

ZIMMERMAN | REED
— FIRM RESUME

MINNEAPOLIS

Zimmerman Reed LLP
1100 IDS Center
80 South 8th Street
Minneapolis, MN 55402
t: 612.341.0400
zimmreed.com

LOS ANGELES

Zimmerman Reed LLP
6420 Wilshire Blvd
Suite 1080
Los Angeles, CA 90048
t: 877.500.8780
zimmreed.com

SCOTTSDALE

Zimmerman Reed LLP
14646 North Kierland Blvd
Suite 145
Scottsdale, AZ 85254
t: 480.348.6400
zimmreed.com

FIRM PRACTICE AND ACHIEVEMENTS

Zimmerman Reed is a nationally recognized leader in complex and class action litigation and has been appointed as lead counsel in some of the largest and most complex cases in federal and state courts across the country. The firm was founded in 1983 and has successfully represented thousands of consumers and injured individuals nationwide in significant and demanding cases. The firm's practice includes a wide range of legal issues and complex cases involving consumer fraud, ERISA, shareholder actions, environmental torts, pharmaceutical drugs, dangerous or defective products, human rights violations, and privacy litigation. Since 2010, Zimmerman Reed has earned a "Best Law Firm" ranking released by U.S. News & World Report.

The following are just a few of the firm's notable achievements:

Co-Lead Counsel in the *Baycol Products Liability Litig.* (D. Minn.), seeking recovery for serious injuries from the use of Bayer's statin, Baycol. Achieved \$1.15 billion settlement.

Lead Counsel Committee member in the *Stryker Rejuvenate & ABG II Hip Implant Products Liability Litig.* (D. Minn.), seeking compensation for recalled Stryker hip replacements. Achieved in excess of \$1.4 billion settlement.

Co-Lead Counsel in the *Guidant Corp. Implantable Defibrillators Products Liability Litig.* (D. Minn.), arising out of malfunctions in cardiac defibrillators implanted in patients. Achieved \$230 million settlement.

Class and Derivative Counsel in the *Regions Morgan Keegan Securities, Derivative and ERISA Litig., Landers v. Morgan Asset Mgmt.* (W.D. Tenn.), alleging violations of federal securities laws and breach of fiduciary duty due to the collapse of Regions Morgan Keegan open-end funds. Achieved \$125 million settlement.

Class Counsel in *Soo Line R.R. Co. Derailment of Jan. 18, 2002 in Minot, N.D.* (Hennepin Cty. Dist. Ct.), representing hundreds of individuals injured by the release of anhydrous ammonia. Obtained a \$1.2 million jury verdict. Achieved a \$7 million class settlement and assisted congressional leaders in drafting and passing amendments to the Federal Railroad Safety Act, clarifying the scope of railroad preemption law.

Lead Counsel for the State of Mississippi in *Mississippi ex rel. Hood v. AU Optronics*, 571 U.S. 161 (2014), resulting in a unanimous U.S. Supreme Court decision reversing a Fifth Circuit decision, resolving a circuit split, and establishing binding law across the country that a State's enforcement action is not removable to federal court as a mass action.

Co-Lead Counsel in *Medtronic Implantable Defibrillators Products Liability Litig.* (D. Minn.), seeking recovery for more than 2,682 patients with recalled Medtronic heart defibrillators. Achieved a \$95.6 million settlement.

Class Counsel in *City of Farmington Hills Employees Retirement System v. Wells Fargo Bank, N.A.* (D. Minn.), to recover losses caused by the bank's mismanagement of its securities lending program. Achieved a \$62.5 million settlement, two days before trial.

Lead Counsel in *Dryer v. National Football League* (D. Minn.), arising out of the unauthorized use of retired NFL players' identities to generate revenue. Achieved a \$50 million settlement and created a ground-breaking program which allowed retired players the opportunity to benefit from the League's use of their images and allowed the League an opportunity to build its marketing using film clips of these former players.

