PASTOR LAW OFFICE

FIRM RESUME

PASTOR LAW OFFICE is a law firm which concentrates in class action litigation on behalf of investors, consumers and small businesses. The firm (including work done by its predecessor firm, Gilman and Pastor, LLP) has broad experience in the areas of securities, consumer protection, products liability, antitrust and other types of complex litigation. The firm litigates cases throughout the country, including both federal and state courts. The firm's attorneys are experienced in, and thoroughly familiar with, all aspects of class action litigation, including the underlying substantive law, the procedures recommended in the Manual for Complex Litigation, and the substance and procedure of class certification.

REPRESENTATIVE CASES BY AREA OF PRACTICE
(Including Cases Prosecuted by Gilman and Pastor, LLP)

Consumer Protection and Antitrust

In re: Reebok EasyTone Litigation, No. 10-cv-11977-FDS (D. Mass.), involves allegations that Reebok made false and deceptive claims in its labeling and advertising for its EasyTone "toning" shoes and apparel, including claims that the shoes and apparel would increase muscle tone, strength and/or activation. A settlement creating a $25 million fund from which payments to consumers who purchased the products can be made, as well as permanent injunctive relief prohibiting Reebok from making certain unsubstantiated claims about its EasyTone products, has been reached and has been submitted to court for preliminary approval.

Wiener v. the Dannon Company, Inc., et al. , No. 08-00415-SJO (AGRx) (N.D. Cal); Gemelas v. The Dannon Company, Inc., 08-civ-00236 (N.D. Ohio), involved allegations of false advertising by Dannon in connection with its Activia yogurt and DanActive drinkable yogurt products. Dannon allegedly made false and deceptive claims about the effect that its Activia Yogurt products would have in improving consumers' digestive health and about the effect that its DanActive products would have in improving consumers' immune systems. The case was settled on a nationwide basis, providing for a fund in the sum of $35 million from which to pay consumer claims, consisting of cash refunds up to a maximum amount per claimant. The settlement also provided for injunctive relief in the form of various changes to the advertising and labeling for the subject products.

Fitzpatrick v. General Mills, Inc., et al., No. 09-CV-60412-HUCK/BANDSTRA (S.D. Fla.) (and related cases), is a group of cases filed in various federal district courts involving allegations of false advertising by General Mills in connection with its "digestive health" advertising campaign for its YoPlus yogurt products. The Court in **Fitzpatrick** certified a class of Florida consumers on these claims, though it was limited to person who bought the products in order to obtain the claimed digestive health benefits. The class certification decision was reviewed on interlocutory review by the Eleventh Circuit. The Court of Appeals vacated the District Court's narrower certification order, and remanded, suggesting that the District Court certify the broader class, as initially proposed by plaintiffs (consisting of all persons who purchased the products). After remand, the District Court ordered the parties to submit briefs on the issue of the class definition in light of the Eleventh Circuit's opinion.

Molfetas v. Stainsafe, Inc. et al. (AAA arbitration), was a brought as a AAA class arbitration to the company's (Stainsafe's) arbitration provision, on behalf of a class of persons who purchased furniture warranties from Stainsafe. The statement of claim (the arbitration equivalent of a complaint) alleged that the warranties were either worthless (or worth less than the amounts paid for them by class members) at the time of purchase, due to undisclosed coverage limitations and exclusions. The arbitrator, after extensive briefing and a three day evidentiary hearing, certified the nationwide class (under Florida law) consisting of all persons who purchased the warranties, based on the claims of worthlessness or diminution in value of the warranties at the time of purchase, and the certification award was confirmed by the Florida Circuit Court.

