effort to transfer, to a bank controlled by Televisa competitor Carlos Slim, most of a \$300 million dollar loan that JP Morgan had made to Televisa's cable television business.

Mr. Neuwirth brings to bear almost three decades of experience in private practice and government, including serving as Associate White House Counsel to President Clinton from 1993-1996. In 1998, the U.S. Department of Justice retained Mr. Neuwirth to assist in the Antitrust Division's litigation against Microsoft Corporation.

REPRESENTATIVE CLIENTS

Barnes & Noble, Inc.
FEMSA
Grupo Televisa
Harley Davidson, Inc.
The Home Depot
Honeywell International, Inc.
IBM Corporation
Madison Square Garden
Olin Corporation
Unisys Corporation
Washington Nationals Baseball Club

NOTABLE REPRESENTATIONS

As lead counsel for Mexico's Grupo Televisa, the world's largest Spanish-language media company, won federal preliminary injunction blocking JPMorgan from transferring to a Televisa competitor a \$200 million interest in a loan JPMorgan had made to Televisa's cable television business.

Co-lead counsel for Barnes & Noble, Inc., in defense of state and federal derivative actions concerning the company's stock option practices, and related matters.

Lead counsel for Mexico's Grupo Televisa in its successful Eleventh Circuit appeal of a district court ruling that had dismissed Televisa's tortious interference with contract claims against rival Telemundo Communications, Inc.; a unanimous panel of the Eleventh Circuit ruled that Televisa could pursue both damages and punitive damages under Florida law.

Lead counsel for IBM in its successful defense of class action antitrust claims.

Lead trial and appellate counsel for FEMSA, which obtained a preliminary injunction, upheld by the U.S. Court of Appeals for the Second Circuit, blocking a proposed \$300 million transaction by the U.S. joint venture partner of FEMSA's U.S. subsidiary.

As court-appointed co-lead counsel for plaintiffs, won certification of a nationwide class of direct purchasers of flexible polyurethane foam (used in furniture, bedding and carpet underlay, among other things), in federal multidistrict litigation alleged that the major polyurethane foam manufacturers conspired to fix prices.

For Honeywell International, won dismissal of all claims by a disgruntled former distributor that sued in federal court.

Secured voluntary dismissal of all claims against client Rabobank in the federal multidistrict litigation alleging a bid-rigging conspiracy in the market for municipal derivatives.

EDUCATION

Yale Law School
(J.D., 1987)

Yale College
(B.S., *summa cum laude*, *Phi Beta Kappa*, 1984)

PRIOR ASSOCIATIONS

Boies, Schiller & Flexner:
Partner, 1997-2005

Associate White House Counsel to the President of the United States, 1993-1996

Wachtell, Lipton, Rosen & Katz:
Associate, 1988-1993

Law Clerk to the Hon. Peter K. Leisure:
United States District Judge for the Southern District of New York, 1987-1988

ADMISSIONS

The State Bar of New York
Supreme Court of the United States
United States Court of Appeals:
District of Columbia Circuit
Second Circuit
Third Circuit
Fourth Circuit
Sixth Circuit
Ninth Circuit
Tenth Circuit
Eleventh Circuit
United States District Court:
Southern District of New York
Eastern District of New York



SAMI H. RASHID

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Sami H. Rashid is a partner in the firm's New York office. Sami has extensive experience representing both corporate plaintiffs and defendants in antitrust and other complex commercial litigation, including class actions. Sami has also represented companies in numerous fraud and breach of contract cases. In addition to his strong commercial litigation expertise, Sami served as a policy and legal officer for the United Nations in Amman, Jordan from 2014-2015.

Sami received his J.D., *cum laude*, from New York University School of Law in 2005.

REPRESENTATIVE CLIENTS

Fédération Internationale de Football Association (FIFA)

IBM

Olin Corporation

Pulse Network LLC

SUEZ North America

NOTABLE REPRESENTATIONS

Currently serving as co-lead counsel for investors alleging manipulation of the London Gold Fixing, an international pricing benchmark for gold, by several major banks.

Currently representing debit card network in an antitrust suit against rival network.

Currently representing major private water company in antitrust class action against chemical manufacturers.

Successfully represented Fédération Internationale de Football Association (FIFA) in antitrust and RICO class action in which plaintiffs sought hundreds of millions of dollars in damages. In 2016, Sami and other members of the team obtained dismissal of all claims against FIFA.

Part of trial team that successfully represented Solutia Inc. in an action for specific performance of a \$2 billion exit financing facility that had been guaranteed by certain banks, with the case settling favorably on the eve of closing arguments.

