

MINISTER FOLLOWING PARTIAL
SUCCESS IN NEW YORK IN DKK 5.4
BILLION CASE: WE EXPECT TO WIN

The Minister of Taxation Karsten Lauritzen welcomes the fact that the Danish Tax Agency last night took the first step in the legal aftermath of the dividend scandal, which has cost the Danish state at least DKK 12.7 billion.

Elon Musk to Step Down as Tesla
Chairman, Remain CEO

Elon Musk reached a settlement with the Securities & Exchange Commission that allows him to remain Chief Executive of Tesla.

Law 360's Weekly Verdict:
Lions and Lambs

Hughes Hubbard & Reed LLP earned a spot among the legal lions Monday when a U.S. District Court judge shot down a class action lawsuit against the bank.



Several Banks Escape SIBOR-
Rigging Allegations In NY

A New York federal judge trimmed Thursday a proposed class action accusing 20 banks and their affiliates of manipulating the Singapore Interbank Offered Rate and Singapore Swap Offer Rate, saying they haven't alleged wrongdoing by a number of banks.

Litigation Wrap

Fourth Quarter 2018

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4Q2018 Developments

Elon Musk Resolves SEC Charges

The firm guided Tesla CEO Elon Musk in a high-profile investigation of a tweet regarding taking Tesla private. Former SEC commissioner **Roel Campos** led the team, which included **Terence Healy, Liz Solander** and **Michael DeBernardis**, resolving the case favorably with the SEC for Mr. Musk.

First-Step Victory for Denmark

HHR scored an important initial victory for the government of Denmark in its efforts to recover \$2.1 billion stolen through an international tax fraud scheme involving U.S. pension plans and other individuals. On Nov. 5, a New York federal judge overseeing the multidistrict litigation denied a motion to dismiss 53 of the complaints HHR filed this year against the pension plans and related individuals. The ruling enables Denmark to continue its recovery efforts in U.S. courts. **Sarah Cave** leads the team, which includes **Bill Maguire, Marc Weinstein** and **Neil Oxford**.

BASF Patent Suit Dismissed

HHR scored a major victory for SNF Holding Co. on Oct. 4 when a Georgia federal court held a BASF patent invalid and dismissed, in its entirety, a civil action for alleged patent infringement that BASF brought

against SNF and its affiliates. In part, HHR relied on the venue defense that it raised for TC Heartland in a 2017 Supreme Court victory that previously won transfer of the case from Texas. **Jim Dabney, Bill Maguire, Patrice Jean** and **Khue Hoang** worked on this case.

Law360 Recognizes SEC Outcome Terence Healy and Roel Campos

earned a Law360 "Legal Lion" accolade for achieving an outstanding outcome for a New York hedge fund adviser and its principal in an SEC enforcement proceeding. On Oct. 15, an administrative law judge dismissed all SEC claims alleging HHR's clients acted with intent to defraud investors by misrepresenting certain risks in investing in their domestic and offshore hedge funds.

Rate-Rigging Claims Dismissed Chris Paparella, Marc Weinstein and Robert Bell

led Macquarie to victory twice within two months when two different New York federal judges threw out claims against Macquarie for alleged manipulation of Singapore's and Australia's benchmark interest rates. On Oct. 4 and Nov. 26, the judges granted HHR's motions to dismiss claims brought by two of the same investment funds, finding that they lacked personal jurisdiction

over Macquarie. The judges also found that they failed to state a claim in both cases and lacked capacity to sue in the later one because the funds had been dissolved before filing their complaint.

Appellate Win for SBS Jim Fitzpatrick and Michael Salzman

led Spanish Broadcasting System to an important victory when a federal appeals court in New York upheld dismissal of a copyright infringement case against SBS for allegedly airing unlicensed songs over its radio stations. On Oct. 4, a Second Circuit panel affirmed a lower court's finding that some of Latin American Music Company's copyright infringement claims against SBS were time-barred and that the remainder lacked merit for other reasons. Fitzpatrick argued the appeal.

Fraud Suit Dismissed Derek Adler and Ned Bassen

successfully defended Dutch hedge fund Palladyne International Asset Management by persuading a Connecticut federal judge to dismiss a fraudulent inducement lawsuit brought by one of its former executives. On Sept. 28, the judge granted HHR's motion to dismiss the suit under the doctrine of

forum non conveniens, ruling that the Netherlands was an adequate alternative forum and that the case should be brought there.

Trial Win for Transgender Woman

A team led by **Seth Rothman** won a jury verdict of \$355,000 for Jess Sunderland, a transgender woman who was denied her medically prescribed hormone replacement therapy while incarcerated at the Suffolk County Correctional Facility. On Oct. 23, following a seven-day trial, the jury found two of Sunderland's doctors liable and awarded Sunderland \$280,000 in compensatory damages and \$75,000 in punitive damages.

Key Ruling for EveMeta

In a key ruling, **Hagit Elul** defeated a motion to dismiss a breach-of-contract lawsuit on behalf of California video-encoding company EveMeta when a New York state judge on Oct. 4 rejected the majority of arguments by technology development company Synacor and technology consulting firm Atos Convergence Creators. EveMeta sued its former partners after they cut EveMeta out of their strategic partnership to sell Atos' streaming platform.