



KIMBERLY A. JUSTICE

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FOCUS AREAS

Antitrust & Unfair Business Practices

Arbitration

Direct and Opt-Out Actions

Global Securities Litigation

Securities Fraud Litigation

EDUCATION

Kalamazoo College

B.A. 1993, *cum laude*, Phi Beta Kappa

Temple University Beasley School of Law
J.D. 2000, *magna cum laude*, received Jacob Kossman Award in Criminal Law; awarded Louis Matkoff '32 Scholarship, Temple Law Review – Articles/Symposium Editor

ADMISSIONS

Pennsylvania

USCA, Second Circuit

USCA, Eighth Circuit

USCA, Ninth Circuit

USCA, Eleventh Circuit

USDC, Eastern District of Pennsylvania

Kimberly A. Justice, a partner of the Firm and co-chair of its antitrust practice group, is a respected litigator and experienced trial lawyer who has dedicated her career to obtaining justice for those harmed by corporate fraud. She focuses her practice on securities fraud and antitrust litigation. Kimberly has extensive experience in all aspects of complex litigation from investigating and developing an initial case theory, to formulating and managing litigation strategy, to conducting discovery, to trial.

Since joining Kessler, Topaz, Meltzer & Check, Kimberly has secured sizeable recoveries on behalf of investors in several high-profile securities fraud cases. Kimberly also led the trial team that obtained a jury verdict in favor of investors in the Longtop securities class action litigation, among just a handful of securities cases to be tried to jury verdict. Kimberly currently serves as lead or co-lead counsel in several nationwide securities fraud and antitrust class actions. Most recently, Kimberly was appointed as Co-Lead Counsel in *In re: Chicago Board of Options Exchange Volatility Index Manipulation Antitrust Litigation*. Kimberly also serves on the Plaintiff Steering Committees in *In re: Liquid Aluminum Sulfate Antitrust Litigation* and *In re: German Automotive Manufacturers Antitrust Litigation*.

Prior to joining the Firm, Kimberly served as a federal antitrust prosecutor for nearly a decade where she led teams of trial

attorneys and law enforcement agents who investigated and prosecuted domestic and international cartel activity, including in the following industries: graphite electrodes, carbon products, ocean shipping and benchmark interest rates (LIBOR).

Upon graduating from law school, Ms. Justice served as a judicial clerk to the Honorable William H. Yohn, Jr. (retired) of the United States District Court for the Eastern District of Pennsylvania.

Ms. Justice frequently lectures and serves on discussion panels concerning antitrust and securities litigation matters and currently serves as a member of the Advisory Board of the American Antitrust Institute and as an Advisory Council Member for The Duke Conferences: Bench-Bar-Academy Distinguished Lawyers' Series.

Settled

- Countrywide: Mortgage-backed securities settlement ends six-year battle

As co-lead counsel representing the Maine Public Employees' Retirement System, secured a \$500 million settlement for a class of plaintiffs that purchased mortgage-backed securities (MBS) issued by Countrywide Financial Corporation (Countrywide).

Plaintiffs alleged that Countrywide and various of its subsidiaries, officers and investment banks made false and misleading statements in more than 450 prospectus supplements relating to the issuance of subprime and Alt-A MBS—in particular, the quality of the underlying loans. When information about the loans became public, the plaintiffs' investments declined in value. The ensuing six-year litigation raised several issues of first impression in the Ninth Circuit.

- Lehman Brothers: Shareholders recover despite Lehman bankruptcy
Represented the Alameda County Employees' Retirement Association, former shareholders of Lehman Brothers Holdings, Inc., (Lehman) in a case alleging that Lehman made false and misleading statements prior to its unprecedented bankruptcy filing in 2008.
The statements, which concerned Lehman's net leverage, risk management and concentration of risks, were made 'in registration statements and prospectuses used to market numerous offerings leading up to the bankruptcy filing. Despite Lehman's bankruptcy, we were able to negotiate a \$616 million settlement funded by Lehman's underwriters, auditor and officers and directors.

News

- August 20, 2018 - KTMC to Lead National Antitrust Case Alleging VIX Manipulation

- March 16, 2018 - Kimberly Justice Joins AAI Advisory Board
- May 1, 2015 - Kessler Topaz Wins in Rare Securities Fraud Trial

Publications

Note, Criminal Provisions of Sherman Antitrust Act Reach Wholly Foreign Conduct – United States v. Nippon Paper Industries Co., Ltd., 71 TEMP. L. REV. 375 (1998).

Awards/Rankings

As a prosecutor for the United States Department of Justice, Antitrust Division, Ms. Justice received the Antitrust Division Assistant Attorney General Award of Distinction, recognizing outstanding contribution to the protection of American consumers and competition, after securing a jury verdict against the first British national extradited by the Antitrust Division (2010).

As a USDOJ prosecutor, Ms. Justice also was recognized with the United States Agency for International Development Award of Distinction acknowledging the successful prosecutions of kickback schemes relating to U.S.-funded contracts in Afghanistan (2011).

Memberships

Advisory Board Member – American Antitrust Institute

The Duke Conferences Advisory Council Member – Duke Law Center for Judicial Studies

National Association of Women Lawyers – Sustaining Member

Community Involvement

Kimberly is involved in advising and mentoring law students and new lawyers. Presently, Kimberly mentors law students in association with the Temple Law School Women's Law Caucus Mentoring Program. In prior years, she also mentored and supervised law students participating in the Co-Op Program at Drexel University's Earl Mack School of Law.