Martin v. Mead Johnson Nutrition Company, et al., No. 09-CIV-11609 NMG (D. Mass.), In re: Enfamil LIPIL Marketing and Sales Practices Litigation, No. 11-MD-02222 JIC (S.D. Fla.), involved allegations that Mead Johnson falsely and deceptively advertised its Enfamil LIPIL infant formula products by representing that these products were unique and superior in that they were the only infant formula products to be supplemented with certain specific ingredients and the only ones to have the ability to enhance infants' visual and mental development. These claims were alleged to be false because other infant formulas, some costing substantially less, had and have the same specified ingredients and possessed the same ability to enhance infants' mental and visual development. The case has been settled, with the settlement providing for a minimum fund of $8 million, and a maximum fund of $12 million in cash and/or product, from which consumer claims can be paid. The settlement allows class members to elect to receive either cash or product.

In re: Checking Account Overdraft Litigation, No. 09-MD-02036-JLK (S.D. Fla.), is a collection of consolidated and coordinated actions against various banks, alleging unfair and deceptive practices in connection with the banks' charging of overdraft fees to customers on debit card transactions. The complaints allege that the banks manipulate and alter customers' transaction records in order to increase the occurrence of overdrafts and thereby maximize the overdraft fees charged, including unfairly and deceptively, in all cases, re-sequencing customers' debit card transactions from highest to lowest.

Payment Protection Litigation is a collection of cases in various courts around the country (with no consolidated or coordinated proceedings) against several credit card issuers, alleging unfair and deceptive practices in connection with the issuers' payment protection programs (programs purportedly designed to relieve the cardholder from making the minimum monthly payments on the card in the event of job loss, disability or other circumstances). The complaints allege unfair and deceptive conduct in the enrollment of customers in the payment protection programs (including involuntary enrollment or "slamming"), enrolling consumers who are ineligible for benefits at the time of enrollment, failing to adequately disclose the exclusions from and limitations on coverage and other practices.

Bova v. Sony Computer Entertainment America, LLC, No. 11-civ-02316 (N.D. Cal.), In re: Sony Gaming Networks and Customer Data Security Breach Litigation, No. 11-md-2258 AJB (MDD) (S.D. Cal.) etc., involves allegations of misconduct on the part of various Sony entities in connection with a data breach in which the confidential personal and financial account information of millions of users of Sony's online gaming network was compromised, resulting in a serious risk of credit card theft and identity fraud and causing affected individuals to incur financial expenses associated with credit monitoring, replacement of compromised credit card numbers, and other measures to protect against fraud. The complaints allege, among other things, that Sony failed to protect the users' personal and financial information and failed to promptly and properly notify users of the compromise of their personal information following the data breach.

Miscioscia v. Netflix, No. 09-cv-00377-PJH (N.D. Cal.), In re Online DVD, No. 09-md-02029-PJH (N.D. Cal.), is an antitrust action against Netflix and Wal-Mart on behalf of Netflix subscribers, alleging antitrust misconduct in connection with an alleged agreement between Netflix and Wal-Mart to divide the market for sales and online DVD rentals in the United States. A settlement has been reached with Wal-Mart, which has been granted preliminary approval by the Court. The Wal-Mart settlement provides for a settlement fund in the sum of $27 million, from which the claims of class members can be satisfied. The settlement provides for gift cards (or in the alternative, cash payments in the same amounts, at class members' election) to be issued to class members. The Wal-Mart settlement is a partial settlement, and the case against Netflix continues.

In re: Digital Music Antitrust Litigation, 06-md-01780-LAP (S.D.N.Y.), is an antitrust action on behalf of purchasers of online digital music against the major music labels for allegedly fixing the prices and restricting the output of digitally downloadable online music and agreeing to restrict the terms under which online music would be sold. The complaint alleges violation of federal antitrust laws and state antitrust and consumer protection statutes, and is brought on behalf of a nationwide class and for the state law claims, on behalf of residents of 21 states. The district court granted defendants' motions to dismiss all of the claims, and on appeal, the Court of Appeals for the Second Circuit reversed that decision.

