



ROBERT H. BARON

Robert H. Baron has been a litigator at Cravath for 28 years, and a partner in the Litigation Department for 21. Bob has handled major commercial cases brought as individual and class actions in the federal and state courts, including the representation of major domestic and foreign issuers and financial institutions in litigation related to securities offerings and trading, complex structured financing transactions, and mergers and acquisitions.

Representative cases include:

- defense of Merck & Co., Inc. in federal securities, derivative and ERISA class action litigation arising out of the September 2004 withdrawal of VIOXX®;
- defense of Deutsche Bank AG and Credit Suisse in contract and tort actions arising out of the failed merger of Hexion and Huntsman, including Hexion's claims in New York court for specific performance of \$15.4 billion of financing commitments and Huntsman's tort claims in Texas court for \$4.65 billion in compensatory damages;
- defense of Deutsche Telekom AG in federal securities class action arising out of the Company's June 2000 €13 billion equity offering and \$33 billion acquisition of VoiceStream Wireless announced in July 2000;
- defense of HCA Inc. and its directors in shareholder class actions in Tennessee and Delaware challenging the \$33 billion leveraged buyout of HCA in 2006 by a consortium of private equity firms (preliminary injunctions denied);
- defense of former senior executives of Levitz Home Furnishings, Inc. in federal securities fraud action brought by purchasers of high yield bonds sold by Levitz in 2004, less than one year before it filed for bankruptcy protection (dismissed with prejudice, 474 F. Supp. 2d 505 (S.D.N.Y. 2007), *aff'd*, 07-1124-cv (2d Cir. 2008));

- representation of Renaissance Technologies as plaintiff in action against two former employees and a hedge fund that employed them, asserting claims for trade secret theft and breach of confidentiality agreements;
- defense of AWB Limited in three federal court class actions involving alleged improper payments to the Saddam Hussein regime in Iraq in connection with sales of wheat to Iraq through the United Nations Oil-For-Food-Program, including actions brought by American wheat farmers asserting antitrust and RICO claims (dismissed with prejudice, 544 F.Supp. 2d 236 (S.D.N.Y. 2008)); Iraqi citizens asserting RICO claims (dismissed with prejudice, 2008 WL 4450265 (S.D.N.Y. Sept. 30, 2008), *aff'd*, 08-5185-cv (2d Cir. 2009); and Iraqi citizens asserting Alien Tort Statute claims (dismissed, 2008 WL 4378443 (S.D.N.Y. Sept. 25, 2008));
- representation of JPMorgan as plaintiff and defendant in litigation against Korean investors relating to over \$500 million of contested obligations under complex derivative contracts related to the collapse of Asian currencies in 1997 (*see* 269 F. Supp.2d 424 (S.D.N.Y. 2003));
- defense of Salomon Smith Barney in action brought by a hedge fund seeking over \$200 million in damages sustained in the bond market turmoil following the collapse of Long Term Capital Management in 1998 (summary judgment granted in favor of defendant, No. C-601396/99 (N.Y. Sup. Ct. 2003), *aff'd*, 11 A.D.3d 218 (1st Dep't 2004));
- defense of two former directors of Transkaryotic Therapies, Inc. in a Delaware chancery court action brought by a group of hedge funds alleging that the directors breached their fiduciary duties by approving and recommending the 2005 acquisition of Transkaryotic by Shire Pharmaceuticals (summary judgment granted in favor of defendants, 2008 WL 2462767 (Del. Ch. June 19, 2008));
- defense of Sun International Hotels Limited, Solomon Kerzner and Merv Griffin in securities fraud class action involving claims under both the 1933 and 1934 Acts (summary judgment granted in favor of defendants, 1999 WL 191540 (S.D.N.Y. Apr. 6, 1999), *aff'd*, (2d Cir. 1999));
- defense of Con Edison in federal securities class action arising out of the proposed merger of Con Ed and Northeast Utilities;

- defense of DLJ in federal and state court litigation brought by institutional investors relating to sales of high yield bonds underwritten by DLJ whose issuer went into bankruptcy;
- defense of Hachette-Filipacchi Magazines in antitrust class action against the major magazine publishers;
- defense of Salomon Inc. and Salomon Brothers Inc. in federal antitrust and securities class actions arising out of the 1991 Treasury auction scandal;
- defense of Ciba Geigy Limited (now a part of Novartis) in a securities class action alleging violation of SEC Rule 14d-10; and
- representation of the trustee for the holder of \$2.25 billion in defaulted municipal bonds, prosecuting Federal securities fraud claims against nearly 100 municipalities and public utilities that had guaranteed the bonds, in the WPPSS Securities Litigation, then the largest and most complex securities class action in history.

Bob was cited as one of the country's leading practitioners in the securities litigation and general commercial arenas in *Chambers USA 2008* and *2009: America's Leading Lawyers for Business*. In addition, Cravath received the publication's highest ranking for its securities litigation practice. Bob also received the highest national ranking for his securities work and was named a "Local Litigation Star" in the New York area by *Benchmark Litigation 2009* and *2010*. Bob was also named in *The Best Lawyers in America 2009* and *2010* as a leader in commercial litigation. In 2009, Bob was recognized by *The Legal 500* for his work in the securities arena and the trade secrets arena, and in 2008, he was recognized for his securities work. Bob was also recognized by *Lawdragon* as one of 500 leading lawyers in America in 2007 and was named to its list of *100 Lawyers You Need to Know in Securities Litigation* in 2008.

Bob received an A.B., *cum laude*, from Princeton University in 1978; J.D., *cum laude*, from Harvard Law School in 1981. Bob joined Cravath in 1981 and became a partner in 1988.

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