

**EXHIBIT 1**

**Mason LLP**  
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**FIRM PROFILE**

Mason LLP is a civil litigation firm dedicated to representing plaintiffs in class action lawsuits against corporations and others who cause widespread injuries to large numbers of innocent persons. We represent various groups suffering injury, including those harmed by consumer fraud, environmental disasters, toxic torts, and defective products.

**ATTORNEY PROFILES****Gary E. Mason**

Gary E. Mason specializes in consumer class actions and mass torts. In the 19 years he has represented plaintiffs, Mr. Mason has recovered more than \$1.3 billion for the persons he represents. He received national recognition for his work on litigation over defective polybutylene pipe, ultimately resulting in an unprecedented \$950 million settlement. He was also recognized by Washingtonian Magazine as one of the top forty lawyers in Washington, D.C. under the age of 40.

He has served as Lead Counsel or Co-Counsel in numerous class actions, including In re the Exxon Valdez, In re Synthetic Stucco (EIFS) Products Liability Litigation, In re Diet Drugs Products Liability Litigation, In re Swanson Creek Oil Spill Litigation, and numerous consumer protection and product liability class action suits. Over the course of his career, he has represented consumers in class actions involving a wide range of products, including, fire retardant plywood, polybutylene pipe, high-temperature plastic venting, hardboard siding, synthetic stucco, pharmaceutical products, consumer electronics and automobiles.

Mr. Mason was formerly a Partner at Cohen, Milstein, Hausfeld & Toll, P.L.L.C., one of the largest plaintiffs law firms in the country, where he was the Chair of the Products Liability and Consumer Protection Practice Group. Prior to joining Cohen Milstein in 1990, Mr. Mason was a litigation associate at Skadden, Arps, Slate, Meagher & Flom in Washington, D.C.

He is a recipient of a Public Justice Achievement Award for his work on the polybutylene pipe product liability litigation. The Washingtonian Magazine has recognized him as one of forty lawyers under forty "who are making names for themselves" in Washington, D.C. Mr. Mason is listed in Who's Who in American Law. Mr. Mason graduated from Brown University in 1984 (B.A., magna cum laude, Phi Beta Kappa) and received his law degree from Duke University Law School in 1987. Mr. Mason then clerked for the Honorable Andrew J. Kleinfeld, U.S. District Court Judge in Anchorage, Alaska. He has been admitted to practice in Washington, D.C., New York and Maryland

[Donna F. Solen](#)

Donna F. Solen joined Mason LLP as a partner in 2006. She specializes in complex litigation and class actions involving violations of the antitrust, consumer protection, environmental and products liability laws. Prior to joining Mason LLP, Ms. Solen was a senior associate at Cohen Milstein Hausfeld & Toll, P.L.L.C., one of the largest plaintiffs' law firms in the country.

Ms. Solen is currently involved in litigation against Globalstar Inc. for allegedly violating California's consumer protection statutes when it failed to disclose material defects in its satellite telephone service. Ms. Solen is also involved in other consumer fraud cases including litigation against various oil and gas producers for their improper deduction of certain expenses from royalty payments due to the owners of the oil and gas. *Poplar Creek Development Co., v. Chesapeake Appalachia, LLC*, Case No. 7:08-cv-00190-ART (E.D. Ky); and *Appalachian Land Co. v. Equitable Production Co.*, Case No. 7:08-cv-00139-KKC (E.D. Ky).

She is also working on a variety of antitrust cases, including *In re TFT-LCD (Flat Panel) Antitrust Litigation* (alleging the illegal formation of an international cartel to restrict competition in the LCD panel market), MDL No. 1827 (N.D. Ca.) and *In re Online DVD Rental Antitrust Litigation*, MDL No. 2029 (N.D. Ca.) and consumer protection and product liability actions such as *In re Chinese Manufactured Drywall Products Liability Litigation*, MDL 2047 (E.D. La.) (representing homeowners whose homes contain defective Chinese drywall); *Hobbie et al., v. RCR Holdings II, LLC*, Case No. 50 2009CA032471 (Cir. Ct. Palm Beach County, FL) (representing homeowners whose homes contain defective Chinese drywall) and *In re Zurn Pex Products Liability Litigation*, Case No. 08-MDL-1958 (ADM/RLE) (D. Minn.) (representing homeowners in Minnesota who own structures containing allegedly defective plumbing systems).