EDUCATION

New York University School of Law
(J.D., *cum laude*, 2005)

University of London (School of Oriental and African Studies)
(M.A., *with distinction*, Chinese Studies, 2002)

Cornell University
(B.A., Government, 1998)

PRIOR ASSOCIATIONS

Shearman & Sterling LLP:
Associate, 2005-2007

United Nations Relief and Works Agency:
Legal/Policy Officer, 2014-2015

ADMISSIONS

The State Bar of New York
United States District Courts:
Southern District of New York
Eastern District of New York



ERIC WINSTON

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Mr. Winston's practice includes all areas of corporate insolvency and reorganization and insolvency and valuation related litigation. He has represented debtors, creditors' committees, secured lenders, bondholders, distressed debt traders, intellectual property counterparties, trade creditors, and asset acquirers, across numerous industries, out of court and in connection with chapter 9, chapter 11, chapter 15, SIPA, and SEC receivership cases. Mr. Winston also routinely advises hedge funds and other investors in distressed companies with respect to indentures, credit agreements and other capital structure and corporate governance issues.

Recent representative cases include *Core Media (AOG Entertainment)*, *SandRidge Exploration*, *Circuit City*, *Relativity Media*, *Gaming & Leisure Properties/Cannery Casino*, *Lehman Brothers Holdings*, *Bernard L. Madoff Investment Securities/Fairfield Sentry*, *Residential Capital*, *Town of Mammoth Lakes*, *Eastman Kodak*, *Station Casinos*, *SemGroup*, *Fontainebleau Las Vegas*, and *SK Foods*.

Mr. Winston frequently speaks at panels and conferences around the country and has guest lectured at Loyola and University of Southern California law schools. He has written several law review articles, co-authored a chapter, is the LEXIS practice advisor on claims trading, and has been a member of the State Bar of California Insolvency Law Committee and the United States District Court for the Central District of California Attorney Discipline Committee.

REPRESENTATIVE CLIENTS

Exide Technologies, Inc.

Counsel to Official Committee of Unsecured Creditors

Residential Capital, LLC et al.

Counsel to securities litigation claimant and member of Official Committee of Unsecured Creditors

Lehman Brothers Holdings Inc., et al.

Conflicts Counsel to Official Committee of Unsecured Creditors

Fairfield Sentry, Ltd./Bernard L. Madoff Investment Securities

Counsel to fund that acquired the rights associated with Fairfield Sentry's customer claim

Town of Mammoth Lakes
Counsel to municipality's largest general unsecured creditor

Zais Investment Grade VII, Ltd.
Counsel to second tranche noteholder

SemGroup L.P., et al.
Counsel to Official Committee of Unsecured Creditors and Litigation Trust

Stations Casinos Inc., et al.
Conflicts Counsel to Official Committee of Unsecured Creditors

Fontainebleu Las Vegas, et al.
Counsel to significant secured term creditor

SK Foods
Counsel to holders of allowed eight-figure class action claim

Adelphia Communications Corporation, et al
Represented City of Santa Monica

Azabu Buildings Company, Ltd.
Counsel to Official Committee of Unsecured Creditors and Azabu Liquidating Trust

Butler Manufacturing Company
Represented company in out of court restructuring

Controlled Power Corporation of Ohio, et al
Counsel to debtor in possession lender and asset acquirer

Enron Corporation, et al.
Counsel to significant holders of unsecured claims

Eurofresh, Inc., et al.
Counsel to holders of majority of senior unsecured notes

Hawaiian Airlines, Inc.
Represented co-plan proponent and reorganized airline

O'Sullivan Industries
Counsel to Official Committee of Unsecured Creditors

Gaming & Leisure Properties, Inc. v. Cannery Casino Resorts, LLC, et al.
Counsel to plaintiff in Material Adverse Effect litigation in New York state court

SuperGuide v. Gemstar Development
Counsel to defendant in federal district court action

NOTABLE REPRESENTATIONS

In the *Town of Mammoth Lakes* chapter 9 case in the United States Bankruptcy Court for the Eastern District of California, represented the municipality's single largest general unsecured creditor, Eric successfully negotiated a settlement and dismissal of the chapter 9 case that increased the client's payment stream from less than \$5 million to in excess of \$46 million.

Eric led Quinn Emanuel's team in successfully blocking confirmation of a plan of reorganization proposed by senior noteholders and negotiated a settlement via a consensual plan of reorganization that resulted in a multi-million dollar recovery to second tranche noteholders in the *Zais Investment* chapter 11 case, the first time a CDO was the subject of a United States bankruptcy proceeding.

