

## Shawn Raymond's Track Record

### Key Class Action Cases

**November 2021**—In a career highlight case, I helped secure a \$626.25 million gross settlement (before calculating attorney fees) on behalf of the people of Flint, Michigan, in connection with the city's water contamination crisis. The case involves complicated facts and novel legal theories, and we are continuing to pursue additional claims against two private engineering companies. I serve on the plaintiff class action leadership team along with Steve Morrissey, Vineet Bhatia, Jordan Connors, Katy Peaslee, and Ben Manne of Susman Godfrey and co-counsel Cohen Milstein Sellers & Toll PLLC and Pitt, McGehee, Palmer, Bonanni, & Rivers, P.C. and others. The trial court called the \$626.25 million settlement "a remarkable achievement" and the portion paid by the State of Michigan "one of the largest settlements in the State's history." In February 2022, *Law360* named Susman Godfrey the Environmental Practice Group of the Year based in part on our work in this litigation. The overall attorney fee amount will not be determined until the settlement claims process closes.

**June 2018**—Winning any case in front of the U.S. Supreme Court is a big deal, but securing a 9-0 decision makes victory at the highest court in the land even sweeter. That's what happened in our Vitamin C price fixing class action case. Justice Ginsburg wrote the unanimous opinion reversing the Second Circuit's dismissal of the \$162-million judgment that Jim Southwick, co-class counsel, and I secured in March 2013 following a three-week jury trial in federal court in Brooklyn, NY. The case returned to the appellate court, where the Second Circuit once again reserved the district court's judgment and dismissed the case on foreign sovereign immunity grounds.

**March 2013**—After a three-week jury trial in federal court in Brooklyn, NY, Jim Southwick and I, along with Boies Schiller and Hausfeld LLP, obtained a historic \$162 million judgment against two Chinese pharmaceutical companies for violating U.S. antitrust laws by fixing the price of Vitamin C exported to the United States. This is the first time a mainland Chinese company has been held liable for civil antitrust violations in a U.S. courthouse. The nine-figure-judgment came on the heels of a \$22.5 million settlement with two other co-conspirators that took place the day before closing arguments. The verdict received coverage in The New York Times and The Wall Street Journal. It even caught the attention of the Ministry of Commerce of the People's Republic of China, which issued a statement suggesting "harm" to U.S. interests if the verdict is not overturned. After the Second Circuit reversed the judgment, the U.S. Supreme Court reversed the Second Circuit's dismissal and sent the case back to the Second Circuit for further consideration. The Second Circuit ultimately reversed the district court's judgment a second time on foreign sovereign immunity grounds.

**October 2012**—In what may be the first time a Chinese company has settled a U.S. civil price-fixing cartel case, Jim Southwick and I, along with co-counsel from Boies Schiller & Flexner LLP and Hausfeld LLP, secured court approval – without a single objector – for a \$9.5 million settlement with Aland (Jiangsu) Nutraceutical Co. Ltd. in an antitrust price-fixing class action brought on behalf of direct purchasers of Vitamin C against Chinese Vitamin C manufacturers. I took the key deposition of the individual who served as Aland's CEO during the relevant time.

**July 2008**—After the trial court certified a Texas-wide class action against The Hertz Corporation in connection with the company's rental car fuel-service charge, Hertz asked Eric Mayer, Bill Merrill, and me to take the lead on the appeal, which they won. The Court of Appeals for the Thirteenth District Court of Texas reversed the trial court's class certification order and decertified the class on all claims. I served as the primary author of Hertz's appellate briefs.

**August 2006**—On behalf of 4300 royalty and overriding royalty owners across the United States, Tom Paterson and I, along with New Mexico co-counsel, obtained a \$27.5 million settlement with ConocoPhillips for alleged underpayment of royalty on natural gas liquids produced from the San Juan Basin of northwestern New Mexico and processed at the New Blanco Plant near Bloomfield, New Mexico. The district court approved the settlement and awarded attorneys' fees of \$7 million from the settlement fund.

**September 2005**—Less than a week before the start of a jury trial in Clayton, New Mexico, OXY USA, Inc. agreed to pay \$12 million to settle a class action lawsuit brought by Susman Godfrey's Thomas W. Paterson and me, along with New Mexico co-counsel, on behalf of a class of royalty owners who had leased mineral rights to OXY for the production of CO<sub>2</sub> at the Bravo Dome Unit in northeastern New Mexico. The \$12 million settlement, of which \$3.5 million was awarded for attorneys' fees, represented approximately 90% of the total amount of actual damages sought by the class. The settlement also required OXY to pay litigation expenses of \$400,000 and settlement administration expenses of \$200,000. Finally, OXY has agreed to change how it calculates plaintiffs' royalty on a going-forward basis. This change will result in a near doubling of the royalty amounts OXY was paying the class members before the filing of this lawsuit in 2004.

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