

**Productivity  
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# ***Securities Litigation***

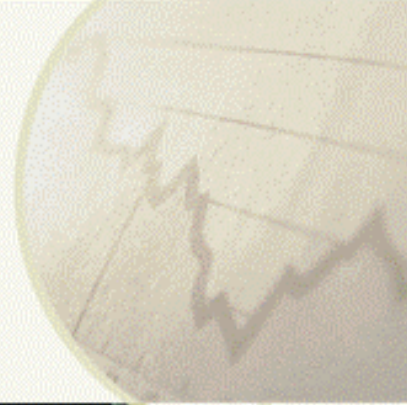
## ***2009 Review***

### ***An Advisen Webinar***

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# Securities Litigation Insight

<http://corner.advisen.com>

- Quarterly report on securities litigation
- Copy of these slides
- List of filings and related cases (fee)
- Case details (fee)
- Recording of today's webinar

<http://www.dandodiary.com/>

## Presenter and Report Author

John Molka, Senior Industry Analyst  
of Advisen.

## Today's Panelists



Kevin LaCroix, Partner in OakBridge Insurance Services, and Author of Weblog *The D&O Diary*.



Jeffrey Lattmann, Managing Director of Executive Liability Practice of Beecher Carlson.

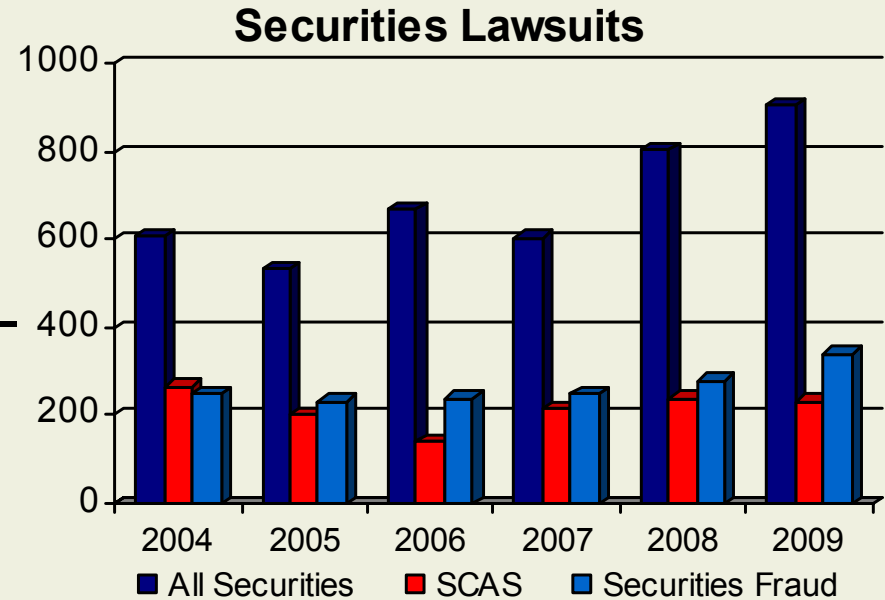


Mark Lamendola, Senior VP of the Public Company Liability Business Unit of Travelers.

# Securities Litigation – 2009 Review

## Overview

- Securities cases = 910 filings, 804 in 2009.
- Madoff- and credit crisis-related flood first half, fell off second half.
- Financial firms led (38%), but more disperse by Q4 (26%).