Early Termination Fee Cases (Verizon, Sprint, Nextel, AT&T, Cingular, T-Mobile), is a coordinated litigation involving claims against the major wireless telephone carriers, some of which subsequently merged (AT&T, Cingular, Sprint, Nextel, Verizon and T-Mobile). The cases are divided by carrier and against each carrier (with certain exceptions), there are two types of cases: cases challenging the early contract termination fees as unlawful penalties and cases alleging that the locking of the phones is an unfair and deceptive practice. Most of the cases have settled. The early termination fee case against Sprint was tried, a motion for new trial was granted, that order was upheld on appeal, and a new trial date is set.

OSB Antitrust Litigation, is an antitrust case on behalf of indirect purchasers of OSB, a plywood alternative used in home and building construction, primarily framing and decking. The named as defendants five manufacturers of OSB, and alleged a conspiracy to fix prices for the product. The indirect purchaser case resulted in monetary settlements with each of the defendant manufacturers.

Kelley v. CVS Pharmacy, Inc., et al. No. 98-0897-BLS2 (Massachusetts Superior Court, Suffolk County), was a case alleging that CVS' use of its customers' confidential prescription information in a marketing program consisting of prescription refill reminders and "switch" letters promoting different medications violated the Massachusetts consumer protection act. On cross-motions for summary judgment, the court ruled that CVS' conduct of using customer information, that it obtained for the sole purpose of filling prescriptions, for its own financial gain without the consent of the pharmacy customer constituted an unfair and deceptive practice under the Massachusetts consumer protection act. The court awarded the plaintiff statutory damages under the consumer protection act. See Kelley v. CVS Pharmacy, Inc., 23 Mass. L. Rptr. 87 (Mass. Super. Aug. 24, 2007).

In re Carbon Fibers Antitrust Litigation, No. 02-2385A (Middlesex Superior Court, Mass.), is an antitrust suit alleging a price-fixing conspiracy by the manufacturers of carbon fiber. After extensive litigation, settlements totaling in excess of $2.7 million were reached on behalf of a class of Massachusetts end-users of carbon fiber products.

In re Microsoft Massachusetts Consumer Protection Litigation, No. 00-2456 (Middlesex Superior Court, Mass.), was a case alleging antitrust misconduct by Microsoft in connection with certain versions of its Windows operating system. The case resulted in a court-approved settlement valued at $34 million.

Fortin v. Ajinomoto, et al, (Civil Action No. 02-2345C, Middlesex Superior Court, Mass.), was a price fixing antitrust action against the manufacturers of monosodium glutamate (MSG), brought by indirect purchasers. The case resulted in class settlements totaling $8.2 million.

Ciardi v. F. Hoffman-LaRoche, Ltd., et al., Civil Action No. 99-03244 (Middlesex Superior Court, Mass.), created new law in Massachusetts, conferring standing upon indirect purchasers for claims arising from price-fixing or other anti-competitive conduct. Settlement funds valued at over $22.5 million were obtained and distributed to over 300 charitable organizations providing food and nutrition programs in Massachusetts.

Boos v. Abbott Laboratories, No. 95-10091 (D.Mass.), was the first case in which indirect purchasers in Massachusetts ever recovered damages arising from a price-fixing conspiracy. The case was settled in 1997 for $2.5 million.

Muccioli v. Sony Computer Entertainment America, Inc., No. 413148 (San Mateo Cty. California Superior Court), involved claims for breach of warranty, deceptive trade practices and alleged product defects brought on behalf of purchasers of certain Sony Playstation models. The case resulted in a settlement that provided free service and repairs during an extended warranty period and partial refunds of past repair costs to purchasers.

Hardy v. Sears Roebuck & Co., Civil Action No. 98-CH-06305 (Cook County, Illinois), alleged unfair and deceptive practices by Sears in connection with the sale of home improvement services by Sears through its authorized contractors. The case resulted in a nationwide class settlement which provided warranty repairs to consumers who purchased home improvement services from Sears and its authorized contractors.

In re: High Fructose Corn Syrup Antitrust Litigation, MDL No. 1083, (C.D. Ill.), was a direct purchaser antitrust suit alleging a price fixing conspiracy on the part of manufacturers of high fructose corn syrup. That case, after five years of litigation, resulted in settlements totaling approximately $500 million.

