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Dear Clients and Friends:

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Our pro-active, problem-solving approach continues to yield successes for our clients.

#### ***New Assignments***

- This summer, our firm was designated as National Coordinating Counsel for ***Imo Industries***, a manufacturer of precision equipment with a national asbestos docket. Our selection was based on our 15-year track record in the *New York Asbestos Litigation*, successfully resolving over 5,000 cases.
- We have been asked to represent private equity firms, ***Lincolnshire, AlpInvest, Lexington Partners*** and ***ZS Fund***, in a variety of disputes in both state and federal courts.

#### ***New Successes***

- Representing ***Morgan Stanley***, we achieved a total defense verdict from an NASD panel. During three hearing days in Philadelphia, we established that plaintiff was a sophisticated investor and, contrary to his assertion, the investments were appropriate and made at the investor's direction.
- On behalf of ***DuPont***, we convinced plaintiffs to voluntarily discontinue their EDNY cancer case without any payment whatsoever. By taking an aggressive, pro-active approach, including our willingness to share information about our future defense strategy, we succeeded in extricating DuPont from this benzene, paint litigation.
- In representing private equity firms concerning the sale and purchase of a billion dollar portfolio, we convinced the New York State Supreme Court, during oral argument, to grant our motion and stay New York litigation in favor of proceedings in Ohio, despite the fact that the parties were not identical in those proceedings.
- After oral argument, the Second Circuit affirmed the SDNY summary judgment we won earlier this year for ***Sun Chemical***, one of the country's major suppliers of commercial ink pigments, awarding every dollar owed, attorneys' fees, and the return of expensive machinery.

#### ***Three New Associates***

Three associates have joined our team of experienced litigators to solve clients' challenges.

- Caroline S. Curtis (University of Michigan, A.B., 1999; Notre Dame Law School, J.D., 2002), from Wolf Popper, where she worked on plaintiffs' securities and fraud class actions.
- Marc M. Isaac (University of Maryland, B.A., 1994; St. John's University School of Law, J.D., 2000), from Ohrenstein & Brown, having specialized in commercial and bankruptcy litigation.
- Michael J. Tiffany (Manhattan College, B.A., 1999; St. John's University School of Law, J.D., 2002) from Katten Muchin Rosenman, where he handled securities, RICO and tort matters in both the New York and Chicago offices.

#### ***New Brochure and New Website***

Our new firm brochure is at the printers, and our new website is under construction. Please watch the mail and the internet for our new look.

We are pleased with the accomplishments achieved for our clients, our expanded capacity to take on and resolve client problems, and the relationships developed along the way. We remain dedicated to providing the very best legal services and truly appreciate your support.

LEADER & BERKON LLP