

## PLAINTIFFS' HOT LIST | A SPECIAL REPORT

For our annual spotlight on the nation's top plaintiffs' law firms, we've picked 12 from among stacks of nominations submitted by readers and through our own research. The firms on this year's list landed groundbreaking verdicts, negotiated big settlements and, in many cases, paved the way for the resolution of other disputes. Securities class actions, products liability and antitrust litigation represent just a few of the key matters handled by these law firms.

### Kessler Topaz Meltzer & Check

Kessler Topaz Meltzer & Check didn't flinch from bringing some of last year's biggest securities fraud and shareholder derivative actions—and the firm counted more than \$5.2 billion in big settlements and judgments.

The Radnor, PA based firm won final approval in December for a \$500 million settlement for investors in mortgage-backed securities issued by Countrywide Financial Corp., the largest recovery of its type under the Securities Act. But first the case entailed a five-year legal odyssey in California's state and federal courts.

"It was the most complicated procedural case that I've ever been involved in," said partner Andrew Zivitz, who worked on the case with partners Sharan Nirmul and Kimberly Justice.

Kessler Topaz split the \$89 million legal fees awarded with co-counsel Robbins Geller Rudman & Dowd and Cohen Milstein Sellers & Toll. The

outcome is under appeal; opposing counsel did not respond to requests for comment.

Overall, Kessler Topaz secured 30 major wins during the year, mostly involving the 2008 global financial crisis, including eight cases with settlements or judgments worth more than \$90 million each. Name partner David Kessler and partner Gregory Castaldo, as co-lead counsel, finalized in August an historic \$2.43 billion settlement with Bank of

America Corp. in connection with its acquisition of Merrill Lynch & Co.

—TODD RUGER



(L-R) DARREN CHECK, LEE RUDY, AND ANDREW ZIVITZ OF KESSLER TOPAZ

#### FIRM FACTS:

- **Founded:** 1987
- **Based:** Radnor, PA
- **Total No. of Attorneys:** 95
- **Partners:** 24
- **Associates:** 71

#### TRIAL TIPS:

- Know that every sidebar is like a silent film to the jury, who are trying to read your body language and facial expressions.
- Always be yourself in front of the jury, unless you are unlikable, in which case you should be someone else.
- Analyze the case like it's going to trial. —LEE RUDY, PARTNER