Ms. Solen served as counsel in many successful consumer and environmental actions including, among other things, *In re Swanson Creek Oil Spill Litigation*, Case No. PJM-2000-1429 (D. Md.) (recovering \$2.25 million for various commercial fishermen who worked on, and homeowners who owned homes or property on and around, the Patuxent river in Maryland for damages they incurred as a result of the discharge of approximately 111,000 gallons of oil into the river in April, 2000); *Nunez v. Westfield Homes of Florida, Inc.*, Case No. 04-06062 (Circuit Court, Hillsborough County, FL) (confidential resolution of claims by homeowners alleging violations of building codes applicable to stucco application); *In re Lupron Marketing and Sales Practices Litigation*, MDL No. 1430 (D. Mass.) (\$150 million class action settlement of claims that the drug manufacturer artificially inflated the price of Lupron, which is primarily used for the treatment of prostate cancer); *In re Bausch and Lomb Contacts Lens Solution Products Liability Litigation* (recovering confidential sum of money for individual consumers who suffered injury to their eyes after use of allegedly defective contact lens solution), MDL No. 1785 (D.S.C.); and *Strugano v. Nextel Communications, Inc., et al.*, (Superior Court, Los Angeles County, CA) (\$11-\$53 million California class action settlement of claims that Nextel failed to provide adequate or reasonable notice of unilateral changes to subscriber agreements).

Ms. Solen graduated from the Florida State University (B.S. magna cum laude, 1994) and obtained her law degree from the University of Florida College of Law (J.D. with honors, 1997). While at the University of Florida, Ms. Solen served as editor-in-chief of the Florida Journal of International Law

and won Best Note of Spring 1996 for her note entitled "ISO 14000: Emerging International Environmental Law" 10 Fla. J. Int'l L. 275 (1995) and Best Comment of Fall 1995 for her comment entitled "Forum Non Conveniens and the International Plaintiff" 9 Fla. J. Int'l L. 343 (1994).

Ms. Solen is admitted to practice in Florida, the District of Columbia, and the United States Court of Appeals for the Sixth Circuit.

### Nicholas A. Migliaccio

Nicholas Migliaccio joined Mason LLP as an associate in 2003. Mr. Migliaccio currently represents plaintiffs in a variety of class action cases involving claims for wage and hour violations, civil rights violations, defective products, and unfair and deceptive trade practices. He has also represented plaintiffs in environmental cases, including *Nnadili, et al. v. Chevron U.S.A., Inc.*, No. 02-cv-1620 (D.D.C.), where the plaintiffs secured a \$6.2 million settlement for owners and residents of 200 properties contaminated with petroleum products.

Mr. Migliaccio devotes a substantial portion of his practice to wage and hour claims. He was a member of the trial team in *Stillman v. Staples, Inc.*, 07-cv-849 (D.N.J.), where, after a six-week jury trial, a unanimous jury returned a verdict for almost \$2.5 million against Staples on behalf of 342 current or former Staples "sales managers" for unpaid overtime under the FLSA. His other unpaid overtime cases include *Jacobson v. Comcast et al.*, 09-562 (D. Md.) (brought on behalf of cable technicians); *Tahir v. Avis Budget Group, Inc.*, 09-3495 (D.N.J.) (brought on behalf of Avis "airport managers"); and *Lew v. Pizza Hut of Maryland, Inc.*, 09-CV-3162 (D. Md.) (brought on behalf of Pizza Hut "assistant managers" and "manager trainees").