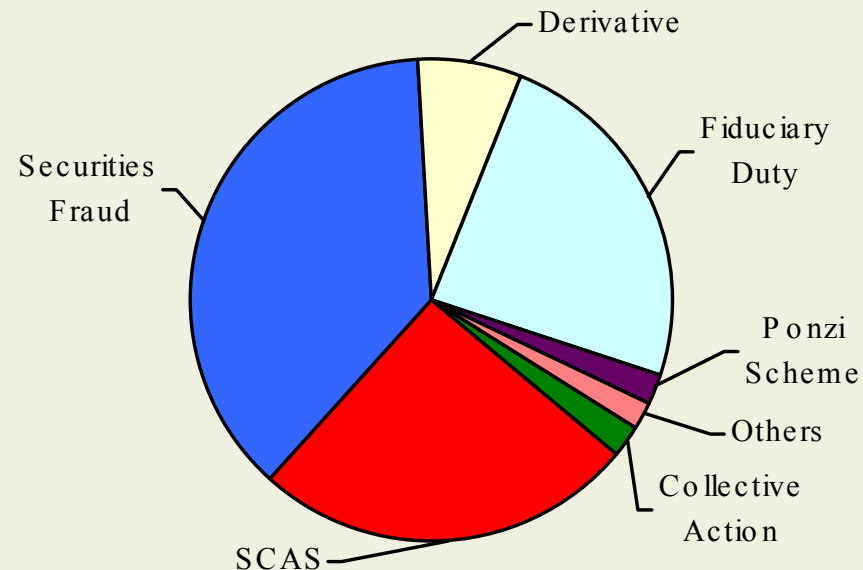


# Case Breakdown – 2009 Review

## Of the 907 Securities Suits

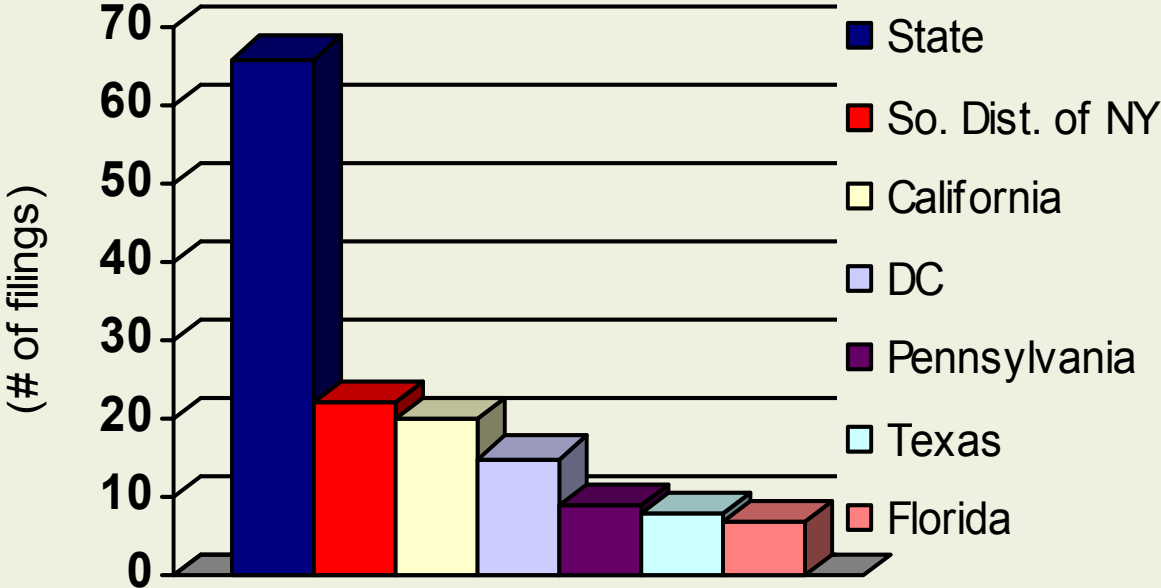
- 340 securities fraud (37%).
- 234 SCAS (26%).
- 216 breach of fiduciary duties (24%).
- 65 derivatives action (7%).
- 55 Ponzi schemes, collective action, others (6%).

