



# Monitoring Protecting Recouping

**Your Assets Globally**

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# A Greeting by David R. Scott

**My father Melvin Scott founded the firm in 1975 – since I joined him in 1995, Scott+Scott has focused on recovering assets for institutional investors. I learned from my father early on how important it is to never lose sight of what is in our clients’ best interests.**

What this means is simple:

Never advise an investor only on what cases to bring, but also on what cases not to bring.

Never tell an investor to do something that only benefits the lawyers. We want long-term relationships with clients who trust us.

Our role must always include the full gamut of options for recouping assets, from out of court settlements to taking more active action.

As institutional investors increasingly adopt global asset allocation models, our financial monitoring and recoupment strategies have also gone global. We have offices in London, Amsterdam, Berlin, and across the United States. I am especially proud that our international team of attorneys routinely joins forces for our corporate and institutional investor clients.

This way, we effectively are your global gatekeepers, the first ones to alert you when a suspicion arises that your assets might have been impacted by financial fraud. Our international team can offer a truly holistic approach to our transatlantic advisory, monitoring, and recoupment efforts.

Respectfully,  
**David Scott**





# Scott+Scott: Global Impact

**Institutional investors should not only monitor and protect their financial interests – they also are expected to recoup losses resulting from corporate misconduct or securities fraud.**

The diversification of financial asset portfolios has increased the urgency for pension funds and institutional investors to take a global approach to asset protection and – when impacted by fraud – asset recoupment.

In response to growing client interest, Scott+Scott has created its International Securities Group, specifically designed to advise investors on a global scale. With offices in Amsterdam, London, and Berlin, in addition to nine locations in the United States, we consult and bring claims for our clients on a no win – no fee basis.

## Our team of attorneys takes a holistic approach to protecting your assets:

We monitor your global asset portfolio and alert you immediately when we suspect or detect financial fraud.

We advise you on what claims to bring or not to bring, guiding you on whether to remain a passive member of a class action, try and settle individually, or bring an action either alone or with other investors.

As European jurisdictions have expanded their collective redress mechanisms, the number of class action lawsuits, including in the area of securities litigation, has been growing steadily. At the same time, being part of a class action lawsuit is not always the best option, especially for large institutional investors that have suffered significant financial losses.

## Top Recent Recoveries by Numbers:

**\$2.3B** Foreign Exchange Benchmark Rates Antitrust Action

**\$504M** ISDAfix Antitrust Action

**\$310M** Alphabet, Inc. Shareholder Derivative Action

**\$107.5M** Micro Focus Int'l Securities Class Action

**\$102.5M** Newell Brands Inc. Securities Class Action



# Identifying the Problem: Portfolio Monitoring

**Scott+Scott's proprietary portfolio monitoring software Portfolio Tracking + Loss Recovery SystemSM ("PT+") is a complimentary service that protects your securities, bonds and other investments.**

With this software solution, we are able to identify on a real time basis events that impact your investments. PT+ monitors securities transactions, analyzes losses and sends alerts when fraud or other illegal conduct is detected.

Based on data from PT+, Scott+Scott distributes litigation advisories as well as detailed quarterly reports that track litigation patterns across U.S. and non-U.S. jurisdictions. This way, our clients can make informed decisions on how to proceed on a national or cross-border level if they have been impacted by illegal conduct.





# Recovering Assets When Faced With Fraud

When investors suffer large financial losses, they face important decisions. Do they take no action? Do they start a recovery action? Do they join an existing lawsuit? These decisions can be complex: if the loss is small, doing nothing may be appropriate; if the loss is European-based, where should the investor seek recovery, or - if a U.S. class action has been filed - should they remain part of the action?

For example, a class action might not be the best or only option. Many of our clients choose to "opt-out" of collective redress mechanisms and pursue their own recovery instead. Knowing when this is an appropriate strategy is critical.

And this strategy increasingly pays off: Investors who participate in class action lawsuits recover, on average, only two percent of their losses while the actual asset recovery takes several years.

In contrast, direct/opt-out claims can yield more than 10 times the average class action settlement with the recouped assets being paid immediately after successful resolution. Additionally, investors may be able to add value-enhancing claims that are unavailable in regular collective action.

Depending on the jurisdictions, investors may also have to proactively register an interest in a class action lawsuit or submit a claim. This route has been increasingly used by clients in The Netherlands where collective redress mechanisms have expanded rapidly over the last few years.

Our international team of attorneys **has decades of experience** in advising investors which path to choose while ensuring full transparency and control of each strategic step in the asset recovery process.





# OUR GLOBAL TEAM



## David R. Scott

Mr. Scott is the Founder and Managing Partner of Scott+Scott. He concentrates on high-stakes commercial and complex civil litigation, including securities actions and competition damages claims. He advises funds and

institutional investors around the world that have traded in the United States as well as on European stock exchanges.

Some of Mr. Scott's recent securities cases include *In re Micro-Focus Int'l PLC Sec. Litig.* and *Okla. Fire Pension & Ret. Sys. v. Newell Brands Inc.*, where he served as lead counsel and secured settlements of \$107.5 million and \$102.5 million respectively.

Mr. Scott is a sought-after speaker at international legal as well as investor relations conferences.

For his outstanding work in litigation across U.S. jurisdictions, Mr. Scott has received a highly recommended ranking by Benchmark Litigation and was elected to *Who's Who Legal: Competition* 2015 to 2024.



