

MAYER | BROWN

TRANSACTIONAL LIABILITY INSURANCE ROUNDTABLE

THURSDAY, MARCH 7, 2024

SPEAKER BIOGRAPHIES



RICHARD ASSMUS

Partner

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Innovative companies and businesspeople turn to Richard Assmus for his balanced intellectual property transactional and litigation experience. Richard is closely involved in strategic IP agreements, intellectual property due diligence, technology, content and trademark licensing, brand management, copyright counseling, and advertising counseling. He utilizes his background in science and mathematics in connection with complex patent litigation and technology matters. He has also been active in advising clients in the emerging area of IP and artificial intelligence.

Clients look to Richard for his distinguished track record in dispute resolution, which includes trademark litigation in federal courts and before the US Trademark Trial and Appeal Board, software and data audit and licensing disputes, copyright litigation in federal courts and before the Copyright Royalty Board, and domain name litigation under the federal anticybersquatting act and the UDRP. He also has significant experience advising clients regarding trademark availability; procurement and protection; trademark watch services including Internet enforcement strategies; copyright protection, registration and enforcement; and negotiating the purchase of domain names. Richard is proactive in his legal representation, helping clients anticipate contractual risks, protect trade secrets through confidentiality agreements, evaluate advertisements for potential liability for false or misleading representations, and prepare effective licensing and other technology transfer agreements.



MICHELLE ANNUNZIATA

Partner

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Michelle Annunziata is a partner in Mayer Brown's New York Office whose practice focuses on federal securities litigation, shareholder derivative litigation, financial services litigation, and other complex commercial matters. Michelle represents issuers, directors and officers, from a variety of industries, in federal securities class actions and in derivative actions in state and federal courts across the country. She represents global financial institutions in a broad range of civil matters, as well as in connection with cross-border internal and government investigations, including DOJ, CFTC, SEC and IRS investigations. In addition, Michelle is a member of the Firm's insurance industry litigation group with experience representing insurers and underwriters in connection with claims investigations and disputes relating to representation and warranty insurance policies. Michelle was named a 2014 "New York Metro Rising Star" in Business Litigation by Super Lawyers.

Michelle joined Mayer Brown's New York office in 2003.



JOE CASTELLUCCIO

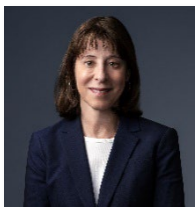
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Joe Castelluccio is a multifaceted advisor who has a broad array of experience advising clients in a range of M&A, joint ventures, capital raising and corporate governance matters, often in highly-regulated industries. Based in Mayer Brown's New York office, Joe co-leads Mayer Brown's transactional liability insurance practice.

Joe's clients include global financial institutions and insurance companies, private equity funds, multinational corporations and innovative emerging growth companies. Joe's work involves a range of industries, including fintech, asset management, banking, insurance, transportation and infrastructure, among others. Joe's M&A, joint venture and other corporate work includes deep experience on cross-border transactions, especially for financial institutions and multinational companies based in Japan.



BARBARA GOODSTEIN

Partner

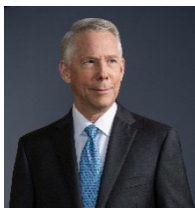
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Barbara M. Goodstein is a partner in the Global Finance practice of Mayer Brown's New York office. Barbara's experience consists of commercial and structured financing of transactions for a wide range of asset types, including trade, health care, timeshare and lease receivables, sports franchises, intellectual property, transportation equipment (including aircraft, aircraft engines, railcars and vessels), technology, medical, communications, office and construction equipment, and marine and inter-modal containers. She also has extensive debt workout and restructuring experience primarily representing senior creditors and syndicate groups, bondholders, and secured creditors both in and out of bankruptcy; foreclosures, DIP and exit financing; contested and consensual bankruptcy matters; and other financial and legal restructurings.

Barbara is recognized in *Chambers USA*, *Chambers Global*, *Legal 500* and *Super Lawyers* as a leading lawyer. *Chambers USA* notes that she "is an expert in innovative restructuring and esoteric asset classes, such as timeshare, intellectual property and medical equipment."

Barbara is a Fellow of the American College of Commercial Finance Lawyers and the featured columnist for *The New York Law Journal's* "Secured Transactions" column.