Types of Securities Lawsuits - 2009



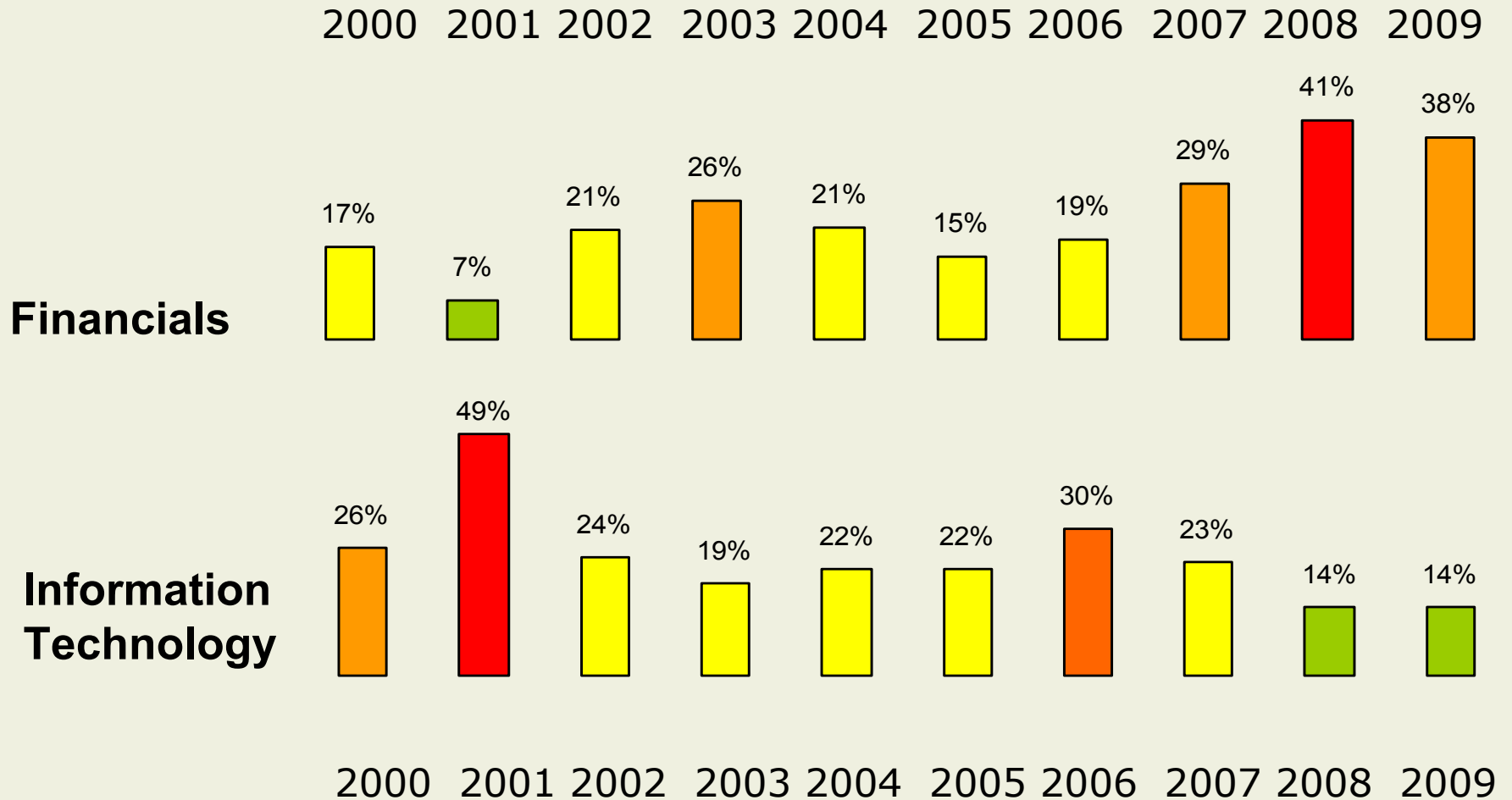
# Jurisdiction – Q4 2009

## Major Filing Jurisdictions - Q4 2009



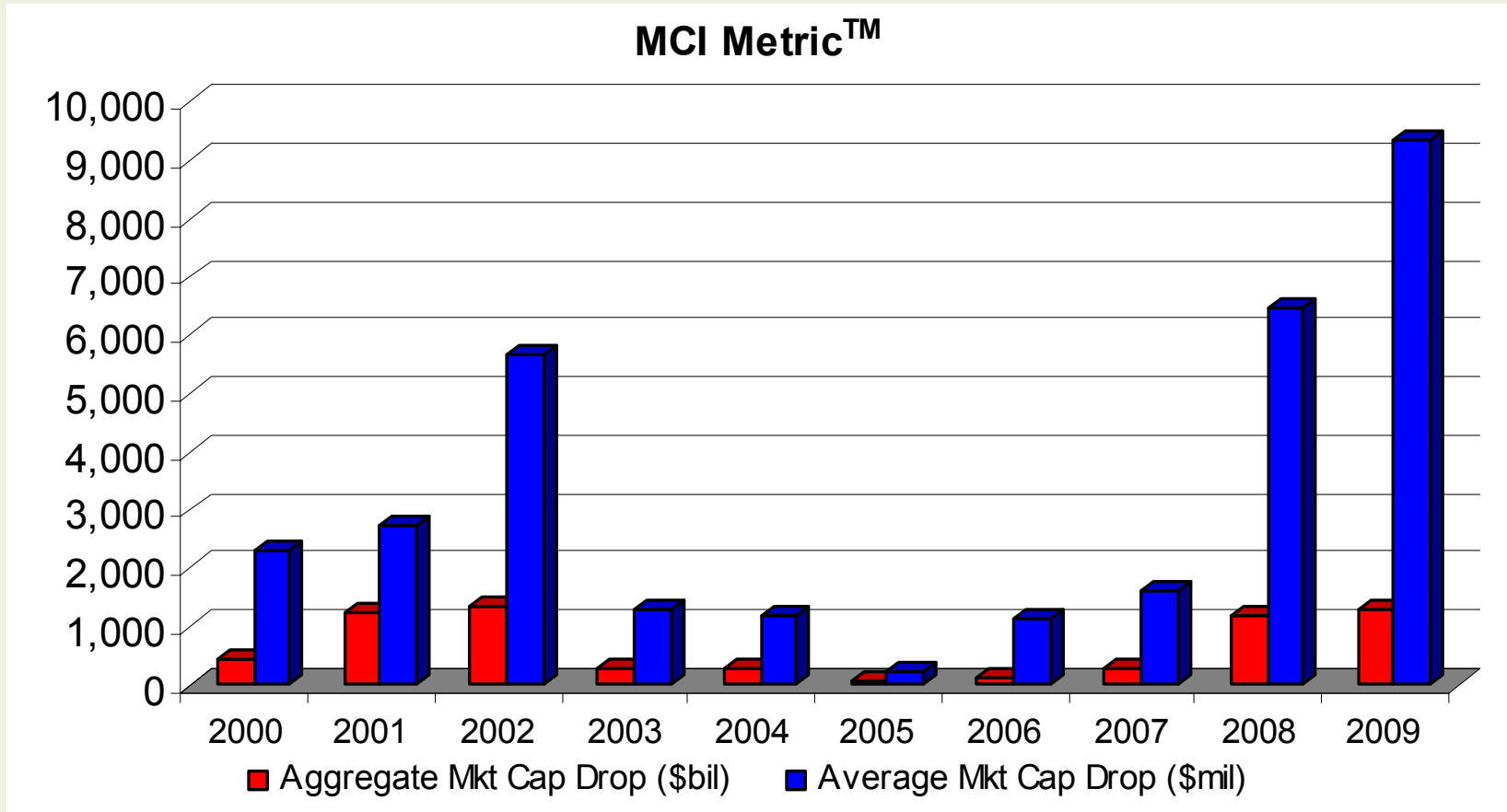
State court activity:  
Rise of breaches of fiduciary duty and SCAS.

