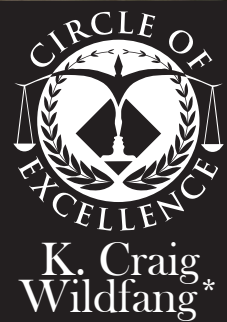




Thomas J. Undlin

Stacey P. Slaughter



Dahl Trial Team

Sherman Act case settled for \$590.5 million

A \$590.5 million settlement would be a career topper for most attorneys, and a settlement of that size is certainly worthy of an Attorney of the Year award. That 2014 recovery by Robins Kaplan Attorneys of the Year K. Craig Wildfang, Thomas Undlin and Stacey Slaughter is quite impressive, even if it pales in comparison to that team's headline-grabbing recovery of \$7.25 billion in the credit card interchange fee case a year earlier.

Both of these cases go a long way toward explaining why Robins Kaplan was recently named one of the country's most feared plaintiffs firms.

In 2014, a Robins Kaplan team led by Wildfang, Undlin and Slaughter concluded seven years of class action litigation in the United States District Court for the District of Massachusetts by reaching settlements totaling \$590.5 million in *Dahl v. Bain Capital Partners*. The Robins Kaplan attorneys and their co-counsel sued a number of well-known private equity firms engaged in "mega cap" leveraged buyouts, alleging that the defendants had violated the Sherman Act by colluding to not bid against each other on deals to acquire publicly traded



companies. Wildfang, Undlin and Slaughter faced off against some of the best and most powerful law firms in the country, handled three phases of discovery involving 13 million documents, and opposed thirty motions for summary judgment, one of which required a two-day hearing in December 2012.

Serious settlement discussions began in early 2014 only after a trial date was set. The first group of defendants settled in June 2014 for \$121 million. Two months later, a second group of defendants settled for \$325 million. Less than a month later, the last defendant, which was potentially looking at billions of dollars in damages, and with damages subject to trebling under antitrust law, settled, bringing the total Dahl settlement to \$590.5 million.

Wildfang, Undlin and Slaughter were assisted by a handful of Robins Kaplan associates during the seven years the case was pending, and singled out associate George Carroll for praise. They also insist that they could not have prevailed without the assistance they received from Robins Kaplan's in-house Forensic Financial and Economic Consultants group led by Richard Zabel. Slaughter also credited co-counsel Scott + Scott and Robbins Geller Rudman & Dowd LLP for the "tremendous joint effort" they put into the case.

Wildfang, Undlin and Slaughter emphasized that their plaintiffs cases are necessarily staffed efficiently, and stressed that Robins Kaplan's efficient staffing of cases is just as attractive to its defense clients. They also indicated that Robins Kaplan never borrows money to fund its plaintiff cases, and instead finances those cases internally.

Robins Kaplan's *Dahl* settlement goes a long way to explaining its appearance on the list of most feared plaintiff firms, and that settlement easily explains why the attorneys leading Robins Kaplan's Dahl team have been named 2014 Attorneys of the Year.

—By Josh Jacobson