

## EXHIBIT A

to the Declaration of Lewis T. LeClair  
in Support of Plaintiffs' Motion for  
Class Certification and Brief in Support  
Thereof

## **Lewis T. LeClair**

### **Principal, Dallas Office**

Office (214) 978-4984  
Fax (214) 978-4044  
E-mail lleclair@mckoolsmith.com

Lew LeClair has been a commercial trial lawyer for more than thirty years. He is certified by the Texas Bar in Civil Trial and has tried numerous cases for both plaintiffs and defendants.

Mr. LeClair's experience ranges broadly in the area of commercial litigation including contract, antitrust, securities, and intellectual property matters (including patent and trade secret claims). He also has extensive experience in the area of class and derivative actions, having served as lead counsel or co-lead counsel in numerous cases around the country.

### **Education**

B.B.A.-Accounting, University of Texas at Austin (with honors), 1973, Arthur Young & Co. scholarship

J.D., University of Texas School of Law (with high honors), 1976  
Law Review, Chancellors, Teaching Quiz Master

Law Clerk for the Honorable Walter Ely, United States Court of Appeals for the Ninth Circuit, Los Angeles, California 1976-1977

### **Admitted**

Admitted to practice in Texas and California, and before the U.S. District Court for the Northern, Southern, Western and Eastern Districts of Texas; the Central, Northern and Southern Districts of California, the U.S. Court of Appeals, Fifth Circuit;

### **Honors**

Best Lawyers in America 2007-Commercial Litigation

Chambers Leading Lawyers for Business 2006-2007

LawDragon Leading 500 Plaintiffs Lawyers 2007

Texas SuperLawyers 2003-2007

Dallas Business Journal-Defenders 2007

**MCKOOL SMITH**  
**A Professional Corporation**  
**300 Crescent Court, Suite 1500**  
**Dallas, Texas 75201**  
**(214) 978-4000**  
**<http://www.mckoolsmith.com>**

## **Lewis T. LeClair**

**(continued)**

## Representative Cases

***Official Committee of Unsecured Creditors v. Fastow*** (U.S. Dist. Ct.-S.D. Tex). LeClair served as lead litigation counsel for the Official Unsecured Creditors Committee of Enron in this action targeting various former officers and professionals of Enron Corporation, and in multi-district proceedings in Houston involving multiple claims arising from the Enron Corp. bankruptcy. This litigation, one of the largest, if not the largest in American judicial history, involved massive discovery and multiple claims and parties. LeClair and McKool Smith successfully resolved numerous claims and suits brought on behalf of the bankruptcy estate against various defendants connected with the financial collapse of Enron.

***Frontier Corporation v. Holly Corporation*** (Del. Ch. Court) LeClair and McKool Smith represented Dallas-based Holly Corporation in a case filed by Houston-based Frontier Oil Corporation. In March 2003, Holly and Frontier announced a \$450 million merger agreement that would have created a single entity with five refineries and a refining capacity exceeding 260,000 barrels-per-day. However, before the merger could be consummated, officials from Holly learned that a Frontier subsidiary had been targeted in a California environmental pollution lawsuit filed by the law firm of Masry & Vititoe, home of famed consumer activist Erin Brockovich. After the two companies tried to negotiate a revised deal in light of the California litigation, Frontier sued Holly and Holly countersued in the Delaware Court of Chancery. The litigation was set on an expedited schedule and, following several months of intense discovery, involved a two-week trial in Delaware during February and March 2004. In late April 2005, Vice Chancellor John Noble issued a decision in favor of Holly. In his detailed 116-page ruling, the Court found that Frontier, not Holly, had breached the merger agreement.

***In re Affiliated Computer Services Derivative Litigation*** (Tex. Dist. Ct.) LeClair and McKool Smith serve as lead counsel for certain individual defendants in this derivative litigation arising from the options back-dating controversy and the Wall Street Journal Article from March 2006 entitled “Perfect Payday.”

***In re Affiliated Computer Services Derivative Litigation*** (U.S. Dist. Ct.-N.D. Tex) LeClair and McKool Smith served as lead counsel for certain defendants in this derivative action alleging violations of the Securities Act of 1934).

***Garcia et. al. v DirecTV and Hughes Electronics*** (Cal. Sup. Ct.) LeClair served as co-lead counsel for the plaintiff in this class action on behalf of certain former dealers and distributors of DirecTV. Trial judge ordered case to arbitration and matter then involved issues of class arbitration under American Arbitration Association rules.

***Capitol Entertainment of Northern Virginia, Ltd. and Video Capitol Rental, Inc. v. Daniel Gilbert*** (District Court, Dallas, County, Texas, 44<sup>th</sup> Judicial District) LeClair and McKool Smith served as co-lead counsel for the plaintiffs in this derivative action arising from a securitization of a limited partnership.

***In re: Search Financial Services Acceptance Corp., MS Financial, Inc., Search Funding Corp., Search Financial Services Inc.*** (U.S. Bankr. Ct. N.D. Tex.) Class action arising from sub-prime auto loans and failure of lender. LeClair serve as lead counsel for defendant investment banker.

***Warmack-Muskogee Limited Partnership, v. PricewaterhouseCoopers, LLP, Ernst & Young, LLP, Ernst & Young International, Inc., Cap Gemini Ernst & Young U.S., LLC, KPMG, LLP, and KPMG Consulting, Inc.***, (Circuit Court of Miller County, Arkansas) LeClair and McKool Smith served as lead counsel for defendant KPMG Consulting in this class action alleging improper billing and travel charges by accounting and consulting firms.

***7547 Corporation and Sonem Partners, L.P. v. P&P Equity Co., Ltd., et. al.*** (United States District Court for the Northern District of Texas, Dallas Division) LeClair served as lead counsel for the defendants in this class and derivative action arising from buy-out of oil and gas company.