

Firm Resume



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Audet & Partners, LLP is a law firm based in San Francisco, California, with affiliated counsel located throughout the United States. The attorneys at Audet & Partners, LLP, have focused their practice on the prosecution of complex individual, mass tort and class action cases. The firm represents consumers, individuals, small businesses, employees and institutional shareholders in product liability, tort, pharmaceutical defect, consumer, construction defect, investment fraud, securities, insider trading, antitrust, environmental, whistle blower, privacy rights, and employment cases.

In recognition of their commitment to the legal profession and outstanding results for their clients, the firm and its attorneys have been appointed to leadership positions in class action cases. Over the years, the attorneys at Audet & Partners, LLP, have served as court-appointed plaintiffs' counsel in federal and state litigation nationwide. The firm utilizes cutting edge technology to better serve its clients and the courts, in each and every case it files.

Product Defect Litigation

Cover v. Windsor Surry Company, et al, Case No. 3:14-cv-05262, Northern District of California - Class action brought on behalf of purchasers of Windsor One Trim Board alleging that defendants marketed and sold 10-year Trim Board, which they advertised as being defect free and more durable than competing products. Consumers alleged, however, that the product prematurely deteriorated resulting in significant property damage.

Disher et al. v. Tamko Building Products Inc. et al., Case No. 3:14-cv-00740, Southern District of Illinois - Class action suit alleged that the shingles contained design problems that caused them to crack and fall apart well before expiration of the products' 30-year warranty period.

In re: Rust-Oleum Restore Marketing Sales Practices and Products Liability Litigation, Case No. 1:15-cv-01364, Northern District of Illinois - Class claims were consolidated in February 2015 alleging that the Restore product was wrongfully marketed and falsely advertised as long-lasting and rejuvenating for wooden and concrete deck surfaces with the knowledge that it often peeled off and left the deck in need of repairs. In March 2017 Rust-Oleum agreed to pay \$9.3 million to settle claims with customers who alleged that the paint damaged their property.

Nvidia Chip Litigation, Northern District of California, The firm filed a proposed class action relating to the alleged defect in the Nvidia computer chips. Firm served as class counsel in the consolidated action.

Navistar MaxxForce Engines Marketing, Sales Practices and Products Liability Litigation, Case No. 1:14-cv-10318, Northern District of Illinois - Lawsuit brought on behalf of numerous truckers and trucking companies alleging defectively designed vehicles equipped with 2010-13 model year MaxxForce 11, 13 or 15 Advanced "Exhaust Gas Recirculation" diesel engines. Settlement announced in May 2019 awarding \$135 million to plaintiff class to end multidistrict litigation.

Dana Gold v. Lumber Liquidators Inc., Case No. 3:14-cv-05373, Northern District of California - Class action brought in December 2014 on behalf of consumers who purchased Lumber Liquidators' Morning Star Bamboo Flooring and soon after found the floors beginning to show signs of scratching and splintering. In October 2019 plaintiffs reached a \$30 million settlement in California federal court.

Nguyen v. Cree Inc., Case No. 3:18-cv-02097, District of Oregon - Case alleges that LED light bulb manufacturer wrongly advertised that its 100-Watt Standard A-Type bulbs would last 35,000 hours, or just under four years. Plaintiff states he bought a four-pack in 2015 and used the bulbs as directed, but they all burned out within two years.

Haley et al. v. Kolbe & Kolbe Millwork Co. Inc. et al., Case No. 3:14-cv-00099, in the Western District of Wisconsin - Class action brought in February 2014 alleging that Kolbe's windows, which feature a water-resistant coating, have several design flaws that lead water to pool on their sills and soak into the sash framing the window glass, causing the windows to rot and fail before the end of their 10-year warranty.

In re: IKO Roofing Shingle Products Liability Litigation, Case No. 2:09-md-02104, Central District of Illinois - Class action brought in 2009 on behalf of customers alleging they were promised the company's shingles could last as long as 50 years and were backed by an "iron-clad" warranty. The shingles were found by consumers to be susceptible to water damage and failed much earlier than the warranty. When the customers tried to take advantage of their warranties, IKO made it difficult to file a claim and insisted that a customer complaining about tiles on a portion of their roof would have to release claims on the entire roof, according to court records. This case was settled in October 2018 for \$30 million.

Swisegood v. Generac Power Systems, Case No. 4:17-cv-04058, Central District of Illinois - Class action brought in 2017 on behalf of consumers of Generac Generators alleging that the products were defectively prone to leak oil. It was alleged that this defect was known to Generac while it continued to manufacture and sell units to the public. The oil leakage was also allegedly linked to ultimate engine failure and associated problems which the company failed to adequately address.

Bishop et al v. Behr Process Corporation et al, Case No. 17-cv-4464, Northern District of Illinois - Class action brought in 2017 on behalf of consumers of Behr DeckOver, a deck resurfacing product alleged by homeowners to quickly deteriorate within months (in some cases weeks) of application and cause extensive damage to decks and other surfaces on which DeckOver is applied.

Murray et al v. CPG International, Inc. et al, Case No. 3:14-cv-02340, Northern District of California - Class action brought in 2014 on behalf of California consumers challenging the deceptive marketing of polyvinylchloride synthetic decking sold and distributed by the Defendants as AZEK Decking.