ROBERT HARRELL

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Robert ("Bob") Harrell is a partner and member of the Litigation & Dispute Resolution practice. He has a broad business litigation practice, having handled shareholder and other corporate disputes; class actions; complex insurance coverage issues; RICO claims; technology litigation; breaches of contract; violations of fiduciary and other professional duties; and other types of commercial disputes. Among these are claims arising under Transactional Liability Insurance Policies. He has been ranked in The Legal 500 US, and is currently designated in Benchmark Litigation, Super Lawyers and Best Lawyers in America. Bob has tried more than 50 cases to verdict or judgment in federal and state courts and before arbitration panels, gaining him entrance into the American Board of Trial Advocates.



GARY JOHNSON

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Gary Johnson is counsel in Mayer Brown's Houston office and a member of the Litigation & Dispute Resolution practice. Gary has more than ten years of experience helping businesses litigate their most difficult disputes. He has a broad commercial litigation practice representing clients in state and federal courts and arbitration. Gary also assists clients with internal and governmental investigations. He represents clients in the insurance, energy, construction, financial services, and real estate industries.

Gary represents both plaintiffs and defendants in business disputes involving breach of contract, breach of fiduciary duty, fraud, breach of warranty, and other business torts. Gary litigates and arbitrates a wide range of commercial cases involving complex insurance issues, partnership disputes, contentious transactions, environmental liabilities, indemnities, real estate disputes, and tax issues. He also represents clients in connection with bankruptcy proceedings.

In addition, Gary assists in counseling clients on transactions and contract drafting, including in mergers and acquisitions. His experience litigating disputes arising from transactions—in particular, asset and entity sales—helps guide clients to avoid lawsuits.



DAN JONES

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Dan Jones is a partner in the Washington DC office and a member of the firm's Consumer Litigation & Class Actions and Supreme Court & Appellate practices. Dan has substantial experience litigating the enforceability of arbitration agreements—particularly in the consumer and employment contexts—at both the appellate and trial levels. Dan was a core part of the team that obtained victories for the petitioners in *Lamps Plus, Inc. v. Varella* and *Kindred Nursing Centers LP v. Clark*, two recent significant decisions from the Supreme Court interpreting the Federal Arbitration Act. Dan has also briefed many successful motions to compel arbitration in federal and state trial courts.

Dan also has substantial experience with critical motions seeking dismissal of class actions or opposing class certification. Dan has represented businesses in defeating class certification in multiple federal trial courts, and routinely briefs cutting-edge class action defense issues at both the trial and appellate levels.

Dan was part of the Mayer Brown team who represented the petitioner in *Spokeo, Inc. v. Robins*, in which the Supreme Court held that a lawsuit claiming a bare statutory violation—without allegations of concrete harm—does not satisfy Article III's injury-in-fact requirement for standing to sue in federal court. Dan has authored numerous post-*Spokeo* briefs urging lower courts to dismiss no-injury class actions under the Supreme Court's ruling.



BILL KUCERA

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William ("Bill") Kucera is co-chair of Mayer Brown's M&A practice. He concentrates his practice on mergers and acquisitions. He represents buyers and sellers in connection with stock and asset acquisitions and divestitures, public and private mergers, tender and exchange offers, joint ventures and venture capital and other private equity investments. He represents companies in connection with corporate governance and defensive measures, including shareholder rights plans and related matters. Drawing on his experience as an active M&A practitioner, Bill also co-leads Mayer Brown's practice representing underwriters in issuing representation and warranty insurance and other types of transactional insurance in connection with M&A deals and has emerged as a leading expert in this rapidly growing area.



KEVIN PIERCE

Managing Director

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Kevin Pierce is a Managing Director in the Disputes Claims and Investigations practice at Stout. He has spent the last 17 years conducting post-acquisition dispute matters, forensic accounting matters, complex commercial litigation, and other engagements for trial lawyers, in-house counsel, and stakeholders in a wide variety of industries. Kevin has extensive experience in M&A disputes, including working capital, earnout, and breaches of representations and warranties disputes. He has also advised on numerous representations and warranties insurance claims, providing assistance on the evaluation of potential breaches and determination of the amount of loss, including testifying at arbitration and participation in multiple mediations.



MIKE SERAFINI

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Mike Serafini has a broad corporate practice representing clients in a variety of industries in complex corporate transactions, with a focus on mergers, equity and asset acquisitions and divestitures and equity investments. He also has significant experience structuring joint ventures, including for private equity real estate clients. Mike regularly represents companies and individuals in connection with corporate governance and general corporate counseling matters. Clients leverage his experience across a number of industries, including financial services, infrastructure, manufacturing and real estate.

As an active M&A practitioner, Mike is also a co-leader of Mayer Brown's transactional liability insurance practice, with significant experience representing underwriters in issuing representation and warranty insurance.