



Gregg M. Fishbein

Since joining the firm in July of 1994, Mr. Fishbein has specialized in class action and other complex commercial litigation. During the past twenty-three years of practice, he has been continuously active in class and complex litigation, including representation of plaintiff classes. He was on the trial team in *Rainforest Café, Inc. v. State of Wisconsin Investment Board, et al.*, a shareholder rights action tried in the State Court of Minnesota on behalf of the State of Wisconsin Investment Board, Central Florida Investments, and 70 other former investors in the Rainforest Café. Mr. Fishbein was also part of the team that assisted plaintiffs' lead counsel in the *In Re Worldcom Securities Litigation*, a case that settled for over \$6.1 billion. Mr. Fishbein is currently representing shareholders of Medtronic, Inc. and Johnson Controls, Inc. who were required to pay significant capital gains taxes as a result of tax inversions with Irish entities. He also represents a number of institutional entities that are involved in proceedings under Minnesota's Trust Instruction Proceedings statute.

Mr. Fishbein is a 1989 graduate of Drake University of Law School, where he was a member of the Order of the Coif and Order of the Barristers. While in law school, Mr. Fishbein was on both the Drake Law Review and the National Moot Court team and served as the National Student Director for the American Bar Association's Volunteer Income Tax Assistance program.

Representative Cases

- *In re Regions Morgan Keegan Securities, Derivative and ERISA Litigation*, MDL No. 2009 (W.D. Tenn) — securities class action and derivative action resulting in recover of \$125 million for the class.
- *In re Target Corporate Customer Data Breach Security Litigation*, MDL No. 2522 (D. Minn.)
- *Turnridge et al v. TruGreen Limited Partnership*, Case No. 27-CV-14-14711 (Henn. Cty. Dist. Ct.)
- *In re American Express Financial Advisors Securities Litigation*, Civil Action No. 1:04-CV-1773 (S.D.N.Y.) — securities class action which resulted in recovery of \$100 million for the class.
- *In re AOL Time Warner Securities Litigation*, MDL No. 1500 (S.D.N.Y.) — securities class action which resulted in recovery of \$2.65 billion for the class.

Gregg M. Fishbein

Partner

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Practices

Securities Litigation

Business Litigation

Education

Drake University, 1989, *with honors*, Order of the Coif, Order of the Barristers

Bar Admissions

1989, Minnesota

Court Admissions

Minnesota

U.S. District Court, District of Minnesota

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Sixth Circuit

U.S. Court of Appeals, First Circuit

U.S. Supreme Court

U.S. Tax Court

Community Involvement

- Minnesota Urban Debate League Board Member
- Robbinsdale Area Schools Financial Advisory Council
- City of Plymouth Charter Commission
- Plymouth New Hope Little League Board of Directors and Treasurer

- *In re OM Group, Inc. Securities Litigation*, No. 1:02 CV 2163 (N.D. Ohio) — securities class action which resulted in recovery of \$92.4 million for the class.
- *Ohio Public Employees Retirement System, et al. v. Freddie Mac, et al.*, MDL No. 1584 (S.D.N.Y.) (Federal Home Loan Mortgage Corporation Securities Litigation) — securities class action which resulted in recovery of \$410 million for the class.
- *In re Countrywide Financial Corporation Securities Litigation*, No. 07-CU-05295 (C.D. Cal.) — securities class action which resulted in recovery of \$624 million for the class.
- *In re Worldcom, Inc. Securities Litigation* No. 02-CV-3288 (S.D. NY) — Securities class action which resulted in recovery of \$6.13 billion for the class.

Presentations

- *The Charming Bernie Madoff Or, How Madoff fooled, bribed, lied and otherwise misled the SEC for at least 16 years.* Presented at the 2010 Made In America institutional investor conference in Las Vegas, Nevada.
- *How a New, More Powerful SEC Will Impact Your Funds.* Presented at the Annual Public Safety Pension & Benefits Seminar presented by the National Association of Police Organizations, Inc. in Las Vegas, Nevada in 2010
- *Post-Election Recap: How the Elections Will Affect Your Funds.* Presented at the Annual Public Safety Pension & Benefits Seminar presented by the National Association of Police Organizations, Inc. in Las Vegas, Nevada in 2009.
- *Portfolio Monitoring: Not Just for Your Stock Holdings.* Presented at the Annual Public Safety Pension & Benefits Seminar presented by the National Association of Police Organizations, Inc. in Las Vegas, Nevada in 2008.

Publications

- *Internet Privacy: Does The Use of “Cookies” Give Rise To A Private Cause Of Action For Invasion Of Privacy In Minnesota?* Wm. Mitchell L. Rev. Volume 27, Number 3 (2001)

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