Atlas Defective Roofing - The firm filed class action relating to alleged defects in Atlas Roofing Products.

Apple Wi-Fi Assist - Class action lawsuit filed by the firm and other attorneys relating to claims filed regarding alleged defects in Apple's Wi-Fi.

Orshan et al. v. Apple Inc., Case No. 5:14-cv-05659, Northern District of California



- Class action brought in January 2015 alleging that Apple's iPhones, iPads and iPods were touted by the company as being equipped with 16 gigabytes or 8 gigabytes of storage, but that the devices themselves lacked that capacity because the iOS 8 operating system uses 3 gigabytes, an "unexpectedly large" amount of the devices' storage space.

In re: Goodman Manufacturing Co. LP HVAC Products Liability Litigation, MDL No. 2499 - Class action alleging that the evaporator coils in Goodman's air conditioners can leak coolant causing the units to fail prematurely.

Galanti v. Goodyear Tire & Rubber Company, Case No. 03-209, District of New Jersey - Audet & Partners, LLP partners William M. Audet and Michael McShane served as Court-appointed Class Counsel with pending \$300 million settlement involving a defective radiant heating system.

In re Certainteed Corp. Roofing Shingles Products Liability Litigation, MDL No. 1817, pending in the Eastern District of Pennsylvania - Audet & Partners, LLP partner Michael McShane serves as Court appointed co-lead counsel on behalf of plaintiffs in a nationwide class action involving claims of a defective roofing product.

In re Zurn Pex Plumbing Litigation, MDL No. 1958, District of Minnesota - Audet & Partners, LLP partner Michael McShane serves as class counsel on behalf of plaintiffs in a nationwide class action involving claims of a defective plumbing product installed in thousands of residences throughout the United States.

In re Menu/Pet Food Recall Litigation, MDL No. 1850 - Audet & Partners, LLP partner William M. Audet was appointed on of the Co-Lead Class counsel in a case involving recalled pet food. The ground breaking case resulted in a significant monetary settlement, along with court supervised remedial action to prevent similar recalls of potentially poisoned pet products in the future. Over 100 class action cases were filed and consolidated in New Jersey federal court.

In re Thomas Train Parts Recall, Case No. MSC99 00499 - William M. Audet was appointed lead counsel in a case involving recall of a well-known toy product. The firm's partner William M. Audet was directly involved in the negotiations and class wide resolution that provided for full refunds for class members, as well as other relief.

In re Planet Toys Recall, Case No. 08-CV-0592-HB, Southern District of New York - William M. Audet was appointed lead counsel in a case involving recall of certain of defendants' toy products. Even though the company declared bankruptcy, lead counsel William M. Audet and his co-counsel succeeded in obtaining relief and compensation for class members.

In re Kitec Plumbing Litigation, pending in numerous District Courts throughout the United States. Audet & Partners, LLP partner Michael McShane serves as Court-appointed lead counsel in a nationwide class action prosecuting claims relating to defective plumbing products.

In re Uponor Plumbing Litigation, pending in numerous District Courts. Audet & Partners, LLP partner Michael McShane acts as class counsel in a nationwide class action alleging claims relating to a defective plumbing product.

In re Chinese Drywall Litigation, MDL No. 2047 - Firm filed nationwide class action pending in the Eastern District of Louisiana involving claims relating to allegedly defective drywall manufactured in China. Audet & Partners, LLP partner Michael McShane represents putative class of plaintiffs seeking to recover damages as a result of the installation of the drywall in their homes.

Ross, et al., v. Trex Company, Inc. Case No. 09-670, Northern District of California - Audet & Partners, LLP partner Michael McShane serves as class counsel in a nationwide class action involving claims of defective composite decking sold by the defendant.

Williams v. Weyerhaeuser, San Francisco County Superior Court, California, Case No. 995787, and *Chambers, et al., v. Weyerhaeuser*, King County Superior Court, Washington, Case No. 98-2-21084-2 KNT - Audet & Partners, LLP's attorneys served as one of three counsel in a class action involving allegations of defective siding manufactured by Weyerhaeuser.

Roy v. Cemwood Corporation, Contra Costa County Superior Court, California, Case No. MSC99-00499 - William M. Audet and Audet & Partners, LLP firm attorneys served as one of four co-lead counsel in a national class action involving allegations of defective roofing products.

In re Stucco Litigation, Ruff v. Parex, County of New Hanover, North Carolina, Case No. 96-CVS-0059 - The firm's principal partner, William M. Audet, serves on the Court-appointed Plaintiffs Steering Committee. The case was filed on behalf of homeowners who had defective synthetic stucco installed in their homes.

Stuart Hanlon, et al., v. Chrysler Corporation, Case No. C-95-2010, Northern District of California - The firm's attorneys worked on a case seeking correction of defective rear hatch door lock failures in nominal impacts for 3,300,000 owners of Chrysler minivans.

Constitutional Regulation/Employment/Privacy Litigation

Adam Backhaut et al. v. Apple Inc., Case No. 15-17523, U.S. Court of Appeals for the Ninth Circuit - Class action brought in 2015 on behalf of plaintiffs who initially owned iPhones, then switched to other types of cell phones but kept their old phone numbers. The glitch of which plaintiffs complained caused Apple phones to think a number formerly associated with an iPhone can still receive iMessages with the effect that some text messages sent to the plaintiffs from Apple devices were routed to an Apple server and never delivered.