Defective Products

Sebago, Inc., et al. v. Beazer East, Inc., et al., No. 96-10069 (D. Mass.), was a suit on behalf of owners of commercial buildings with corrosive phenolic foam roof insulation, alleging, among other thing, failure to disclose known defects in the insulation products. The case resulted in a significant decision upholding RICO claims against the manufacturers. See Sebago, Inc. v. Beazer East, Inc., 18 F. Supp. 2d 70 (D.Mass. 1998). The case also resulted in court-approved nationwide class settlements with the two manufacturers of the phenolic foam insulation, worth a combined estimated value in excess of $100 million.

Coleman, et al. v. GAF Building Materials Corporation, No. CV-96-0954-GALANOS (Circuit Court of Mobile County, Alabama), involved claims on behalf of a nationwide class of persons who owned properties with defective roofing shingles, resulting in a settlement with benefits estimated at more than $50 million.

Paradis v. Bird Incorporated, No. 00-C-0235 (Merrimack, N.H. Superior Court), was a suit on behalf of purchasers of defective roofing shingles. The settlement obtained was valued at approximately $9.6 million.

Derivative Actions

Gastineau v. Gifford, et al., No. 11-cv-11096-RWZ (D. Mass.) and Cottrell v. Gifford, et. al., No. 11-cv-11312 (RWZ) (D. Mass.) (both recently transferred to the Southern District of New York), are derivative actions brought on behalf of Bank of America Corporation, alleging, among other things, that the defendant directors and officers failed to implement and maintain adequate internal controls to enable the company to service its troubled portfolio of residential mortgage loans and caused the filing of a false and misleading proxy statement.

In re: American Superconductor Corporation Derivative Litigation, No. 11-cv-10784-WGY (D. Mass.), is a consolidated action on behalf of American Superconductor, involving allegations that the defendant officers and directors (current and former) issued false and misleading statements and failed to disclose material facts about the company's contractual relationship with its primary customer, representing approximately 80% of the company's total revenues.

Polymedica Derivative Litigation (Massachusetts Superior Court, Middlesex County), was an action on behalf of Polymedica Corporation, alleging that the director and officer defendants breached their fiduciary duties to the corporation. The Court denied defendants' motion to dismiss based on the sufficiency of the demand futility allegations. Defendants appealed that decision, and the case was settled while the appeal was pending.

Caven v. Miller, No. H-96-CV-3464 (EW) (S.D. Tex.) Gilman was a shareholder derivative action arising out of the merger of a publicly held hospital company with and into a firm in the same industry that had been privately held. After defeating motions to dismiss on various grounds, conducting discovery, and engaging in mediations, Plaintiffs recovered over $18 million in benefits on behalf of the successor company from various insiders of both companies involved.

Merger & Acquisition Actions

Pennsylvania Avenue Funds v. Brandi, et al., No. 08-2106-BLS1 (Massachusetts Superior Court, Suffolk County, Business Litigation Session), was an action on behalf of shareholders of MassBank Corporation in connection with a proposed acquisition of MassBank by Eastern Bank Corporation. The complaint alleged, among other things, that the defendants failed to disclose adequate information to shareholders in the proxy materials to allow them to make an informed decision on the transaction and that the proposed transaction failed to maximize shareholder value. A settlement was reached providing for the inclusion of additional disclosures in a supplemental proxy statement.

Groen v. Polymedica Corporation, et al., No. 07-3352 (Massachusetts Superior Court, Middlesex County), was a case brought on behalf of Polymedica shareholders in connection with a proposed acquisition of Polymedica by Medco Health Solutions. The complaints alleged that the proposed transaction did not maximize shareholder value and unfairly favored the company's management and that the proxy statement for the transaction contained numerous misrepresentations and omissions of material fact. A settlement was reached which provided for substantial additional and supplemental disclosures in a supplemental proxy statement.

