

# CLASS ACTIONS

MITIGATING RISK IN A NEW REALITY, IS YOUR BUSINESS READY?

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It is widely anticipated that the number of class actions brought around the world will continue to grow, driven by the globalisation of litigation funders and the increasing appetite from funders and plaintiff law firms to develop new claims outside shareholder class actions. The nature and size of such disputes, if not managed effectively, can lead to costly and long lasting litigation which can damage the reputation and, ultimately, the profitability of the business.

We have a long history of acting for companies faced with class actions, including actual or threatened proceedings. Our class action specialists help our clients to navigate this complex area of law, successfully resolving or defending class action litigation across multiple jurisdictions.

We have acted in a significant number of the largest and most complex class actions in recent years and have expert understanding of the relevant court rules in different jurisdictions and the basis on which class actions claims can be challenged. Our class action expertise, combined with our understanding of litigation funders means that we are uniquely placed to assist you.

We draw on a unique depth of expertise in all practice areas and sectors across our global network in which class action claims are prevalent including banking and financial services, consumer products and manufacturing, business and human rights, environment, competition, energy, mining, infrastructure, TMT and utilities, to add value for our clients. We are also often instructed by and work with insurers in relation to resulting insurance claims.

Combining subject matter and sector expertise with the services of our unique Global Advocacy Group enables us to minimise the commercial and reputational effect a dispute can have on your business.

Underscoring the team's expertise and thought leadership is the complete and comprehensive guide to class actions: *Class Actions in Australia 2nd Edition* written by partners Damian Grave, Ken Adams and Jason Betts, considered the leading text in the field.

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# EXPERIENCE HIGHLIGHTS

## **LLOYDS BANKING GROUP**

Advising in litigation brought by former shareholders in the High Court in London. The claims relate to the takeover of HBOS by Lloyds TSB, with claimants asserting that directors gave negligent advice about the transaction, breaching their duties in allowing a vote and transaction to proceed on the basis of misinformation

## **NEWCREST MINING LTD**

Advising in a Federal Court shareholder class action, where the parties agreed to settle the proceeding for \$36 million (including interest, litigation costs and the Applicant's legal fees). The settlement is without any admission of liability by Newcrest and is subject to Court approval

## **RBS GROUP**

Advising on a range of regulatory and litigation issues stemming from the 2008 global banking crisis. This includes assisting the Group in defending actions brought by shareholder and investor groups in the High Court in London in connection with the Group's 2008 Rights Issue. The case is being brought by more than 30,000 retail and institutional investors that invested in the region of £3-4 billion in the Rights Issue

## **JOHNSON & JOHNSON/DEPUY INTERNATIONAL LTD**

Advised in defending a number of class actions involving allegations of defective production and negligence in the manufacture of hip implants. Proceedings were initially brought in various jurisdictions by 4 different plaintiff law firms, and then consolidated in the Federal Court of Australia

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## DIAGEO

Advising in the global coordination and defence of class actions proceedings in both Australia and the United Kingdom in relation to thalidomide.

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## CENTRO PROPERTIES GROUP

Advising in 5 shareholder class actions commenced in the Federal Court of Australia which involved allegations of contraventions of Australian securities laws. This was the first class action in Australia involving competing proceedings run by different plaintiff law firms and funders

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## OUR PEOPLE



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