In re Anthem, Inc. Data Breach Litigation, Case No. 5:15-md-02617, Northern District of California - Class action filed regarding alleged breach of private data by Anthem. Firm filed on the first cases regarding the breach.

In re Google, Inc., Android Consumer Privacy Litigation, MDL No. 2264, pending in the Northern District of California - William M. Audet was appointed as one of two co-lead counsel in a case involving claims of privacy violation relating to Google's Android Operating System and its method of collecting data from users.

In re iPhone Application Litigation, MDL No. 2250, Northern District of California - The firm serves as court appointed class liaison counsel for the class of consumers involved with Apple's use of information from its Apple OS line of iPhones and iPads.

In re Zynga Litigation, Sigala v. Zynga Game Network, Inc., San Francisco County Superior Court, Case No. CGC-10-505324 - The firm served as class counsel for the California class action against a video game company that allegedly distributed private and confidential information to third parties.

California IOU Litigation, Baird v. Chiang, Sacramento County Superior Court, Case No. 34-2010-00081797 - The firm has filed a class action for monetary and other damages arising from the State of California's illegal issuance of "IOU's" to small businesses.

Russell, et al. v. Wells Fargo and Company, et al., Case No. C 07 3993 CW, Northern District of California - Audet & Partners, LLP serves as co-class counsel in a class action case representing thousands of former and current employees of Wells Fargo for overtime. The case settled after 3 years of litigation with millions of dollars paid to the class.

Johns v. Sony Computer Entertainment America LLC, MDL No. 2558, Southern District of California. The firm filed one of a number of class actions cases that lead to an MDL proceeding involving invasion of privacy by Sony for its users of Sony PlayStation product line. Case still ongoing.

Confidential Plaintiffs v. Finish Line, Case No. CV113874, Northern District of California - The firm represents individual plaintiffs with claims for invasion of privacy against Finish Line.

Whistle Blower Case - The firm represented an executive who was fired after reporting financial irregularities. Confidential settlement reached after trial set.

Confidential Misclassification Case - The firm filed claims for misclassification of employees as “managers”. Confidential settlement reached after one year of litigation.

Mass Tort, Personal Injury and Complex Litigation

Bhatia et al. v. 3M Co., Case No. 0:16-cv-01304, District of Minnesota - The class action was filed 2016 on behalf of a nationwide class of dentists claiming 3M breached a 10-year limited warranty and violated a host of state and federal fraud and unjust enrichment laws when it sold them Lava Ultimate, a ceramic material that dries to form a crown. Patients reported that the crowns came unbonded with their teeth, which dentists had to replace, bearing the costs of the replacements. In March 2019, 3M Co. agreed to pay \$32.5 million to settle this class action.

Keith Andrews et al. v. Plains All American Pipeline LP et al., Case No. 2:15-cv-04113, Central District of California - The firm filed class action complaint relating to the 2015 Santa Barbara Oil Spill. Firm appointed co lead counsel.

Allen Loretz v. Regal Stone, Ltd., Case No. C 07-5800 SC and ***John Tarantino v. Hanjin Shipping Co., Ltd.***, Case No. CGC 07 469379 ***In re Cosco Busan Oil Spill Litigation*** - The firm filed Class and individual claims and represented various individuals, corporations and small business groups, including seafood processors, crab and herring fisheries, marinas, and captains/crews of commercial and recreational vessels. Mr. Audet was appointed Co-Lead Counsel in the State and Federal litigation. The firm was responsible for seizure of Cosco Busan, voiding waivers obtained by the Defendants and obtaining other significant orders that benefitted plaintiffs. Co-counsel in state case brought under the Lampert-Keene Act.

In Zyprexa Litigation, MDL No. 1596, Eastern District of New York - The firm represented over 300 clients who allegedly developed diabetes after ingesting Zyprexa. Audet & Partners, LLP partner William M. Audet was appointed a member of the Plaintiffs Executive Committee and continues to assist in completing the MDL.

In Baycol Litigation, MDL No. 1431, District of Minnesota - William M. Audet serves as Court appointed member of the Plaintiffs Executive Committee relating to the defective drug Baycol.

In re Metabolife Litigation, JCCP No. 4360, San Diego County, California - William M. Audet served as a member of the California State Steering Committee in personal injury cases arising out of injuries suffered due to Metabolife products.

In re Vioxx Litigation, New Jersey State Court and California State Court - The firm filed in excess of 100 cases against Defendants Merck & Company arising out of injuries associated with the defective drug Vioxx. The firm's cases were scheduled for trial. The cases have been settled for in excess of \$4 billion.

In re Bextra Litigation, MDL No. 1699, Northern District of California - Audet & Partners, LLP partner William M. Audet serves as a Court appointed member of the Plaintiffs Steering Committee. The firm represented in excess of 100 injured clients.

In re Intergel Litigation, Florida State Court - The firm filed dozen of cases on behalf of women injured using a Johnson & Johnson product called Intergel. The firm has recovered millions of dollars for their clients in confidential settlements with the company.