Smith v. Bright Horizons Family Solutions, Inc., et al., No. 08-2103-BLS1 and Solomon v. Bright Horizons Family Solutions, Inc., et al., No. 08-2104-BLS1 (Massachusetts Superior Court, Suffolk County, Business Litigation Session), was an action brought on behalf of Bright Horizons shareholders in connection with the proposed acquisition of Bright Horizons' publicly owned shares by Bain Capital Partners. The complaints alleged, among other things, that the proposed transaction deprived Bright Horizons shareholders of maximum value, involved an unfair process and was accompanied by inadequate disclosures to the shareholders. As settlement was reached which provided for the dissemination of supplemental proxy materials to shareholders containing additional and supplemental disclosures.

Nichols v. Keane, et al., No. 07-667-F (Massachusetts Superior Court, Suffolk County), was a case brought on behalf of the stockholders of Keane, Inc. in connection with a proposed merger between Keane and Caritor, Inc. The complaint alleged that the merger was unfair and inadequately priced, that the disclosure documents for the merger failed to provide sufficient information to Keane shareholders, and that the defendants improperly backdated Keane stock option grants. A settlement was reached that provided for a supplemental proxy statement containing additional disclosures and the creation of a settlement fund into which would be transferred any disgorgement amounts paid by any of the defendants to Keane (in connection with any investigation into the mispricing of options).

Securities

Magidson v. HeartWare, Inc., et al., No. 11-2398 (Massachusetts Superior Court, Suffolk County, Business Litigation Session), is a case brought on behalf of holders of certain series of preferred corporate stock against corporate officers and directors and others, claiming breach of fiduciary duty and breach of contract and alleging, among other things, that the defendants took actions to squeeze out the preferred shareholders and to deprive them of certain liquidation rights.

Urman, et al. v. Novelos Therapeutics, Inc., et al., No. 10-10394-NMG (D. Mass.), is an action for securities fraud on behalf of a class of Novelos stock purchasers against Novelos and its CEO, alleging that the defendants made false and misleading statements and failed to disclose material facts about phase 3 clinical trials involving the company's most advanced drug development product.

Washtenaw County Employes' Retirement System v. The Talbots, Inc., et al., No. 11-cv-10186-NMG) (D. Mass.), is an action for securities fraud on behalf of a class of Talbots stock purchasers against its top executives, alleging that the defendants misrepresented and omitted material facts concerning the company's ability to bring its products to market in a timely manner, its lack of inventory control and its deteriorating relationship with its clothing vendors and the effect that these practices were having on the company's sales.

In re Tremont Securities Law, State Law and Insurance Litigation, No. 08-CIV-11117 (TPG), is a collection of coordinated and consolidated class actions brought on behalf of classes of investors in a number of Madoff feeder funds, i.e., funds whose assets were invested, in whole or in part, with Bernard Madoff or Bernard L. Madoff Investment Securities. The complaints alleged, among other things, that the defendants (including Mass Mutual, Oppenheimer and Tremont) fraudulently misrepresented, among other things (in offering memoranda for the funds and other documents) that they would and did conduct due diligence in connection with investing the funds' assets with Madoff, that the funds' assets would be invested as represented and that the reported financial results of the funds reflected the funds' actual performance. The litigation has been settled against all but two of the defendants, and that settlement has been approved by the Court. The settlement provides for a cash settlement fund of $100 million, plus other monetary and non-monetary relief, some of which is contingent on future events.

In re Transkaryotic Therapies, Inc. Securities Litigation, No. 03-10165-RWZ (D. Mass.), was a securities fraud case brought on behalf of a class of purchasers of company stock, alleging misrepresentations about correspondence from the FDA with respect to prospects for approval of one of the company's key products. The case was settled for a cash fund of $50 million.

