

## Securities Litigation

Husch Blackwell has broad experience representing corporations, directors and officers, broker-dealers, and other securities industry professionals in all types of securities litigation and arbitration, as well as regulatory matters involving the SEC and other regulatory bodies. The firm's securities attorneys successfully represented defendants in federal and state securities law class actions, defending executives and directors of both public and private companies in derivative shareholder litigation, and representing companies and individual defendants in both investigative and enforcement actions before the SEC. We defend directors, officers and controlling shareholders in challenges to mergers and acquisitions, including going private transactions.

Within the securities industry, Husch Blackwell attorneys represent broker-dealers and investment advisors in customer litigation and FINRA arbitrations involving claims of unsuitability, churning, negligence, breach of fiduciary duty and fraud. Our attorneys defend and prosecute claims on behalf of broker-dealers involving breach of non-competition agreements, misappropriation of trade secrets and breach of fiduciary duties related to recruitment of registered representatives.

Our firm's recent securities litigation experience includes:

- Secured summary judgment for *Fortune* 500 company sued in federal class action for alleged violations of SEC Rule 10b-5
- Successfully defended controlling shareholder in trial of Delaware Chancery Court action challenging fairness of going private transaction
- Secured summary judgment for officer of public company in securities fraud case brought by SEC alleging improper revenue recognition and other accounting irregularities
- Defended securities firm and its principals accused of fraud by state regulatory agency in sale of mortgage-backed securities
- Won dismissal of claims of breach of fiduciary duty asserted by bankruptcy trustee against chairman of major agricultural company
- Defeated attempt by purported shareholder class to enjoin proposed merger of two public companies
- Defended chief legal officer and other principals of hedge fund in investigation in Bernie Madoff-related matter
- Defended officer of mutual fund company in shareholder action and parallel SEC proceeding alleging illegal market timing
- Defended securities firm and investment adviser in customer claims alleging improper sale of auction rate securities
- Secured dismissal of shareholder complaint alleging securities fraud against CEO and CFO of public company
- Represented individual and business investors alleging fraudulent disclosures related to the start-up of an airline
- Represented a brokerage firm and a registered agent in a proceeding brought by the Securities Commissioner of the State of Kansas regarding the practices of the brokerage firm and an alleged failure to supervise
- Represented individual and entity that sold interests in oil and gas wells to various investors pursuant to a subscription agreement. Plaintiffs claimed that the brokers were regulated by FINRA and the sales violated securities regulations
- Represented accounting firm in federal court class actions, multi-district federal court litigation and related state court actions by limited partnership investors and shareholders involving claims alleging fraudulent revenue projections
- Represented individual investors alleging fraudulent disclosures and improper accounting practices related to investments in a savings and loan
- Represented shareholder in a class action alleging premerger disclosures related to the acquisition of a pharmaceutical company