Mr. Migliaccio's civil rights practice includes representing plaintiffs who were subjected to unconstitutional strip searches after only being accused of minor crimes. These cases include: *Williams v. County of Niagara*, 06-0291 (W.D.N.Y.) (class certification granted); *Delandro et al. v. County of Allegheny*, 06-927 (W.D. Pa.) (class certification granted, and partial summary judgment on liability granted for the plaintiffs); and *Boone v. City of Philadelphia*, 05-1851 (E.D. Pa.) (\$5.9 settlement for class of pre-trial detainees). He also represent plaintiffs who were subjected to wiretapping of their phones in *In re National Security Agency Telecommunications Records Litigation*, MDL Docket No. 06-1791(N.D. Cal.), where he and Gary Mason were named interim class counsel for the Sprint subscriber class.

Mr. Migliaccio has also represented consumers in class actions for a variety of defective products, including defective concrete, defective trimboard, and defective home construction. His cases in this area currently include: *Elliott v. KB Home-Raleigh/Durham, Inc.*, 08-021190 (N.C. Super. Ct., Wake County) (brought on behalf of plaintiffs who purchased homes that were improperly constructed without a secondary weather barrier); *Kelly v. Georgia Pacific, LLC, et al.*, 08-cv-00197 (E.D.N.C.) (brought on behalf of plaintiffs whose homes were constructed with defective trimboard); *Hart, et al. v. Louisiana-Pacific Corp.*, 08-00047 (E.D.N.C.) (brought on behalf of plaintiffs whose homes were constructed with defective trimboard).

Mr. Migliaccio received his BA cum laude from the State University of New York at Binghamton in 1997, and received his law degree from Georgetown University Law Center in 2001, where he was an

Editor of the Georgetown International Environmental Law Review. Mr. Migliaccio co-authored “Environmental Contamination Treatise: Overview of the Litigation Process,” in R. Simons, Ph.D, When Bad Things Happen to Good Property (Environmental Law Institute, 2005).

Mr. Migliaccio is admitted to practice in New York and the District of Columbia.

### **Notable Cases**

*In re: Chinese Manufactured Drywall Products Liability Litigation*, MDL No. 2047, No. 2:09-md-02047 (E.D. La.) (litigation arising out of defective drywall) (appointed Co-Chair, Insurance Committee).

*In re Google Buzz Privacy Litigation*, CV 10-00672 (N.D. Cal.) (Court-appointed Interim Lead Class Counsel).

*Cordes et al v. IPEX, Inc.*, No, 08-cv-02220-CMA-BNB (D. Col.) (class action arising out of defective brass fittings; court-appointed member of Plaintiffs' Steering Committee).

*Sutton, et al v. The Federal Materials Company, Inc., et al*, No. 07-CI-00007 (Kty. Cir. Ct) (\$10.1 million class settlement for owners of residential and commercial properties constructed with defective concrete).

*Stillman v. Staples, Inc.*, Civil No. 07-849 (D.N.J. 2009) (FLSA collective action, plaintiffs' trial verdict for \$2.5 million; preliminarily approved national settlement for \$42 million).

*In re: Dept. of Veterans Affairs (VA) Data Theft Litig.*, MDL 1796 (D.D.C.) (Co-lead counsel representing veterans whose privacy rights had been compromised by the theft of an external hard drive containing personal information of approximately 26.6 million veterans and their spouses; creation of a \$20 million fund for affected veterans and a cy pres award for two non-profit organizations).

*Ersler, et. al v. Toshiba America et. al*, 07-civ- 2304 (D.N.J.) (settlement of claims arising from allegedly defective television lamps

*Nnadili, et al. v. Chevron U.S.A., Inc*, No. 02-cv-1620 (D.D.C.) (\$6.2 million settlement for owners and residents of 200 properties located above underground plume of petroleum from former Chevron gas station).

