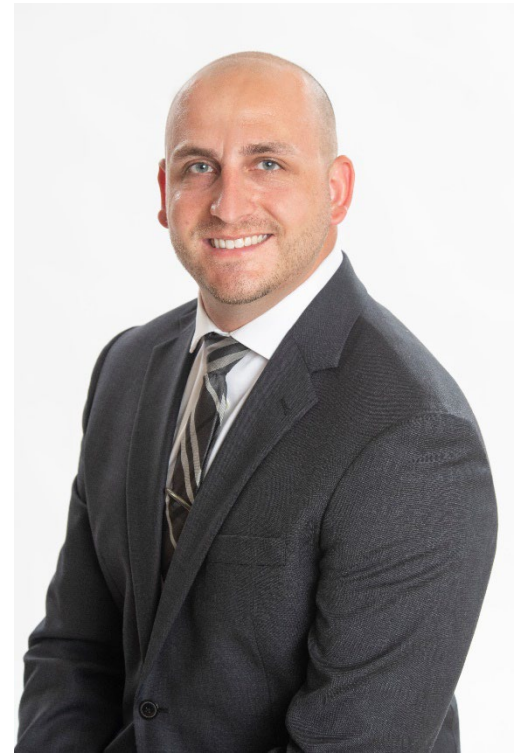


LANDIS RATH & COBB LLP



Howard W. Robertson IV, Associate
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Practice Areas: Corporate, Commercial and Bankruptcy Litigation

Howard concentrates his practice in the areas of Corporate, Commercial and Bankruptcy Litigation. His experience includes representing clients with respect to bankruptcy litigation, corporate governance issues, enforcement of LLC and partnership agreements, contract and indenture enforcement, M&A disputes, earnout disputes, enforcement and defense of subpoenas, arbitration awards and enforcement, dissolutions and sales, fiduciary duty challenges, shareholder rights, advancement demands, books and records contests. Howard practices primarily in Delaware state and federal courts, including the Court of Chancery, Complex Commercial Litigation Division of the Delaware Superior Court, the United States District Court for the District of Delaware, and the United States Bankruptcy Court for the District of Delaware.

Howard is admitted to practice in Delaware and Pennsylvania.

Howard's recent representations include:

- Defending John Douglas Rhoten, IPGL Ltd. and Fox & Trot Ltd. n/k/a IPGL No. 1 Limited in an action brought by JB Capital Partners, L.P. in the Delaware Court of Chancery for alleged breach of fiduciary duty and aiding and abetting breach of fiduciary duty arising out of a merger between StoneX Group Inc. and Gain Capital Holdings, Inc. *JB Capital Partners, L.P. v. Stevens*, C.A. No. 2022-0327-NAC (Del. Ch.).
- Representing Mosaic Aetna Springs PE, LLC in connection with litigation brought in the Delaware Court of Chancery for a declaratory judgment pursuant to 6 *Del. C.* § 18-110 to determine controlling member of a limited liability, for indemnification and alleged breach of the LLC agreement. *Mosaic Aetna Springs PE, LLC v. Alchemy Resorts, LLC*, C.A. No. 2022-0459-LWW (Del. Ch.).
- Representing Breakout Ventures, LLC in a suit brought in the Delaware Court of Chancery against certain members of a limited liability company for alleged breach of fiduciary duties and aiding and abetting breach of fiduciary duties in connection with the sale of the LLC. *Breakout Ventures, LLC v. Sileo Management Holdings, LLC*, C.A. No. 2022-0539-JTL (Del. Ch.).

- Defending Financiere de Sociétés Techniques-First and Michel Nespoulous in a suit brought by TE Connectivity Corporation for alleged breach of a share purchase agreement and fraud. *TE Connectivity Corporation v. Financiere de Societes Techniques-First*, C.A. No. 2021-1104-JTL (Del. Ch.).
- Representing Plaintiff Clarity Software Blocker, Inc. in a suit for breach of an equity purchase agreement, fraud, unjust enrichment and a declaratory judgment regarding certain contractual performance earnouts in the Superior Court of Delaware, Complex Commercial Litigation Division. *Clarity Software Blocker, Inc. v. Cicchese*, C.A. No. N22C-01-056-AML (Del. Super. [CCLD]).
- Defending Scopus BioPharma Inc. in two Delaware Court of Chancery actions brought by an alleged stockholder, for conversion and a declaratory judgment to determine the number of shares allegedly owned by the stockholder and against Scopus BioPharma's board of directors for alleged breach of fiduciary duties, gross mismanagement, corporate waste, aiding and abetting breach of fiduciary duties and unjust enrichment. *Laster v. Scopus BioPharma Inc.*, C.A. No. 2021-0279-MTZ (Del. Ch.); *Laster v. Greenspan*, C.A. No. 2021-0924-MTZ (Del Ch.).
- Representing Twitter, Inc. in a stockholder derivative suit for breach of fiduciary duties against its board of directors in relation to a \$1 billion convertible note transaction and \$2 billion stock buyback program. *Orlando Police Pension Fund v. Dorsey*, C.A. No. 021-0041-JTL (Del. Ch.).
- Representing defendants Cloud Linux Software, Inc. and Cloud Linux Holdings, LLC in a breach of fiduciary duty suit against the boards of both entities. *Belousov v. Bauert*, C.A. No. 2021-0512-PAF (Del. Ch.).
- Defending Caremark PCS Health, LLC in a suit brought to enjoin a contract award by the Delaware State Employee Benefits Committee pursuant to the State's procurement statute regarding pharmacy benefits management for the State's health plan. *Express Scripts, Inc. v. Delaware State Employee Benefits Committee*, C.A. No. 2021-0434-KJSM (Del. Ch.).
- Defending KI Corporation and Carlyle Kft in Delaware Court of Chancery action alleging breach of fiduciary duty, aiding and abetting breach of fiduciary duty, civil conspiracy and unjust enrichment regarding the company's capitalization structure approved by the board of Nano-Retina, Inc. *Altabef v. Neugarten*, C.A. No, 2021-0117-MTZ (Del. Ch.).
- Representing amicus curiae litigants in litigation between AstraZeneca Pharmaceuticals LP and Norris Cochran, Secretary of the United States Department of Health and Human Services regarding the scope of the Medicare and Medicaid 340B Drug Discount Program under section 340B of the Public Health Services Act pending in the United States District Court for the District of Delaware. *AstraZeneca Pharmaceuticals LP v. Norris Cochran*, C.A. No. 21-00027 LPS (D. Del.).
- Representing creditor Droplets, Inc. in Delaware Court of Chancery corporate dissolution proceeding of Altaba, Inc. f/k/a Yahoo! Inc. under 8 *Del. C.* § 280 to obtain a claim reserve for an unliquidated contingent claim. *In re Altaba, Inc.*, C.A. No. 2020-0413-JTL (Del. Ch.).
- Representing Eni, S.p.A. seeking discovery pursuant to 28 U.S.C. § 1782 in an action pending before the United States District Court for the District of Delaware. *In re Ex Parte Application of Eni S.p.A. for an Order Pursuant to 28 U.S.C. § 1782*, C.A. No. 1:20-mc-00334-MN (D. Del.).

