



Robert E. Gooding Jr

Partner

Robert Gooding is a partner in Howrey’s Irvine office and is Co-Chair of the firm’s Securities Litigation, Government Enforcement and White Collar Crime practice. He has been engaged in the private practice of law since 1972 and specializes in complex business litigation and trial practice, with a range of experience that includes defense of corporations and officers and directors in securities class action and derivative litigation, representation of corporations and individuals in regulatory and enforcement proceedings before the Securities and Exchange Commission and other regulatory agencies, representation of special board committees and audit committees in internal investigations, defense of professional liability cases against lawyers and accountants, and antitrust and trade practices litigation. Mr. Gooding has significant experience in all phases of trial and appellate practice in state and federal courts and in arbitration proceedings in California and throughout the United States.

Robert E. Gooding Jr

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ADMISSIONS

California

EDUCATION

University of Michigan Law School (JD, 1969), *Order of the Coif*, *summa cum laude*

Northwestern University (BS, 1966), *magna cum laude*

CLERKSHIP

Hon. Walter V. Schaefer, Supreme Court of Illinois (1969-1970)
Hon. Harry A. Blackmun, United States Supreme Court (1970-1971)

Mr. Gooding is consistently recognized as one of Southern California Super Lawyers by *Law & Politics* magazine.

REPRESENTATIVE MATTERS

- *In re Sun Microsystems, Inc. Shareholder Litigation.* Recently represented Sun Microsystems and its Board of Directors in a shareholder class action challenging the proposed \$7.4 billion merger of Sun and Oracle Corporation. In that case, plaintiffs sought a preliminary injunction to stop the shareholder meeting to approve the merger. Mr. Gooding successfully led the litigation team in expedited discovery and briefing and defeated the injunction. The shareholder meeting proceeded and the merger was approved.
- *In re Global Crossing Securities Litigation.* Represented a former officer and director of Global Crossing in a securities class action and related derivative actions and SEC investigation.
- *Internal Investigations.* Represents audit committees and special committees of boards of directors of numerous public companies in internal investigations of stock options backdating, revenue recognition and other matters.
- *Stock Option Backdating.* Currently represents former senior executives of Wireless Facilities, Inc., Semtech, Inc., Quest Software, Inc., Valeant Healthcare, Electronics for Imaging, Inc. and other public companies in connection with SEC investigations of stock option

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backdating and related securities class actions and shareholder derivative litigation.

- *In re Orange County Bondholders Litigation*. Represented the Federal Home Loan Bank of San Francisco in a federal securities class action seeking recovery of over \$1.8 billion in damages from various broker-dealers, law firms, accountants and government-sponsored enterprises in connection with Orange County's bankruptcy.
- *In re MaxWorldwide Securities Litigation*. Represented Los Angeles-based Internet advertising firm MaxWorldwide, Inc. in connection with a SEC investigation, securities class actions, shareholder derivative actions and an internal investigation involving alleged "round-trip" transactions.
- *Clark v Allumbaugh*. Represented directors of El Paso Corporation in a shareholder derivative suit in Orange County arising from the California energy crisis.
- *In re California Micro Devices Securities Litigation*. Represented California Micro Devices, Inc. and its general counsel in a federal securities class action, shareholder derivative suit and related SEC investigation in the San Francisco Bay Area involving alleged accounting and revenue recognition improprieties.
- *Professional Liability Litigation*. Represents several large national and international law firms in defense of professional liability claims.
- *In re Funeral Consumers Antitrust Litigation*. Represents Stewart Enterprises, Inc. in a class action antitrust action pending in the Southern District of Texas.

COURTS & ADJUDICATIVE BODIES

- United States Supreme Court
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Northern District of California
- United States District Court for the Northern District of Illinois

PROFESSIONAL AFFILIATIONS

- Member, American Bar Association, Litigation Section and Antitrust Section
Former Co-Chair, Securities Litigation Committee
Former Co-Chair, Amicus Curiae Briefs Committee
Former Co-Chair, Pretrial Practice and Discovery Committee
- Past Member, Association of Business Trial Lawyers, Board of

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Governors, Orange County

- Member, California State Bar Association
- Member, Orange County Bar Association
- Member, San Francisco Bar Association

PUBLICATIONS & SPEAKING ENGAGEMENTS

ARTICLES

"Corporate Governance Run Amok? The Impact of the Sarbanes-Oxley Act on European Companies." *The European Lawyer* (December 2002).

IN THE NEWS

"Howrey Simon Expanding Securities Practice." *Orange County Business Journal* (March 2, 2002).