*In re General Motors Corp. Speedometer Products Liability Litigation*, MDL 1896 (W.D. Wash.) (national settlement for repairs and reimbursement of repair costs incurred in connection with defective speedometers).

*Penobscot Indian Nation et al v United States Department of Housing and Urban Development*, N. 07-1282 (PLF) (D.D.C. 2008) (represented charitable organization which successfully challenged regulation barring certain kinds of down-payment assistance; Court held that HUD's promulgation of rule violated the Administrative Procedure Act).

*Nichols v. Progressive Direct Insurance Co., et al.*, No. 2:06cv146 (E.D. Ky.) (Class Counsel; class action arising from unlawful taxation of insurance premiums; statewide settlement with Safe Auto Insurance Company and creation of \$2 million Settlement Fund; statewide settlement with Hartford Insurance Company and tax refunds of \$1.75 million ).

*Staton v. IMI South, et al.* (Kentucky Cir. Ct) (class settlement for approximately \$30 million for repair and purchase of houses built with defective concrete).

*Maytag Neptune Washing Machines* (class action settlement for owners of Maytag Neptune washing machines).

*Roberts v. Fleet Bank (R.I.), N.A.*, Civil Action No. 00-6142 (E. D. Pa.) (\$4 million dollar settlement on claims that Fleet changed the interest rate on consumers' credit cards which had been advertised as "fixed.")

*Bruce, et. al. v. County of Rensselaer et. al.*, Case no. 02-CV-0847 (N.D.N.Y.) (class settlement of claims that corrections officers and others employed at the Rensselaer County Jail (NY) engaged in the practice of illegally strip searching all individuals charged with only misdemeanors or minor offenses).

*Baugh v. The Goodyear Tire & Rubber Company* (class settlement of claims that Goodyear sold defective tires that are prone to tread separation when operated at highway speeds; Goodyear agreed to provide a combination of both monetary and non-monetary consideration to the Settlement Class in the form of an Enhanced Warranty Program and Rebate Program).

*Stalcup, et al. v. Thomson, Inc.* (Illinois Cir. Ct.) (class settlement of claims that certain GE, PROSCAN and RCA televisions may have been susceptible to temporary loss of audio when receiving broadcast data packages that were longer than reasonably anticipated or specified).

*Hurkes Harris Design Associates, Inc., et al. v. Fujitsu Computer Products of America, Inc.* (settlement provides \$42.5 million to pay claims of all consumers and other end users who bought certain Fujitsu Desktop 3.5" IDE hard disk drives).

*Lubitz v. Daimler Chrysler Corp.* (national settlement for repairs and reimbursement of repair costs incurred in connection with defective brake system; creation of \$12 million fund; 7th largest judgment or settlement in New Jersey in 2007).

*Turner v. General Electric Company*, No. 2:05-CV-186 (M.D. Fl) (settlement of claims arising from allegedly defective refrigerators).

*Galanti v. Goodyear Tire & Rubber Co.*, No. 03-209 (D.N.J. 2003) (national settlement and creation of \$330 million fund for payment to owners of homes with defective radiant heating systems).

*In re Synthetic Stucco Litigation*, Civ. Action No. 5:96-CV-287-BR(2) (E.D.N.C.) (member of Plaintiffs' Steering Committee; settlements with four EIFS Manufacturers for North Carolina homeowners valued at more than \$50 million).

*In re Synthetic Stucco (EIFS) Products Liability Litigation*, MDL No. 1132 (E.D.N.C.) (represented over 100 individuals homeowners in lawsuits against homebuilders and EIFS manufacturers).

*Posey, et al v Dryvit Systems, Inc.*, Case No. 17,715-IV (Tenn. Cir. Ct) (Co-Lead Counsel; national class action settlement provided cash and repairs to more than 7,000 claimants).

*In re Swanson Creek Oil Spill Litigation*, No. 00-1429 (D. Md.) (Lead Counsel; \$2.25 million settlement of litigation arising from largest oil spill in history of State of Maryland).