In re Defective Ancure Products Liability Litigation, Northern District of California and Santa Clara County Superior Court - The firm represents dozens of individuals who were implanted with a defective device. Joseph Russell serves as the lead attorney in the cases.

Table Bluff Reservation, Wiyot Tribe, et al., v. Philip Morris, et al., Case No. C 99 02621-MHP, Northern District of California - The firm represented Native American Tribes challenging the \$200 billion plus state tobacco agreement on the grounds that it violated their civil rights. The case was argued in the Ninth Circuit Court of Appeals.

Fen-Phen Product Liability Litigation, MDL No. 1203 - The firm filed a medical monitoring and punitive damage claim on behalf of California residents.

In re Baxter Heparin Litigation, Wisconsin and Illinois State Courts (consolidated with MDL No. 1953) - The firm represents a number of injured victims and their families arising out of contaminated heparin blood transfusion products imported from other countries. The firm has filed cases in Illinois and Wisconsin State Court. Audet & Partners, LLP partner/founder William M. Audet serves as court appointed liaison counsel in the Wisconsin cases. The firm continues to evaluate and file cases for seriously injured clients.

In re Pfizer Chantix Litigation, MDL No. 2092 - Audet & Partners, LLP partner William M. Audet serves as a Court appointed member of the Plaintiffs Steering Committee. The firm represents dozens of families who were not properly and fully warned about the safety issues associated with use of Chantix. The firm has filed, with co-counsel, cases in state and federal court and continues to meet with potential clients who have claims against the defendants for failure to warn.

In re Glaxo Avandia Litigation - The firm represents dozens of families whose loved ones suffered heart attacks and other injuries relating to use of Avandia. The firm was one of the first plaintiffs' law firms in the United States to uncover the case and file cases against the manufacturer of Avandia.

PG&E "San Bruno Fire" Cases, JCCP No. 4648, San Mateo County, California - Audet & Partners filed the first class action case seeking damages arising from the San Bruno/ PG&E explosion.

In re Tainted Similac Baby Formula, Kury v. Abbott Laboratories, District of New Jersey - The firm filed a number of class action cases against Abbott and also represents a number of individuals with personal injury claims arising from tainted baby formula.

In re Raptiva Litigation, Hedrick v. Genentech, California State Court, Alameda County Case No. RG 09-446158 - The firm represents dozens of individuals who have alleged been injured after using Genentech's now-recalled psoriasis medication.

DaVinci Robotic Surgery - The firm filed dozens of individual cases with potential injuries arising out of alleged defects associated with the DaVinci robotic surgery.

GranuFlo Litigation, - The firm has been retained to assist dozens of clients with potential injuries arising out of inappropriate prescription of the now-recalled Fresenius Medical Care North America Naturalyte Liquid Acid Concentrate and Naturalyte GranuFlo (powder) Acid Concentrate.

TVM Mesh Litigation The firm represents hundreds of individuals who have been injured as a result of implantation of "mesh" products. The firm pursued individual claims against AMS, Bard and other manufacturers.

Consumer Litigation

Perez et al. v. Public Storage, Case No. BC611584, in the Superior Court of the State of California, County of Los Angeles - Class action brought on behalf of consumers who alleged having been misled by Public Storage employees who wrongfully represented to consumers that they had to purchase the company's in-house insurance program in order to rent a unit.

Smith et al v. Spark Energy, LLC, Case No. 3:15-cv-02326, Northern District of California - Class action was brought in 2015 to remedy alleged scheme by defendant to "bait and switch" consumers into switching to a variable rate energy plan.

In Re: Toll Roads Litigation, Case No. 8:16-cv-00262, pending in the Central District of California - Class action brought in 2016 on behalf of motorists against operators of cashless tolls in Southern and Northern California alleging that the operators unlawfully appropriated drivers' personal information to collect unpaid tolls and charge overblown fines.

Uber Driver Arbitrations - The firm with attorney Mark Burton represented hundreds of underpaid Uber drivers (in arbitration and in state court).

Coleman et al v. Theranos Inc. et al, Case No. 5:16-cv-06822, Northern District of California - The firm filed class case involving claims of fraud relating to the Theranos 'test' kits.

In Re: Stericycle, Inc., Sterisafe Contract Litigation, Case No. 1:13-cv-05795, Northern District of Illinois - Class action initially filed in 2013 on behalf of consumer class who allegedly signed fixed-fee contracts for the collection and disposal of medical, pharmaceutical or hazardous waste. Despite the fixed-fee contracts, plaintiffs alleged the company freely increased rates sometimes as much as 18 percent in one year, violating contract terms that require increases be tied to operational changes or waste-law compliance. In October 2017 the court approved a \$295 million settlement between Stericycle Inc. and plaintiff class members.

Stephanie Fuentes et al. v. UniRush LLC et al., Case No. 1:15-cv-08372, in the Southern District of New York - Class action brought in October 2015 alleging that credit card customers were wrongfully shut out of their prepaid card accounts. Case was settled in May 2016 awarding \$20.5 million in damages and attorneys' fees.

Stefforia v. Monat, Case No. 1:18-cv-22837, Southern District of Florida - Class action filed in July 2018 alleging that Florida-based hair care product manufacturer

Monat Global Corp. knowingly failed to disclose potentially harmful side effects of its “naturally based” products, including scalp irritation and hair loss.