# Sector Impact Metric™



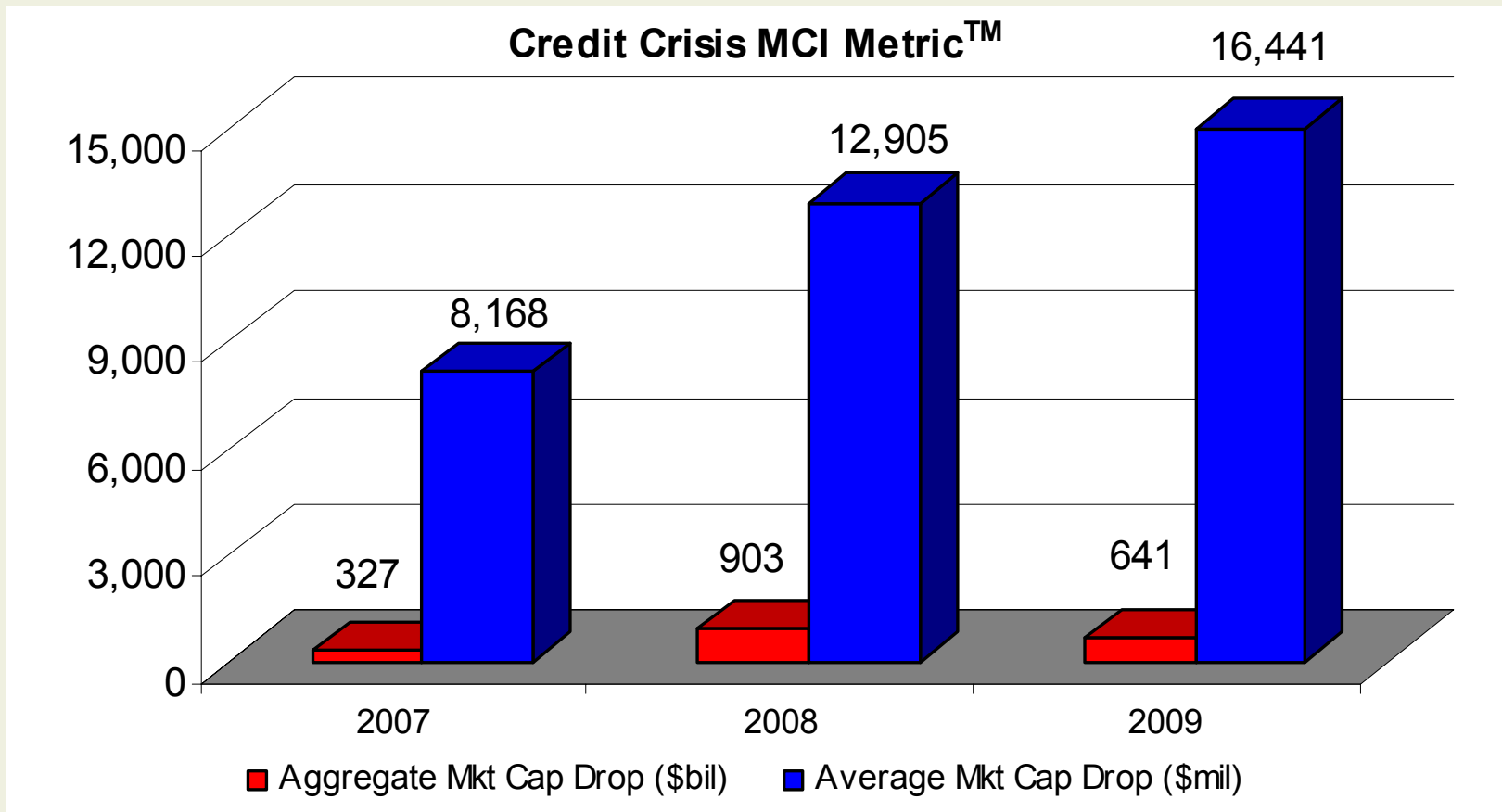


# Market Cap Impact Metric™

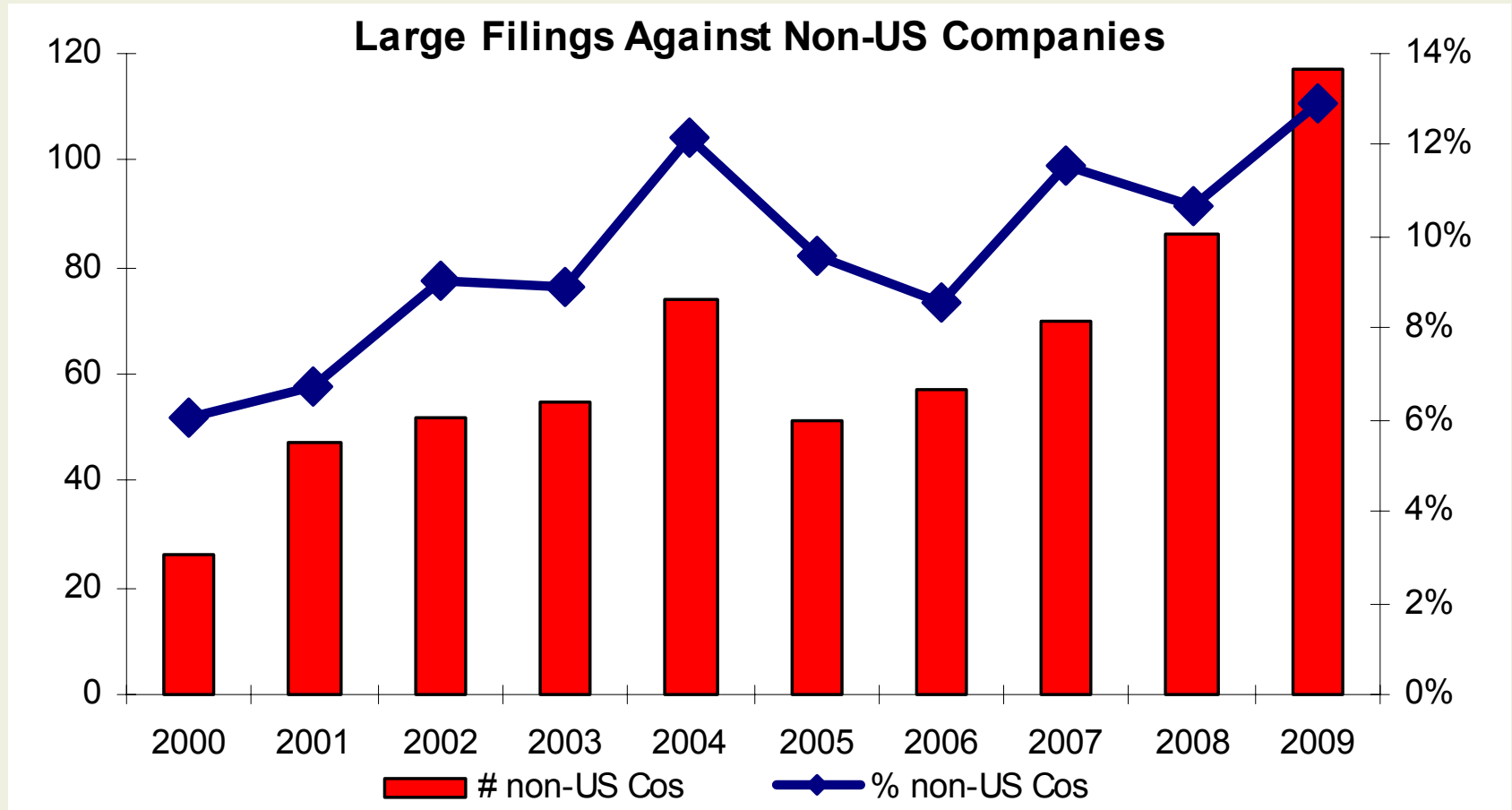