## Jonathan Zimmerman

Jonathan "Jono" Zimmerman is a Partner in the Firm's New York office and has represented and counseled individual and institutional clients, including public pension funds, Taft-Hartley funds, family offices and hedge funds, in complex state and

federal securities class actions, shareholder derivative actions, and other complex commercial matters throughout the U.S. Mr. Zimmerman also works closely with Scott+Scott's dedicated transatlantic case starting team to help identify, investigate and initiate complex securities and related matters in the U.S., Canada and in Europe.



## Tom Laughlin

Mr. Laughlin is a Partner in the Firm's New York office and focuses on securities litigation. Mr. Laughlin has deep experience counseling investors on their recovery opportunities. In recent years, Mr. Laughlin has represented investors

in an action against a UK-based technology company, ultimately reaching a settlement of \$107.5 million; he has also represented investors in actions against a major U.S. manufacturer, several Wall Street banks and a major U.S. pharmaceutical company. Mr. Laughlin has experience at all stages of the litigation process, from investigation and assessment through trial. He has also successfully represented investors in several appeals.



## Sylvia M. Sokol

Sylvia Sokol is a New York- and Europe-based Partner at Scott+Scott, and oversees Scott+Scott's European offices. Ms. Sokol advises large multinational clients in cartel damages claims around the world. Ms. Sokol has substantial experience designing

corporate policies regarding potential damages claims, and in the ongoing monitoring of such claims.

Ms. Sokol currently represents and advises her clients in cases involving anticompetitive conduct in the trucks, high voltage power cables, payment card, and foreign exchange sectors. In addition, her civil litigation experience has involved defending corporate clients charged with unlawful business practices and monopolizations.



## Donald A. Broggi

Mr. Broggi is a Senior Partner in the Firm's New York office. For more than two decades, he has successfully represented institutional investors in securities, derivative, antitrust and consumer litigation in federal and state courts throughout the country,

recovering billions of dollars. Mr. Broggi also works with the Firm's institutional investor clients, including hundreds of public pension systems and Taft-Hartley funds to provide counsel on the best practices and proper safeguard to ensure against corporate malfeasance, and regularly consults with institutional investors in the United States on issues relating to corporate fraud in the U.S. securities markets, as well as corporate governance issues and shareholder litigation. Mr. Broggi has lectured at institutional investor conferences throughout the United States on the value of shareholder activism as a necessary component of preventing corporate fraud abuses.



## Kassandra Nelson

Kassandra Nelson is an attorney based in the Firm's Delaware office and her practice focuses on complex consumer, securities and antitrust litigation. In addition, Ms. Nelson consults with the Firm's institutional investor clients, including numerous

public pension systems and multi-employer funds to inform clients and ensure that they have proper safeguards in place to monitor and protect against corporate malfeasance in the United States and international finance markets. Kassandra was recognized as *Ones to Watch: Mass Tort Litigation / Class Actions – Plaintiffs* (2023 and 2024)



# OUR GLOBAL TEAM



## Jan-Willem de Jong

Mr. de Jong is a Partner in the Firm's Amsterdam office, where he focuses on securities matters and complex litigation. He has served as counsel in numerous high-stakes securities matters for institutional investors and other clients. He also works closely with other members of the firm's Competition Practice in counseling corporate and institutional clients, evaluating potential claims and developing strategies to recover losses caused by anticompetitive conduct. He has extensive experience in successfully coordinating and resolving international mass claims.



## Michael Melber

Mr. Melber is a Partner at the Firm's Berlin office and is a passionate dispute resolution specialist. He has extensive experience resolving large-scale domestic and international commercial disputes, including mass proceedings, and developing and implementing domestic and cross-border dispute resolution strategies. Mr. Melber has been a Certified Specialist Lawyer for Banking and Capital Markets Law (Fachanwalt für Bank- und Kapitalmarktrecht) under the German professional rules since 2017.

He serves as a member of the board of directors (Vorstandsmitglied) of the Berlin Bar. He represents clients in various industries before state courts and arbitration tribunals. In addition to his role as party counsel, Michael acts as an arbitrator.



## Cian Mansfield

Mr. Mansfield is a Co-Leading Partner at Scott+Scott London. Mr. Mansfield specializes in acting for investors who have suffered losses from misrepresentations or omissions relating to securities and other forms of corporate shareholder litigation. He acts for investors in claims relating to inadequate disclosures in IPO offering documents, pre-deSPAC misrepresentations by a technology company, and market manipulation and fraud in the commodities sector. Mr. Mansfield is also deeply experienced in competition litigation. Mr. Mansfield works closely with the Firm's Securities and Antitrust and Competition practices, including evaluating and developing claims – often on a multi-jurisdictional basis.



## James Hain-Cole

James Hain-Cole is a Partner in the Scott+Scott London office and specializes in competition damages litigation. With extensive experience advising on multijurisdictional antitrust matters, he advises international corporate and individual clients on their potential to claim damages arising from anticompetitive conduct and works with them to design an effective strategy to compensate them for losses arising from such conduct. This experience extends to both individual claims and collective actions before the United Kingdom's courts and tribunals. He has represented various multinationals in the paraffin wax, synthetic rubber and carbon and graphite products sectors in relation to cartel damages claims and class representatives in collective actions.



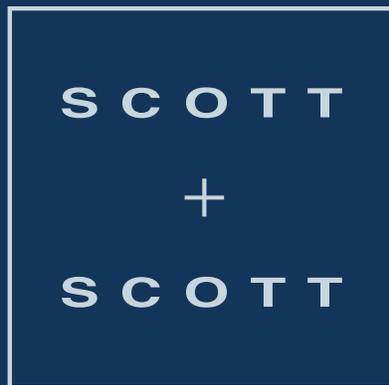
## Our Global Offices:

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