Lead Counsel in *Target Corporation Customer Data Security Breach Litig.* (D. Minn.), to recover financial institutions' losses from the company's massive 2013 data breach. Achieved a \$39 million settlement.

Class Counsel in *The Shane Group Inc. v. Blue Cross Blue Shield of Michigan* (E.D. Mich.), against insurance carrier for violations of antitrust laws from contractually requiring hospitals to charge higher prices to competitors. Achieved a \$30 million settlement (pending final approval).

Lead Counsel in *Zicam Remedy Marketing, Sales Practices & Products Liability Litig.* (D. Ariz.), seeking to recover for customers' loss of the sense of smell from using Zicam Cold Remedy Nasal Gel. Achieved \$27 million settlement.

Counsel for third-party payor in *In re Metoprolol Succinate End-Payor Antitrust Litig.* (D. Del.), alleging that the manufacturing and marketing of the heart drug, Toprol-XL, violated antitrust and deceptive trade practices laws. Achieved \$20 million settlement.

Class Counsel in *Weincke v. Metropolitan Airports Commission* (Hennepin Cty. Dist. Ct.), regarding excessive noise levels from the Minneapolis-St. Paul International Airport. Achieved settlement to provide noise mitigation to more than 9,500 homeowners.

ACKNOWLEDGMENT OF THE FIRM'S WORK

Federal and state judges as well as legal scholars have consistently recognized the quality and impact of the firm's work on numerous occasions. Below are just a few examples.

"To summarize: class counsel recovered over ten times what is recovered in the typical case of this kind despite risks and complexities much more formidable than the typical case." Brian Fitzpatrick, Law Professor at Vanderbilt University and former clerk to Justice Scalia, expert in *In re Region Morgan Keegan Securities, Derivative and ERISA Litig., Landers v. Morgan Asset Mgmt.* (W.D. Tenn.)

"Fortunately for the absent class members, experienced counsel ... negotiated a settlement that is truly one-of-a-kind, and a remarkable victory for the class as a whole." Judge Paul Magnuson, *Dryer v. National Football League* (D. Minn.)

"I think no one can question your leadership in this matter. Again, thank you, and I say again it was the best decision I have ever made." Judge Michael Davis (former Chief Judge), *In re Baycol Products Liability Litig.* (D. Minn.)

"[S]uperior work the court observed from the firm throughout this litigation." Judge Donovan Frank, *In re Guidant Corp. Implantable Defibrillators Products Liability Litig.* (D. Minn.)

“The parties were represented by highly skilled and experienced counsel, who were extremely knowledgeable and clearly had spent a considerable amount of time developing the law and facts in this complex litigation.” Judge Layn Phillips (ret.), mediator in *In re Region Morgan Keegan Securities, Derivative and ERISA Litig., Landers v. Morgan Asset Mgmt.* (W.D. Tenn.)

It is “clear of the dedication, devotion, professionalism, and in the court’s view efficiency of these firms, so there is no question in the court’s mind of the quality of the representation.” Judge Deborah Batts, *In Re American Express Financial Advisors Securities Litig.* (S.D.N.Y.)

“Here, there is no doubt that the class has had competent counsel It’s been a pleasure ... to have counsel of this quality on both sides. I wish you would together go out and teach seminars about class action litigation. It would make my life a lot easier.” Judge Isabel Gomez, *Edwards v. Long Beach Mortgage Co.* (Hennepin Cty. Dist. Ct.)

“The reputation and experience of [Zimmerman Reed and co-counsel] to conduct class litigation of this nature is outstanding, and the record reflects that both law firms have successfully prosecuted numerous class actions in Minnesota courts and throughout the United States. The quality of representation in this case has been excellent, and the two firms are eminently qualified to serve as class counsel.” Judge Lloyd Zimmerman, *Holdhal v. BioErgonomics* (Hennepin Cty. Dist. Ct.)

