

A Pre-President's Day Edition of Litigator of the Week Runners-Up and Shout Outs

By Ross Todd
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► Shout out to at team at **Latham & Watkins** that knocked out a securities class action facing Silicon Valley hearing aid company Eargo. The case marked the rare instance where a securities defendant had to hand over documents before the motion to dismiss was decided. Senior U.S. District Judge Charles Breyer lifted the PSLRA stay on discovery and ordered Eargo to hand over documents it previously provided to the DOJ in criminal and civil investigation into potential insurance fraud. Breyer, however, this week found most of the company's statements regarding the insurance issues were not misleading and the plaintiffs could not show the company and its officials acted with scienter. The Latham team representing Eargo includes partners **Michele Johnson, Eric Leon, Nicholas Siciliano, Whitney Weber**, and associates **Daniel Gherardi** and **Elizabeth Stasny**.