- Representing creditor Central National Gottesman, Inc. in an assignment for the benefit of creditors proceeding in the Delaware Court of Chancery for CW Direct Parent, LLC and affiliated entities. *In re CW Direct Parent, LLC, et al.*, C.A. No. 2020-016-SG (Del. Ch.).
- Representing Magellan Investment Holdings, Ltd. in a Delaware Court of Chancery action for declaratory judgment seeking to determine the parties' contractual rights and obligations. *Net 1 UEPS Technologies, Inc. v. Magellan Investment Holdings, Ltd.*, C.A. No. 2020-0328-MTZ (Del. Ch.).
- Defending Cerberus Capital Management LP in connection with a third-party complaint for alleged breach of an asset purchase agreement, fraud and tortious interference with a contract pending in an action before the Complex Commercial Litigation Division of the Delaware Superior Court. *CRE Niagara Holdings, LLC v. Resorts Group, Inc.*, C.A. No. N20C-05-157 PRW [CCLD] (Del. Super.).
- Representing GBT JerseyCo Ltd., which operates American Express Global Business Travel, in consolidated actions initiated by Carlyle Roundtrip, L.P. and Pure Magenta Investment PTE. Ltd. regarding a share purchase agreement that failed to close as a result of the Covid-19 pandemic. *In re Global Travel Share Purchase Agreement Litigation*, C.A. No. 2020-0338-JRS (Del. Ch.).
- Defending CorePower Yoga, LLC and CorePower Franchising LLC in a dispute brought in the Delaware Court of Chancery and on appeal to the Delaware Supreme Court seeking specific performance of an asset purchase agreement following failed closings during the Covid-19 pandemic. *Level 4 Yoga, LLC v. CorePower Yoga, LLC*, C.A. No. 2020-0249-JRS (Del. Ch.); *CorePower Yoga, LLC, v. Level 4 Yoga, LLC*, No. 109,2022 (Del. Supr.).
- Defending Versa Capital Management, LLC and Domus BWB Funding, LLC in an action brought by an alleged individual shareholder and GB-SP Holdings, LLC, the majority shareholder in Bridgestreet Worldwide, Inc., for alleged breach of fiduciary duty, aiding and abetting breach of fiduciary duty, and tortious interference and seeking a declaratory judgment. *GB-SP Holdings, LLC v. Walker*, C.A. No. 9413-PAF (Del. Ch.).
- Representing MGG Investment Group in a proceeding before the Delaware Court of Chancery to enforce the reissuance of stock and enforce a financing agreement pursuant to 8 *Del. C.* § 158 and in a related proceeding in the Delaware Superior Court regarding enforcement and collections of a foreign judgment. *Remark Holdings SPV, Inc. v. Sharecare, Inc.*, C.A. No. 2020-0156-AGB (Del. Ch.); *Gibson v. Remark Holdings, Inc.*, C.A. No. N19J-04581 (Del. Super.).
- Representing former Chief Administrative Officer for Symantec Corporation in actions pending in the Delaware Court of Chancery and the United States District Court for the District of Delaware related to Symantec's alleged accounting and financial irregularities. *Boninsegni v. Clark*, C.A. No. 2019-0224-JTL (Del. Ch.); *Milliken v. Clark*, C.A. No. 18-01848-RGA (D. Del.).
- Selected Bankruptcy Representations:

Chapter 11 Debtors:

FTX Trading Ltd.

Significant Creditors, Lender and Other Parties in Interest:

Starbucks Coffee Company (Supplier and Major Creditor)

Education

Rutgers Law School, J.D., Corporate and Business Law Certificate, 2020

Rutgers School of Business – Camden, M.B.A., *magna cum laude*, 2020

Rutgers University Camden College of Arts and Sciences, B.A., Political Science, *cum laude*, 2015

Admissions to Practice

Delaware

Pennsylvania

U.S. District Court District of Delaware

U.S. District Court Eastern District of Pennsylvania

Memberships & Associations

American Bar Association Chair of the Young Lawyers Division Business Law Committee

Delaware State Bar Association