Brumbaugh v. Wave Systems Corporation, No. 04-30022-MAP (D. Mass.), was a securities fraud action on behalf of a class of purchasers of company stock, alleging misrepresentations and omissions concerning two purported license agreements with major corporations for the company's digital security products. The case was settled for a cash fund of $1.75 million, against defendants who were in dire financial straits at the time of settlement.

In re Blech Securities Litigation, 94-CIV-7696-RWS (S.D. N.Y.), involved market manipulation claims against the brokerage firm of D. Blech & Co., its principals, its clearing broker, and several other alleged participants in connection with an alleged scheme to inflate the prices of various biotechnology securities. The case resulted in various cash settlements with a total value in excess of $15 million. This case resulted in several reported opinions, including one that has been frequently cited and referred to by commentators on the issue of clearing broker liability. See In re Blech Securities Litigation, 961 F. Supp. 569 (S.D. N.Y. 1997).

Hynes v. The Enstar Group, Inc., et al. 90-C-1204-N (M.D. Alabama), was a securities fraud action on behalf of a class of purchasers of Enstar stock. Due to the bankruptcy (and consequent immunity from suit) of Enstar and of Enstar's chairman who was the chief architect of the fraud, the case was litigated against secondary actors, including a major accounting firm, a major law firm and former outside directors of the company. The case resulted in settlements totaling $19 million, and subsequently, an additional $4.1 million was recovered for the class in collateral litigation against Michael Milken and related entities.

Cooper v. Kana, et al. Civil Action No. 3:98-CV-2804-M (N.D. Texas), was brought on behalf of purchasers of CPS Systems, Inc. stock in connection with its $8.74 million initial public offering and trading on the American Stock Exchange, against CPS, its officers and directors, the underwriters for its IPO, and CPS's independent auditors, alleging misstatements in the IPO Prospectus and subsequent press releases and SEC filings concerning CPS's revenue recognition methods and reported revenues and earnings. After CPS restated its earnings and filed bankruptcy, the case resulted in a $3.44 million cash settlement on behalf of the class against the remaining defendants.

Lynn v. Infinity Investors Limited, et al. 3:97-CV-226 (E.D. Tenn.), was a case asserting claims for open market securities fraud and for breach of contract on behalf of a class of purchasers of United Petroleum Corporation stock, arising out of an alleged complex scheme to evade the requirements of Regulation S of the Securities Act of 1933 and to manipulate the market prices of United Petroleum stock. The case also involved litigation in the bankruptcy court (D. Del.), because of the necessity of objecting to the company's bankruptcy plan, which objection was successful. The case resulted in a $4 million cash settlement, which constituted a substantial portion of the actual losses claimed by class members.

In re Oxford Tax Exempt Fund Securities Litigation, No. 95-3643 (D. Md.), was a case asserting federal securities and related common law claims arising out of a complex partnership restructuring transaction, resulting in a settlement valued in excess of $11 million.

There were a number of securities cases brought on behalf of investors in publicly and privately offered limited partnerships, including the following: **Sullivan, et al. v. Shearson California Radisson Plaza Partners, Limited Partnership, et al., No. 89-5472-JMI (C.D. Cal.),** (brought on behalf of investors in a real estate limited partnership and resulting in a settlement valued in excess of $11 million); **Hartley v. Stamford Towers Limited Partnership, et al., No. C-90-2146-JPV (N.D. Cal.)** (an action arising out of a real estate limited partnership offering and resulting in a settlement of $6.5 million); **Alert Income Partners Securities Litigation, No. 92-2-9150 (D. Colo.)** (a class action brought against promoters of a series of limited partnerships, their auditors and other parties, resulting in a settlement valued at $60 million); **Hutson, et al. v. Merrill Lynch, Pierce, Fenner & Smith, et al., No. 89 Civ. 8358 (L.M.M.) (S.D.N.Y.)** (an action brought on behalf of limited partnership investors, involving mortgage revenue bonds issued by many state and local government agencies, secured by mortgage loans on 14 apartment projects and retirement communities, resulting in a settlement valued at $14 million)