# Market Cap Impact Metric™

## Credit Crisis-Related Cases



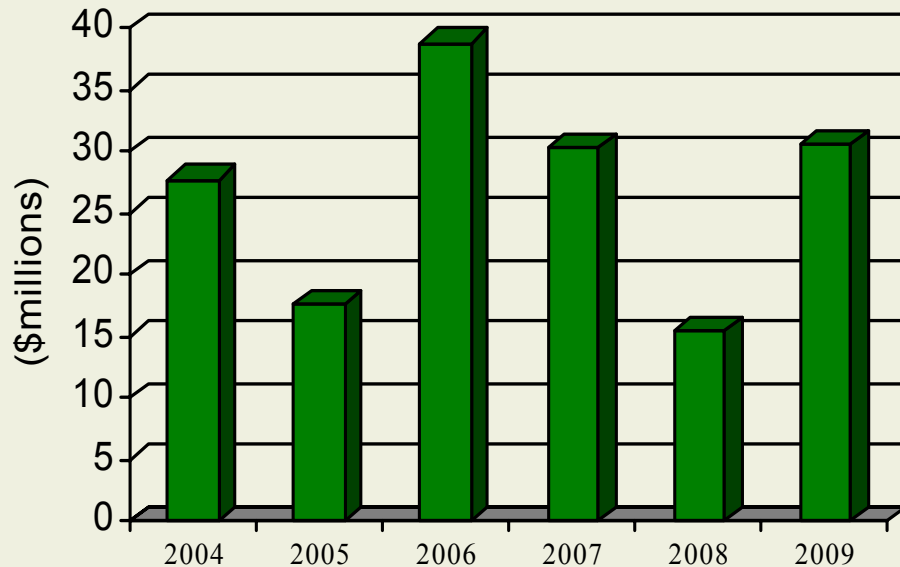
# Globalization of Securities Litigation