Apple iPhone 4 Cases JCCP 4639 Santa Clara County, California - William M. Audet was appointed Liaison Counsel in a case involving claims that the “iPhone 4” is allegedly defective.

iTunes Litigation, Johnson v. Apple, Inc. California State Court; Santa Clara County Case No. 1-09-CV-14650 - The firm served as lead class counsel in a nationwide class action against Apple, Inc. for allegedly overcharging consumers who purchased “99¢” iTunes gift cards.

AAA Battery Overcharge Davis-Miller v. Automobile Club of Southern California; California State Court, Los Angeles County Case No. BC 398608 - The firm filed a class action on behalf of consumers who purchased automobile batteries allegedly sold to replace batteries that did not require replacement.

Google Adwords Litigation CLRB Hanson Industries, LLC, et al v. Google, Inc., Northern District of California, San Jose Division, Case No. 105CV046409 - Serving as Court-appointed Liaison Counsel, the firm represents advertisers on Google’s web pages who claim to have been overcharged for advertising through a complicated monthly charge program.

Smith v. Hewlett-Packard, Santa Clara County Superior Court, CV 776794 - The firm serves as Plaintiffs’ Liaison Counsel. Contrary to HP’s representations, the Recorders could only consistently and reliably record less user data than the industry standard. When attempting to record more, error messages appeared, previously recorded data was lost and the CD became useless.

In Re Whirlpool Litigation, class action litigated in nine states including California, Minnesota, Pennsylvania, Ohio and Tennessee. Audet & Partners, LLP partner Michael McShane served as Court appointed co-lead counsel in a multi-state class action involving claims of breach of warranty and product defect against both Whirlpool Corporation and Sears & Roebuck, Inc.

Palm Treo Litigation, Santa Clara County Superior Court. Audet & Partners, LLP partner Michael McShane served as class counsel in a nationwide class action involving claims of product defect against Palm, Inc.

Roberts v. Bausch & Lomb, Case No. CV-94-C-1144-W, Northern District of Alabama - William M. Audet, the firm’s principal partner, served on the Plaintiffs’ Committee in this nationwide consumer class action. A settlement against Bausch & Lomb was approved by the Court on August 1, 1996. Under the settlement,

Bausch & Lomb agreed to \$68 million in cash and products to 1.5 million buyers of the Company's disposable contact lenses.

Hilla v. TCI Cablevision, Santa Clara County Superior Court, No. CV-769105 - The firm represented California residents involving illegal overcharges by the cable company for late fees.

Plotkin v. General Electric, Case No. C-92-4447, Northern District of California - The firm filed a class action against General Electric for defrauding the American public in the sale of Energy Choice Light Bulbs, which were claimed to be energy efficient, required less electricity and would preserve the environment. General Electric subsequently settled this national class action.

Afanador v. H&R Block Tax Services, Inc., Santa Clara County Superior Court, California, No. CV-767677 - The firm's attorneys, along with other Plaintiffs' counsel, successfully represent consumers in claims against H&R Block arising out of its ARapid Refund® program.

Sears Automotive Center Consumer Litigation, Case No. C-92-2227, Northern District of California -The firm filed a class action on behalf of consumers defrauded by Sears' Auto Centers. The case was successfully concluded in August 1992. William M. Audet was appointed to the Plaintiffs' Steering Committee.

Chamberlain v. Flashcom, Orange County Superior Court, Case No. 00 CC 04212 - In this class action, William M. Audet, principal partner, along with other counsel successfully a remedy against Defendant's unlawful, unfair, and fraudulent business conduct.

Providian Credit Card Cases, San Francisco County Superior Court, JCCP No. 4085 - The Providian Defendants purported to facilitate the issuance of credit cards to people with damaged credit histories. The case settled for in excess of \$10 million. William M. Audet served as Class Counsel.

In re Kia Litigation, Orange County Superior Court - William M. Audet served as class counsel in a number of jurisdictions in a case involving claims by Kia regarding its automotive products. The case was settled with a significant monetary and non-monetary recovery for the class.

Insurance/Healthcare Litigation

Transvaginal Mesh - The firm represents hundreds of individuals who have been injured as a result of implantation of “mesh” products. The firm is pursuing claims against AMS, Bard and other manufacturers and are directly involved in the prosecution of the cases in state and federal courts, including the MDL.

Mirena IUD - The firm filed on the early class claims and individual cases involving alleged defects in the Mirena IUD.

Granuflo - The firm has been retained to assist dozens of clients with potential injuries arising out of inappropriate prescription of the now-recalled Fresenius Medical Care North America Naturalyte Liquid Acid Concentrate and Naturalyte GranuFlo (powder) Acid Concentrate. The firm has filed complaints and continues to meet with potential claimants to seek judicial recourse for the various injuries associated with the drug.

Depakote - The firm represents hundreds of children and family members relating to claims of lack of warning with respect to Depakote.

Jason M. Yamada et al. v. Nobel Biocare Holding AG et al., Case No. 2:10-CV-04849, Central District of California - Class action filed in July 2010 on behalf of nationwide class of dentists alleging that Nobel had marketed the NobelDirect as easier to implant and claiming that the implants would lead to less bone loss for patients. Plaintiffs claimed, however, that because of its allegedly defective design, the NobelDirect implant actually greatly increased bone loss and resorption resulting in the failure of the implants, necessitating extractions and replacements and leaving dentists to pick up the tab for surgeries on dissatisfied patients. Case settled in May 2013 for millions of dollars and plus other benefits to the class.

