



A. Rick Atwood, Jr.

Partner

“Rick is one of the brightest, hardest working securities litigators I’ve ever met – he’s a tough, creative and ethical adversary.”

– Perrie M. Weiner, International Co-Chairman of Securities Litigation, DLA Piper LLP

Through his nationwide representation of institutional and individual shareholders in merger-related litigation, Rick Atwood has helped recover the largest post-merger common funds on record.

A. Rick Atwood, Jr., recipient of the 2012 *California Lawyer* Attorney of the Year (“CLAY”) Award for his work on behalf of shareholders, has successfully represented shareholders in securities class actions, merger-related class actions, and shareholder derivative suits in federal and state courts in numerous jurisdictions, including Alabama, Arizona, California, Colorado, Delaware, Georgia, Hawaii, Illinois, Iowa, Idaho, Kansas, Kentucky, Louisiana, Maine, Maryland, Missouri, Nevada, New York, New Jersey, North Carolina, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Washington, D.C. and Wyoming. Through his litigation efforts at both the trial and appellate levels, Mr. Atwood has helped recover billions of dollars for public shareholders, including the largest post-merger common fund recoveries on record.

Significant reported opinions include *In re Del Monte Foods Co. S’holders Litig.*, 25 A.3d 813 (Del. Ch. 2011) (enjoining merger in an action that subsequently resulted in an \$89.4 million recovery for shareholders). Commenting on the efforts of the team of lawyers led by Mr. Atwood, the Delaware Court of Chancery held that “it was only through the effective use of discovery that the plaintiffs were able to ‘disturb[] the patina of normalcy surrounding the transaction.’” *In re Del Monte Foods Co. S’holders Litig.*, No. 6027-VCL, 2011 Del. Ch. LEXIS 94, at *40 (Del. Ch. June 27, 2011). The court elaborated: “Lead Counsel engaged in hard-nosed discovery to penetrate and expose problems with practices that Wall Street considered ‘typical.’” *Id.* at *40-*41. As one Wall Street banker noted in *The Wall Street Journal*, “‘Everybody does it, but Barclays is the one that got caught with their hand in the cookie jar Now everybody has to rethink how we conduct ourselves in financing situations.’” See Gina Chon & Anupreeta Das, *A Ruling to Chill Wall Street*, Wall St. J., Feb. 18, 2011.

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Education

Vanderbilt University Law School, J.D.,
1991

- Authorities Editor, *Vanderbilt Journal of Transnational Law*

University of Tennessee at Knoxville,
B.A., 1987, Political Science, with
honors

Katholieke Universiteit Leuven in
Leuven, Belgium, B.A., 1988,
Philosophy, with great distinction

Admissions

California

United States District Courts for the
Northern, Central and Southern
Districts of California

United States District Court for the
District of Colorado

(cont.)

Other significant opinions include *Brown v. Brewer*, No. CV 06-3731-GHK (SHx), 2010 U.S. Dist. LEXIS 60863 (C.D. Cal. June 17, 2010) (denying defendants' motion for summary judgment in action that subsequently recovered \$45 million for shareholders); *Ind. State Dist. Council of Laborers v. Brukardt*, No. M2007-02271-COA-R3-CV, 2009 Tenn. App. LEXIS 269 (Tenn. Ct. App. Feb. 19, 2009) (reversing dismissal of action); *Crandon Capital Partners v. Shelk*, 342 Ore. 555 (2007) (reversing dismissal of action); *Ind. State Dist. Council of Laborers & HOD Carriers Pension Fund v. Renal Care Grp., Inc.*, No. 3:05-0451, 2005 U.S. Dist. LEXIS 24210 (M.D. Tenn. Aug. 18, 2005) (successfully obtaining remand of case improperly removed to federal court under the Class Action Fairness Act); *Pipefitters Local 522 & 633 Pension Trust Fund v. Salem Commc'ns Corp.*, No. CV 05-2730-RGK (MCx), 2005 U.S. Dist. LEXIS 14202 (C.D. Cal. June 28, 2005) (successfully obtaining remand of case improperly removed to federal court under the Securities Litigation Uniform Standards Act of 1998); *In re Prime Hospitality, Inc. S'holders Litig.*, No. 652-N, 2005 Del. Ch. LEXIS 61 (Del. Ch. May 4, 2005) (successfully objecting to unfair settlement and thereafter obtaining \$25 million recovery for shareholders); *Pate v. Elloway*, No. 01-03-00187-CV, 2003 Tex. App. LEXIS 9681 (Tex. App. – Houston 1st Dist. Nov. 13, 2003) (upholding grant of class certification and denial of motion to dismiss).

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