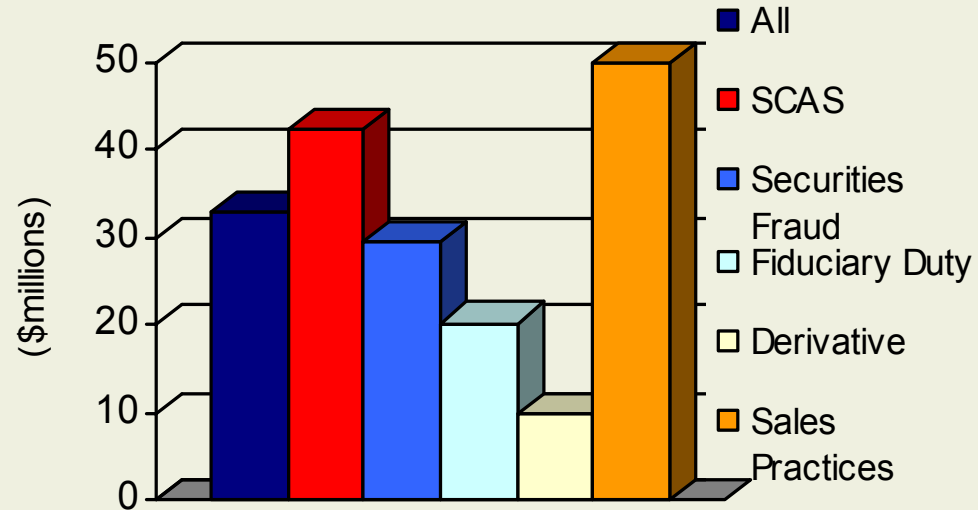
# Average Settlement/Awards

- Average settlement/award:  
Q4 = \$33 million  
2009 = \$31 million
- SCAS Q4 = \$43 million