REPRESENTATIVE LEADERSHIP POSITIONS

Zimmerman Reed has been appointed Lead or Liaison Counsel in the following MDLs:

CenturyLink Residential Customer Billing Disputes Litig., MDL 2795
National Hockey League Players’ Concussion Injury Litig., MDL 2551
Target Corporation Customer Data Security Breach Litig., MDL No. 2522
Stryker Rejuvenate and ABG II Hip Implant Products Liability Litig., MDL 2441
National Arbitration Forum Trade Practices Litig., MDL 2122
Zicam Cold Remedy Marketing, Sales Practices, and Products Liability Litig., MDL 2096
Northstar Education Finance, Inc. Contract Litig., MDL 1990
Zurn Pex Plumbing Products Liability Litig., MDL 1958
Levaquin Products Liability Litig., MDL 1943
Medtronic, Inc. Sprint Fidelis Leads Products Liability Litig., MDL 1905
Medtronic Implantable Defibrillators Products Liability Litig., MDL 1726
Viagra Products Liability Litig., MDL 1724
Guidant Corp. Implantable Defibrillators Products Liability Litig., MDL 1708
Pacquiao-Mayweather Boxing Match Pay-Per-View Litig., MDL 2639
Medco Health Solutions, Inc., Pharmacy Benefits Management Litig., MDL 1508
Baycol Products Liability Litig., MDL 1431
St. Jude Medical, Inc. Silzone Heart Valves Products Liability Litig., MDL 1396
Mortgage Escrow Deposit Litig., MDL 899

Zimmerman Reed has been appointed to the Plaintiffs' Executive Committee, Steering Committee, or Sub-Committees in the following MDLs:

Apple Inc. Device Performance Litig., MDL 2827
Dicamba Herbicides Litig., MDL 2820
Equifax, Inc. Customer Data Security Breach Litig., MDL 2800
Fieldturf Artificial Turf Marketing Practices Litig., MDL 2779
Stryker Orthopaedics LFIT V40 Femoral Head Products Liability Litig., MDL 2768
Abilify Products Liability Litig., MDL 2734
Vizio, Inc. Consumer Privacy Litig., MDL 2693
Viagra and Cialis Products Liability Litig., MDL 2691
The Home Depot, Inc., Customer Data Security Breach Litig., MDL 2583
LifeTime Fitness, Inc., Telephone Consumer Protection Act (TCPA) Litig., MDL 2564
National Collegiate Athletic Association Student-Athlete Concussion Litig., MDL 2492
H&R Block IRS Form 8863 Litig., MDL 2474
Biomet M2A Magnum Hip Implant Products Liability Litig., MDL 2391
National Football League Players' Concussion Injury Litig., MDL 2323
Building Materials Corp. of America Asphalt Roofing Shingle Products Litig., MDL 2283
Zimmer NexGen Knee Implant Products Liability Litig., MDL 2272
Uponor, Inc., F1807 Plumbing Fittings Products Liability Litig., MDL 2247
DePuy Orthopaedics, Inc., ASR Hip Implant Products Liability Litig., MDL 2197
Apple iPhone "MMS" Sales Practices Litig., MDL 2116
Digitek Products Liability Litig., MDL 1968
Fedex Ground Package System, Inc., Employment Practices Litig., MDL 1700
Bextra and Celebrex Marketing Sales Practices and Product Liability Litig., MDL 1699
Celebrex and Bextra Products Liability Litig., MDL 1694
Vioxx Products Liability Litig., MDL 1657
Neurontin "Off-Label" Marketing Litig., MDL 1629
Zyprexa Products Liability Litig., MDL 1596
Welding Rods Products Liability Litig., MDL 1535
Meridia Products Liability Litig., MDL 1481
Serzone Products Liability Litig., MDL 1477
Sulzer Inter-Op Orthopedic Hip Implant Litig., MDL 1401
Propulsid Products Liability Litig., MDL 1355
Rezulin Products Liability Litig., MDL 1348
Diet Drugs Products Liability Litig., MDL 1203
Telectronics Pacing Systems, Inc. Accufix Atrial "J" Lead Products Liability Litig., MDL 1057
Orthopedic Bone Screw Products Liability Litig., MDL 1014
Silicone Gel Breast Implant Products Liability Litig., MDL 926

