

Jerome F. Birn, Jr.

RETIRED MEMBER

Litigation
Palo Alto

FOCUS AREAS

Arbitration
Board and Internal
Investigations
Corporate Governance
Corporate Governance
Litigation
Government Investigations
Litigation
Mergers & Acquisitions
Securities Litigation

HIGHLIGHTS

- **Veteran Securities Litigation Practitioner**
During his career, Jerry represented clients in all aspects of securities litigation, including class actions, SEC enforcement matters, investigations, and governance issues.
- **Represented Clients from Diverse Industries**
Jerry represented clients from various industries, including the aviation, consumer products, semiconductor, and network communications sectors, among others.
- **A Recognized Practitioner**
Jerry was named among the "100 Lawyers You Need to Know in Securities Litigation" by *Lawdragon*.

EXPERIENCE

Jerome (Jerry) Birn specialized in all aspects of securities litigation, including shareholder class actions, derivative litigation, SEC enforcement matters, internal investigations, and corporate governance. Jerry had a national practice, representing companies such as the Boeing Company, Krispy Kreme Doughnuts, Amdocs, Avaya, and Silicon Graphics.

Jerry previously served as a member of the firm's Policy Committee.

CREDENTIALS

Education

- J.D., Harvard Law School, 1984
- A.B., Brown University, 1981
Magna Cum Laude, Phi Beta Kappa

Honors

- Selected as one of *Lawdragon's* "100 Lawyers You Need to Know in Securities Litigation," 2008
- Named in *Northern California Super Lawyers*, 2004-2006 and 2010-2019

Admissions

- State Bar of California

MATTERS

Select Matters

- *In re The Boeing Company Securities Litigation*. Represented Boeing and its current officers and directors in shareholder litigation arising out of Boeing's introduction of its Next Generation 737 aircraft. The case settled well within insurance coverage.
- *Krispy Kreme Doughnuts*. Currently represents the company and certain officers and directors in shareholder class action and derivative litigation and in SEC enforcement and U.S. Attorney investigations.
- *In re Amdocs Securities Litigation*, 390 F.3d 542 (8th Cir. 2004). Represented the company and its current and former officers and directors in shareholder class action arising out of a missed quarter. Obtained dismissal with prejudice by the district court, which was affirmed on appeal.
- *In re Silicon Graphics Inc. Securities Litigation*, 970 F. Supp. 746 (N.D. Cal. 1997), aff'd, 195 F.3d 521 (9th Cir. 1999). Represented the company and its officers and directors in shareholder class action and derivative litigation in the leading case filed under the Private Securities Litigation Reform Act of 1995. Obtained dismissal with prejudice of all matters.
- *In re Cypress Semiconductor Corp. Securities Litigation*, 891 F. Supp. 1369 (N.D. Cal. 1995), aff'd, 1997 U.S. App. LEXIS 9587 (9th Cir. 1997). Represented the company and its officers and directors in this shareholder action. Obtained summary judgment for all defendants, which was affirmed on appeal.
- *In re Cypress Semiconductor Corp. Securities Litigation*, 891 F. Supp. 1369 (N.D. Cal. 1995), aff'd, 1997 U.S. App. LEXIS 9587 (9th Cir. 1997). Represented the company and its officers and directors in this shareholder action. Obtained summary judgment for all defendants, which was affirmed on appeal.
- *Legato Systems, Inc.* Represented the company and its audit committee in an internal investigation of factors that led to the company's restatement. Also represented the company in resolving shareholder class action and derivative litigation.