In re Unum Provident Litigation, Eastern District of Tennessee, MDL No. 1552 - Audet & Partners, LLP firm partners William M. Audet and Michael McShane serve as Court-appointed Lead Counsel in a pending class action on behalf of Plaintiffs alleging the wrongful denial of benefits under long term disability policies.

In re Industrial Life Insurance Litigation, Eastern District of Louisiana., MDL Nos. 1371, 1382, 1390, 1391, and 1395 - William M. Audet served on the Court-appointed Plaintiffs’ Steering Committee. The class cases involve claims that insurance companies overcharge African-Americans for life and health insurance.

In re Life of Georgia Insurance Litigation, Thirteenth Judicial District, Shelby County, Memphis, Tennessee - Reached nationwide class settlement in 2002 on behalf of class of insureds discriminated against in the issuance of life insurance. William M. Audet served as Court-appointed Co-Lead Counsel.

Thorn v. Jefferson Pilot Insurance Co., District of South Carolina - Nationwide class on behalf of purchasers of life insurance. Michael McShane of the firm represents the proposed Plaintiffs class alleging racial discrimination in the issuance of life insurance policies

In re Average Wholesale Price Litigation, MDL No. 1456 - Audet & Partners, LLP partner William M. Audet and Michael McShane of the firm serve as Court appointed members of the Executive Committee representing Plaintiffs in a nation-wide class action allegedly the manipulation of pricing for prescription drugs.

In re Tenet Healthcare Litigation, Los Angeles County, Superior Court, California - Numerous actions coordinated in 2002 by the Judicial Council. Partners William M. Audet and Michael McShane served among three Court appointed Lead Counsel on behalf of nationwide class of individuals who were allegedly overcharged directly, or through their health insurance for medical services, products and medication.

Lawson, et al., v. Liberty Life, Birmingham, Alabama, Case No. 96-1119 - William M. Audet of the firm, along with four other Plaintiffs' Counsel, represents a proposed class of life insurance policy holders of Liberty Life Corporation who were subjected to unlawful life insurance policy "churning" by Liberty Life.

Antitrust

In re PRK/Lasik, Laser Surgery Overcharges Litigation, Santa Clara County Superior Court, California, Master File No. CV772894 - Audet & Partners LLP attorneys William M. Audet and Joseph Russell served as Court-appointed Liaison Counsel in a nationwide class action case alleging antitrust violations against Visx, Inc. and Summit, Inc.

Flat Glass Antitrust Litigation, MDL No. 1200, Western District of Pennsylvania - Mr. Audet of the firm serves as one of five Court-appointed Discovery Committee members and as Plaintiffs' Counsel in a national class action antitrust case pending against the manufacturers of flat glass.

Toys "R" Us Antitrust Litigation, Case No. C-97-3931-TEM, Northern District of California -The firm filed a national class action antitrust complaint on behalf of toy consumers.

Los Angeles Milk Antitrust Litigation, Los Angeles County Superior Court, California, Case No. BC 070661 - William M Audet and other members of the firm, along with other Plaintiffs' Counsel, represents consumers arising out of claims of antitrust violations against Los Angeles supermarkets due to alleged price fixing of milk.

California Indirect Purchaser Auction House Cases, San Francisco County Superior Court, Case No. 310313 -In this case against Christie's, Sotheby's and others, Defendants are charged with conspiring to fix commissions for the sale at auction of art and other items in California.

Pharmaceutical Antitrust Cases, San Francisco County Superior Court, California, Judicial Council Coordination Proceeding, Case No. 2969 -The firm members worked on a case for independent pharmacies pursuing claims against major drug manufacturers for violation of California's price fixing statutes.

In re Vitamin Antitrust Litigation, California, North Carolina, Tennessee and Maine - William M. Audet serves as lead counsel in three states and on the Plaintiffs' Executive Committee in one state (California) in class claims involving alleged price fixing by the manufacturers of vitamin products.

In re Methionine Antitrust Litigation, MDL No. 1311 -William M. Audet serves as class counsel in a case involving allegations of price fixing in the Methionine industry.

In re Bromine Antitrust Litigation, MDL No. 1310 -The firm serves as class counsel in a case involving allegations of antitrust violations in the Bromine industry.

In re Carbon Fiber Antitrust Litigation, C 99-11475 RJK, Central District of California -Manufacturers, sellers, and distributors of carbon fibers were sued by

makers of airplanes, spacecraft parts, industrial and sporting equipment for conspiring to maintain an artificially inflated price for their product. The firm members served as one of Plaintiffs' counsel.

In re: Terazosin Hydrochloride Antitrust Litigation, MDL No. 1317, Southern District of Florida - In this lawsuit Plaintiffs allege a conspiracy to create a monopoly and fix prices of this widely used prescription drug as well as preventing the sale of any generic bioequivalent to Hytrin. The firm members served as one of Plaintiffs' counsel.

In re Dram Antitrust, MDL No. 1486, Northern District of California - William M. Audet of the firm serves as class counsel in a class action case to recover money for class members due to antitrust activity in the DRAM industry.