Representative cases in which Zimmerman Reed has served as Class or Lead Counsel:

Adams v. DPC Enterprises, LP (Jefferson Cty. Cir. Ct., Mo.)
Adedipe v. U.S. Bank, N.A. (D. Minn.)
AI Plus, Inc. and IOC Distrib., Inc. v. Petters Group Worldwide (D. Minn.)
Arby's Restaurant Group, Inc., Data Security Litig. (N.D. Ga.)
Castano Tobacco Litig. (E.D. La.)
City of Farmington Hills Emps. Ret. Sys. v. Wells Fargo Bank, N.A. (D. Minn.)

City of Tallahassee Pension Plan v. Insight Enterprises, Inc. (Maricopa Cty. Super. Ct., Ariz.)
Cooksey v. Hawkins Chemical Co. (Henn. Cty. Dist. Ct., Minn.)
Coyle v. Flowers Food and Holsum Bakery (D. Ariz.)
Cuff v. Brenntag North America, Inc. (N.D. Ga.)
Daud v. Gold'n Plump Poultry, Inc. (D. Minn.)
DeKeyser v. ThyssenKrupp Waupaca, Inc. (E.D. Wis.)
Dockers Roundtrip Airfare Promotion Sales Practices Litig. (C.D. Cal.)
Doe v. Cin-Lan, Inc. (E.D. Mich.)
DeGrise v. Ensign Group, Inc. (Sonoma Cty. Super. Ct., Cal.)
Dryer v. National Football League (D. Minn.)
Ebert v. General Mills, Inc. (D. Minn.)
First Choice Fed. Credit Union v. The Wendy's Co. (W.D. Pa.)
Frank v. Gold'n Plump Poultry, Inc. (D. Minn.)
Garner v. Butterball, LLC (E.D. Ark.)
GLS Companies v. Minnesota Timberwolves Basketball LP (Henn. Cty. Dist. Ct., Minn.)
Haritos v. American Express Financial Advisors (D. Ariz.)
Helmert v. Butterball, LLC (E.D. Ark.)
Kurvers v. National Computer Systems, Inc. (Henn. Cty. Dist. Ct., Minn.)
Martin v. BioLab, Inc. (N.D. Ga.)
McGruder v. DPC Enterprises, LP (Maricopa Cty. Super. Ct., Ariz.)
Mehl v. Canadian Pacific Railway (D.N.D.)
Milner v. Farmers Insurance Exchange (D. Minn.)
Patlan, et al. v. BMW of North America, LLC (D.N.J.)
Ponce v. Pima County (Maricopa Cty. Super. Ct., Ariz.)
Regions Morgan Keegan [Landers v. Morgan Asset Mgmt.] (W.D. Tenn.)
Russo v. NCS Pearson, Inc. (D. Minn.)
Sanders v. Norfolk Southern Corporation (D.S.C.)
Scott v. American Tobacco Co. (Civ. Dist. Ct. Parish of New Orleans, La.)
Soo Line R.R. Co. Derailment of Jan. 18, 2002 in Minot, N.D. (Henn. Cty. Dist. Ct., Minn.)
Soular v. Northern Tier Energy, LP (D. Minn.)
State of Mississippi v. AU Optronics Corp. (Rankin Cty. Ch. Ct., Miss.)
State of New Mexico v. Visa, Inc. (Santa Fe Cty., N.M.)
Trauth v. Spearmint Rhino Companies Worldwide, Inc. (C.D. Cal.)
Weincke v. Metropolitan Airports Commission (Henn. Cty. Dist. Ct., Minn.)
Zicam Product Liability Cases (Maricopa Cty. Super. Ct., Ariz.)