**Avg Settlement/Award Amount**



**Avg Settle/Award Amount - Q4 2009**

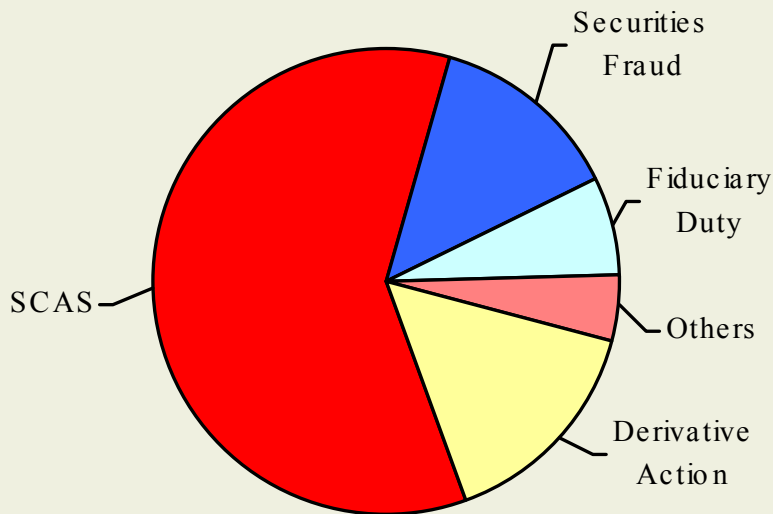


# Credit Crisis and Madoff

**Credit crisis** all-time securities suits breakdown:

- 342 suits, 2 in Q4 2009
- 60% SCAS
- 15% derivative actions
- 13% securities fraud

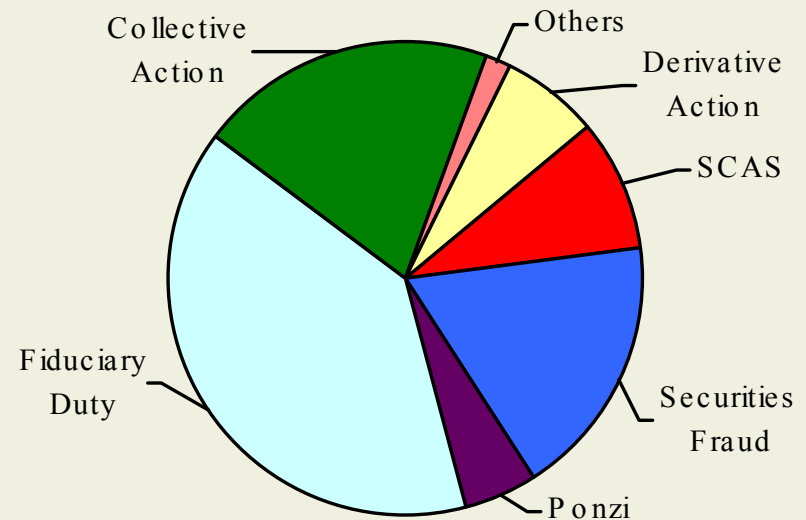
**Types of Credit Crisis Securities Suits**



**Madoff** all-time securities suits breakdown:

- 119 suits, 7 in Q4 2009
- 39% fiduciary duties
- 20% collective action

**Types of Madoff Securities Suits**



## Today's Panelists



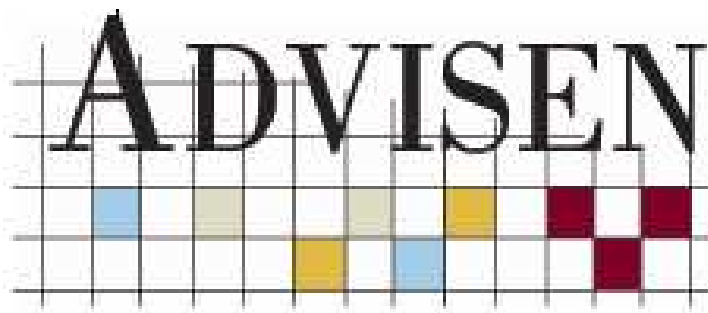
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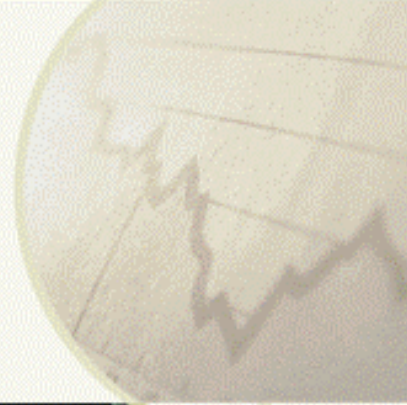
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Friday – April 16, 2010

11 AM eastern



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