In the *Azabu Building* chapter 11 case, which involved nearly \$8 billion in asserted unsecured claims and parallel bankruptcy proceedings in the United States and Japan, Eric was one of the lead attorneys representing the Official Committee of Unsecured Creditors and the Azabu Liquidating Trust. Eric worked closely with the debtor's counsel in persuading the Bankruptcy Court to confirm over multiple objections a joint plan of reorganization that resulted in a tax efficient transaction in excess of \$410 million. In addition, Eric led the prosecution of several ground-breaking adversary proceedings, all of which were settled favorably before trial. One concerned the assertion against a Japanese bank of claims of equitable subordination and avoidance of fraudulent transfers concerning hundreds of millions of dollars. The defendants agreed to release liens on property valued in excess of \$20 million, waiving nearly \$200 million in claims, and paying the estate over \$10 million cash. Another concerned the estate's efforts to equitably subordination over \$1 billion in claims held by alleged insiders of the debtor; this matter was settled with the defendants agreeing to the disallowance of over 90% of their claims.

Eric represented several hedge funds holding billions of dollars in claims in the Enron bankruptcy; he drafted numerous briefs, including objections to plan confirmation and objections to the settlement with one of the "mega claim" defendants. He appeared in court numerous times, deposed several witnesses in connection with plan confirmation, and led the "Schedule S" intercreditor litigation; Eric's clients obtained substantial returns as the result of a favorable ruling that eliminated hundreds of millions of dollars in claims that had been incorrectly scheduled as benefiting from contractual subordination. *In re Enron Corp.*, 370 B.R. 64 (Bankr. S.D.N.Y. 2007).

EDUCATION

University of California, Los Angeles School of Law
(J.D., 1998)

UCLA Journal of Environmental Law & Policy:
Managing Editor, 1997-1998

Extern to the United States Department of Justice, Civil Rights Division

University of California, Berkeley
(B.A., Political Science, *high honors*, 1995)

AWARDS

Ranked in California Bankruptcy/Restructuring Litigation, *Chambers USA* 2013-2015

Recommended Lawyer by *The Legal 500* (2013)

Twice named by Turnarounds & Workouts as among the “Outstanding Young Restructuring Lawyers” (nationally, from all bankruptcy practitioners under the age of 40, in 2005 and 2012)

Recognized as a “Rising Star” by *Thomson Reuters Super Lawyers* from 2004-2013

Recognized by *Thomson Reuters Super Lawyers* as a “Super Lawyer for Bankruptcy” in 2014-2016

PUBLICATIONS AND LECTURES

“A Close Look At Special Cases Of Bankruptcy Claims Trade ,” *Law360* (January 29, 2014)

“Disclosure And Proof-Of-Claim Issues For Claim Buyers,” *Law360* (January 22, 2014)

“Pointers In Bankruptcy Claims Trading,” *Law360* (January 15, 2014)

“Understanding The Reasons Traders Buy Bankruptcy Claims,” *Law360* (January 8, 2014)

Co-author, Chapter 16 “Value-Oriented Discovery,” *Contested Valuation in Corporate Bankruptcy* (2011)

Co-author, "Sizing Up The 'Cap' - Commercial Lease Rejection Claims In Bankruptcy,"
27 *Cal. Bankr. J.* 209 (2004)

Co-author, "State Defiance of Bankruptcy Law,"
52 *Vand. L. Rev.* 1527 (2000)

Guest Lecturer, Bankruptcy and Corporate Reorganization,
Loyola Law School

Guest Lecturer, Bankruptcy and Corporate Reorganization,
University of Southern California, Gould School of Law

Panelist, numerous corporate and insolvency organizations

PRIOR ASSOCIATIONS

Stutman Treister & Glatt:
Shareholder, 2004-2009
Associate, 1999-2004

Law Clerk to the Hon. William J. Holloway, Jr.:
United States Court of Appeals for the Tenth Circuit, 1998-1999

PROFESSIONAL ACTIVITIES

Member, American Bar Association

Co-vice Chair of the Insolvency Law Committee, The State Bar of California (2008 – 2009)

Member, Los Angeles County Bar Association

Member, Association of Insolvency and Restructuring Advisors (AIRA)

Member, Financial Lawyers Conference

Member, International Association of Restructuring, Insolvency & Bankruptcy Professionals

ADMISSIONS

The State Bar of California

United States Court of Appeals:

Second Circuit

Third Circuit

Fifth Circuit

Ninth Circuit

Tenth Circuit

United States District Court:

Central District of California

Eastern District of California

Northern District of California

Southern District of California