In re Copper Tubings Litigation, District of Tennessee - William M. Audet of the firm was appointed as Co-lead Class Counsel in a case involving an alleged worldwide conspiracy to overcharge customers in the copper tubing industry.

Securities & Insider-Trading

In re CNET Derivative Litigation - William M. Audet and Michael McShane of the firm filed a case against the corporate Defendants for insider trading and back dating of options. The case was filed in San Francisco Superior Court, California.

Adaptec Derivative Litigation, Santa Clara County Superior Court, California, Master File No. CV 772590 - The firm serves as Liaison Counsel in a derivative action filed on behalf of shareholders of Adaptec, Inc.

In re Genesis Securities Litigation, Northern District of California - William M. Audet serves as class counsel on a case filed against Genesis. After the case was dismissed by the District Court, the firm filed an appeal and ultimately settled the case for \$1.5 million.

Informix Derivative Securities Litigation, San Mateo Superior Court, California, Case No. 402254 - The firm served as one of the Plaintiffs' Derivative Counsel in a shareholder lawsuit alleging derivative claims on behalf of Informix.

Solv-Ex Securities Litigation, Second Judicial District Court, County of Bernalillo, New Mexico, Case No. CV-96-09869. The firm serves as Plaintiffs' Class Counsel in a suit alleging securities fraud against Solv-Ex Corporation and other insider defendants.

Imp, Inc., Securities Litigation, Santa Clara County Superior Court, California, No. CV762109. The firm represents shareholders of Imp, Inc. in an action against certain insiders of Imp, Inc., for alleged insider trading of the Company's stock.

CBT Group Derivative Litigation, San Mateo County Superior Court, California, No. 406767- The firm's founder, William M. Audet served as one of two plaintiffs' counsel representing shareholders of CBT Group, PLC, in a derivative action against officers and directors of the Company.

Oakley Technology Derivative Litigation, Santa Clara County Superior Court, California, No. CV75829 - The firm's members served as one of three Co-lead Counsel in a derivative securities case brought on behalf of shareholders of Oakley Technology, Inc., brought against certain Officers and Directors of the Company.

Horizon Securities Litigation, Case No. 96-0442 BB/LCS, District Court for New Mexico - William M. Audet of the firm serves as one of the Plaintiffs' Class Counsel in a securities case filed against New Mexico-based Horizon Corporation for alleged violation of federal securities laws.

Bay Networks Securities Litigation Garnier v. Bay Networks, CV764357; Greenway v. Bay Networks, CV765564, Santa Clara County Superior Court, California - The firm members served as one of four-plaintiffs' counsel representing shareholders of Bay Networks for alleged securities violations.

Unison Healthcare Corporation Litigation, Case No. Civ. 97-0583-PHX, District Court of Arizona, - The firm members served as one of the Plaintiffs' Class Counsel representing investors in Unison Healthcare.

S3 Derivative Litigation, Santa Clara County Superior Court, California, Case No. CV770254 - The firm members served as one of the Plaintiffs' Lead Counsel in a derivative action filed on behalf of shareholders of S-3, Inc.

In re Networks Associates Derivative Litigation, Santa Clara County Superior Court, Consolidated Case No. CV-781854. In this case, shareholders sued officers and directors of this leading manufacturer of anti-virus and protocol analyzer software who sold over 800,000 shares of their personal stock for more than \$33 million by misleading the public regarding its value. William M. Audet of the firm served as Liaison Counsel.

In re Oak Technology Derivative Action, Santa Clara County Superior Court, Case No. CV758629 - Shareholders sued directors and officers to recover more than \$100 million Defendants made by artificially inflating the company's stock, representing that exceptional demand for the company's products existed. In fact, the company's shipments of CD-ROM controllers far exceeded what the market could absorb. Three related derivative cases were filed and subsequently consolidated. William M. Audet of the firm serves as Lead Counsel in this lawsuit.

In re Sybase Derivative Litigation, Case No. C-98-0252-CAL, Northern District of California - The firm's attorneys served as Plaintiffs' Counsel in this stockholder's derivative action brought on behalf of Sybase against certain of the Company's present and former officers and/or directors for insider trading.

About the Attorneys

William M. Audet, J.D., LL.M, LL.D (hon), earned a B.A. from the University of California at Davis in 1981, a Juris Doctor (J.D.) from Golden Gate University School of Law in 1984, where he was the Editor of the *Golden Gate University Law Review*, and completed his formal legal education with a Masters of Law (LL.M.) from the University of Wisconsin School of Law in 1987. In 2013, Mr. Audet was formally awarded a Doctor of Law (honorary degree) from the Golden Gate University School of Law for his significant contributions to the legal community and the law school. While obtaining his Masters Degree in Law at the University of Wisconsin, Mr. Audet also served as a clinical instructor at the University of Wisconsin School of Law. After clerking for the Ninth Circuit Court of Appeals, Mr. Audet clerked for The Honorable Alfonso J. Zirpoli, United States District Judge for the Northern District of California and The Honorable Fern M. Smith, United States District Judge for the Northern District of California. Mr. Audet's practice focuses on complex litigation, including class and non-class action claims involving mass torts, product liability, antitrust, employment, and consumer litigation. Mr. Audet is a frequent guest speaker on a variety of topics at professional seminars. Mr. Audet is a co-author of *Handling Federal Discovery* (now in 20th edition)(James Publishing Company). In 2005, Mr. Audet was awarded the Justice Award from the San Francisco Bar Foundations for his long standing contributions to the San Francisco Bay Area legal community and for his pro bono work over the past twenty-five years. Over the past thirty years, Mr. Audet has been appointed by federal and state court judges to leadership positions in a number of important and groundbreaking cases.