There was also significant litigation challenging limited partnership roll-ups, restructurings, exchanges and mergers, including: **In re Hallwood Energy Partners L.P. Securities Litigation, 90-Civ-1555-JFK (S.D.N.Y.)** in which a $9.1 million settlement was obtained after five years of intensive litigation. This a class action arising out of a complex merger and exchange offer transaction involving several publicly traded oil and gas limited partnership entities, resulting in a $9.1 million settlement); **In re Permian Partners, L.P. Securities Litigation, No. 11373 (Del. Ch. Ct.)** (an action challenging a merger of oil and gas limited

partnership interests, resulting in a settlement valued at $6.1 million);**Adam et al. v. Berkshire Realty Corporation, No. 90-12864 WF (D. Mass),** (resulting in a settlement consisting of cash and warrants valued at $7.5 million); **Laurence v. Brewer, No. 97-15464 (Del. Ch. Ct.)**, (an action challenging a tender offer by general partners for publicly traded master limited partnership, resulting in a settlement with establishment of dividend payments to limited partners).

ATTORNEYS

DAVID PASTOR is a 1979 graduate of Boston University School of Law and a 1976 graduate of Haverford College. During law school, Mr. Pastor clerked for two Wisconsin state court judges. Mr. Pastor is a member of the bar of the Commonwealth of Massachusetts, the U.S. District Court for the District of Massachusetts and the U.S. Court of Appeals for the First Circuit. He is a member of the Massachusetts Bar Association, the American Bar Association and the Association of Trial Lawyers of America. Mr. Pastor has served, and currently serves as class counsel in numerous class actions in various state and federal courts and has substantial experience in various types of complex class action and derivative litigation, including cases involving consumer protection claims (including false advertising) and defective products, antitrust, privacy rights, securities fraud and market manipulation and Certain of Mr. Pastor's cases have produced significant legal developments, including In re Blech Securities Litigation, 961 F. Supp. 569 (S.D.N.Y. 1997) and 2002 WL 31356498 (S.D.N.Y. Oct. 17, 2002)(liability of a clearing broker as a primary violator for a scheme initiated by one of the clearing broker's correspondent broker-dealers) and Weld v. Glaxo Wellcome, Inc., 434 Mass. 81, 746 N.E.2d 522 (2001)(certification of class action against several defendants engaged in parallel conduct where certain defendants had no contact with the plaintiff and engaged in no conduct which directly affected the plaintiff), and Kelley v. CVS Pharmacy, Inc., et al., 23 Mass. L. Rptr. 87 (Mass. Super. Aug. 24, 2007) (ruling that the pharmacy's conduct of using customer information, that it obtained for the sole purpose of filling prescriptions, for its own financial gain in a marketing program, without the consent of the pharmacy customer, constituted an unfair and deceptive practice under the Massachusetts consumer protection act).

JOHN BABCOCK is a 2007 graduate of Suffolk University Law School and a 2002 graduate of Williams College. During law school, Mr. Babcock was a Member of a First Place Team – 2006 SULS Contract Negotiation Competition, and Student Bar Association-Sports and Entertainment Law Association Member. Mr. Babcock is admitted to practice in the Commonwealth of Massachusetts and the State of New Hampshire. Mr. Babcock was a Contract Attorney, utilizing multiple software systems to manage large scale discovery projects. Mr. Babcock conducted research related to labor law issues, prepared advisory memorandums for collective bargaining sessions and arbitrations. Mr. Babcock served as a Special Assistant Corporation Counsel for the City of Boston Law Department working on various motions and position statements for cases before State and Federal Courts, and the Massachusetts Commission Against Discrimination and Bureau of Special Education Appeals. Mr. Babcock is currently working on a class action against Reebok, International for allegeding false, deceptive, and misleading statements in its labeling, advertising, promotion, and marketing of its EasyTone™ footwear ("EasyTone" or "EasyTones"). He also is currently working on Overdraft Protection class action cases arising from unfair and unconscionable assessment and collection of excessive overdraft fees.