Michael A. McShane earned his B.A. in Philosophy from the University of California at Santa Barbara, before earning his law degree from the University of Oregon in 1986, where he was the Articles Editor for the *Journal of Environmental Law and Litigation*. Since his admission to the California Bar, Mr. McShane's practice has been devoted exclusively to prosecuting complex class action litigation throughout the United States. His areas of practice include products liability, consumer claims, antitrust, insurance fraud and medical/pharmaceutical overcharge cases.

Thom E. Smith received his B.A. degree in English from Louisiana State University in 1990. In 1993, Mr. Smith was awarded a J.D. from Boston College School of Law and was thereafter admitted to the bar in Massachusetts, Louisiana, and California. Since 1995, Mr. Smith's practice has primarily been in product liability and mass tort litigation. At Audet & Partners, LLP, as mass tort case coordinator, Ms. Smith focuses his work at the firm on the organization and administration of the litigation, settlement management, and claim processing of defective pharmaceutical and medical device cases, with current focus on Transvaginal Mesh cases, Plavix, and Granuflo, among others.

"David" Ling Y. Kuang graduated with a B.A. in Political Science, Minor in Economics, from University of California, Davis and later earned a J.D. from Golden Gate



University, School of Law in 2013. He focuses his practice on the prosecution of class actions and other complex matters in both California state courts and federal courts throughout the United States. His work has earned him numerous accolades including recognition as a top attorney by SuperLawyers® (selection onto their 2019 Rising Stars list, an honor reserved for top 2.5% of attorneys in the state). Representative case work includes being part of a trial team that sought, on behalf of a class of insurance purchasers, restitution in excess of \$100M dollars, pursuing actions against Fortune 100 companies for product defects, and safeguarding privacy and consumer data protection in suits against Silicon Valley scions. His experience prior to joining Audet & Partners include, among others, gaining a wide breadth of judicial insight working with Associate Justice Nathan D. Mihara in the California Court of Appeal, Sixth Appellate District; and further expanding his experience on the international stage, having clerked for the Honorable Sharon D. Melloy in the Hong Kong District Courts.

David is also a co-author and contributor to the practice guide *Handling Federal Discovery* (James Publishing). The treatise aims to keep legal practitioners up to date on evolving federal discovery procedures, technology and jurisprudential interpretation of Fed. R. Civ. P. changes over the years.

Steadfast commitment to justice and contributions to communities-in-need remain a priority for David as well. He was inducted into the Pro Bono Honor Society, nominated for the Paul S. Jordan Award for service and contribution, participated on the Planning Committee for the 39th and 40th Asian Law Caucus Annual Event, and has volunteered his time to legal aid clinics organized by Asian Pacific Islander Legal Outreach, California Rural Legal Assistance and Legal Aid of Marin; and with indigent incarcerated clients through San Francisco Sheriff's Department's Prisoner Legal Services.

David is admitted to practice in the state of California as well as to the United States Court of Appeals for the Ninth Circuit, the United States District Courts for the Northern, Central, Eastern, and Southern Districts of California. He is also fluent in Cantonese and conversational Mandarin.

Mark Burton, of counsel to the firm, earned a B.A. from the University of California, Santa Barbara, in 1991, a Juris Doctorate from Golden Gate University School of Law in 1995, where he was an associate editor of the Golden Gate University Law Review. During law school he clerked for the San Francisco Superior Court and practiced as a certified law clerk at the Contra Costa Public Defenders Office. Mr. Burton's practice focuses on complex litigation, including class and non-class action claims involving mass torts, product liability, personal injury, employment claims and consumer class actions. He has tried cases successfully in state and federal courts in a variety of matters and has been recognized as a Rising Star Super Lawyer as a Super Lawyer over the past years. The Legal website AVVO give him its highest rating at "Superb 10.0". Previously, Mr. Burton



represented the State of New Mexico as a Special Assistant Attorney General prosecuting pharmaceutical fraud and represented one of the whistleblowers in the \$1.4 Billion settlement on behalf of the United States (one of the largest recovery on behalf of the United States at the time). Mr. Burton is a frequent speaker on a variety of topics involving complex litigation and has written several articles as well, and serves as a trustee for Golden Gate University and as an advisor to the Dean of GGU Law School. Mr. Burton has been appointed as a mediator, a discovery facilitator, an expert witness in legal malpractice cases and as a state bar fee arbitrator.

Kurt Kessler graduated with a Bachelor of Arts in Political Science, Minor in History from Duke University in 2015 and proceeded to earn his Juris Doctor from The George Washington University Law School in 2019, where he was on the Federal Communications Law Journal. Mr. Kessler was subsequently admitted to the bar in California in 2019. Mr. Kessler has experience interning at tech companies, government agencies, and non-profits. Mr. Kessler is focused on complex civil litigation practice at Audet and Partners, LLP.

