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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Houston Municipal Employees Pension
System, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

Mattel, Inc. and Joseph J. Euteneuer

Defendants.

Case No. 2:19-cv-10860

**Class Action Complaint for
Violation of the Federal Securities Laws**

Jury Trial Demanded

Plaintiff Houston Municipal Employees Pension System (“Plaintiff”), by and through its attorneys, alleges upon personal knowledge as to itself and upon information and belief as to all other matters, based upon the investigation conducted by and through its attorneys, which included, among other things, a review of documents filed by Defendants (as defined below) with the United States Securities and Exchange Commission (the “SEC”), news reports, press releases issued by Defendants, and other publicly available documents, as follows:

Nature and Summary of Action

1. This is a federal securities class action on behalf of all investors who purchased or otherwise acquired Mattel Inc.’s (“Mattel” or the “Company”) common stock between October 26, 2017 and August 8, 2019, inclusive (the “Class Period”). This action is brought on behalf of the Class for violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the

1 “Exchange Act”), 15 U.S.C. §§ 78j(b) and 78t(a) and Rule 10b-5 promulgated thereunder by the
2 SEC, 17 C.F.R. § 240.10b-5.

3 2. Mattel is an international toy manufacturing company which claims to be the owner
4 of one of the strongest portfolios of toy brands with vast intellectual property potential. In addition,
5 it is a Company which supposedly focuses on “unwavering integrity” with “solid standards of
6 corporate governance.”

7 3. Despite these noble goals, Mattel filed a false and misleading financial statement for
8 the third quarter of 2017, understating its net loss by over \$109 million. Defendants then conspired
9 to hide this understatement from the investing public through an accounting sleight of hand in the
10 next quarter. This effort at concealment involved a conspiracy of the upper echelons of the
11 Company’s financial department, as well as Mattel’s outside auditors, and went on for almost two
12 years before a whistleblower caused investors to learn the truth.

13 4. The scheme would begin to unravel on August 8, 2019, when Mattel shocked
14 investors by abruptly cancelling a \$250 million senior note offering due to a newly disclosed
15 whistleblower letter detailing “accounting errors” in past quarters. The letter also questioned
16 whether Mattel’s outside auditor was sufficiently independent to oversee the Company’s financial
17 reporting. This news caused Mattel’s common stock to drop \$2.12 per share or almost 12% in a
18 single day of trading, wiping out over \$730 million in market capitalization. The subsequent
19 internal investigation would confirm the majority of the whistleblower’s allegations and would
20 force the Company to restate its financials for the last two quarters of 2017 and admit that the
21 Company’s internal controls were deficient for those periods.

22 5. Defendants were motivated to and did conceal the true operational and financial
23 condition of Mattel, and materially misrepresented and failed to disclose the conditions that were
24 adversely affecting the Company throughout the Class Period. Doing so enabled Defendants to
25 deceive the investing public regarding Mattel’s business, operations, management and the intrinsic
26 value of Mattel’s common stock and artificially inflated the price of Mattel’s common stock,
27 causing Plaintiff and other members of the Class to purchase Mattel common stock at artificially
28

1 inflated prices. In furtherance of this unlawful scheme, plan, and course of conduct, defendants,
2 jointly and individually took the actions set forth herein.

3 **Jurisdiction and Venue**

4 6. The federal law claims asserted herein arise under §§ 10(b) and 20(a) of the
5 Exchange Act, 15 U.S.C. § 78j(b) and 78t(a), and Rule 10b-5 promulgated thereunder by the SEC,
6 17 C.F.R. § 240.10b-5, as well as under the common law.

7 7. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C.
8 §1331 and § 27 of the Exchange Act, 15 U.S.C. § 78aa.

9 8. This Court has jurisdiction over each Defendant named herein because each
10 Defendant is an individual or corporation who has sufficient minimum contacts with this District
11 so as to render the exercise of jurisdiction by the District Court permissible under traditional
12 notions of fair play and substantial justice.

13 9. Venue is proper in this District pursuant to § 27 of the Exchange Act, 15 U.S.C.
14 § 78aa and 28 U.S.C. § 1931(b), as the Company has its principal executive offices located in this
15 District and conducts substantial business here.

16 10. In connection with the acts, omissions, conduct and other wrongs in this
17 Complaint, Defendants, directly or indirectly, used the means and instrumentalities of interstate
18 commerce including but not limited to the United States mail, interstate telephone
19 communications and the facilities of the national securities exchange.

20 **Parties**

21 11. Plaintiff Houston Municipal Employees Pension System acquired and held shares
22 of Mattel at artificially inflated prices during the class period and has been damaged by the
23 revelation of the Company's material misrepresentations and material omissions.

24 12. Defendant Mattel is an American multinational toy manufacturing company
25 organized in Delaware and with its principal place of business in El Segundo, California. The
26 Company trades on the NASDAQ stock exchange under the ticker symbol "MAT." According to
27 the Company's website, Mattel is a leading global children's entertainment company that
28 specializes in the design and production of quality toys and consumer products.

1 Disney in the past, “Disney Princess was probably the greatest coup that Hasbro has had in the
2 last three decades.”

3 17. As a result of losing the Disney Princess account, there was a wholesale shakeup in
4 Mattel’s executive management, with board member Christopher Sinclair being named new
5 CEO and two-thirds of senior executives resigning or receiving layoffs. Much was expected of
6 Sinclair when he took over the reins of Mattel. According to Michael J. Dolan, Mattel’s
7 Independent Lead Director,

8 Chris has been extremely active inside the Company, developing with the
9 Board and the Mattel management team a comprehensive plan to improve
10 the Company’s performance and make the most of our incredible brands and
11 opportunities. He is moving with urgency and we are delighted that, with
12 his agreement to sign on as CEO and continue to lead the effort personally,
13 there will not be any delay in implementing the changes necessary to get
14 Mattel back on track.

15 18. Sinclair’s efforts to revitalize the Company failed, and he was fired within two years
16 and replaced by Margaret Georgiadis, who kicked off a massive multi-year savings initiative
17 designed to generate cost savings of \$240 million and increase profitability. Despite these efforts,
18 Mattel had a disappointing 2017 with large sales declines and Georgiadis was replaced just 14
19 months after her hiring by Ynon Kreiz in April 2018.

20 19. Unfortunately, Mattel’s misfortunes continued, with the Company being forced to
21 lay off 2,200 employees in 2018 due largely to the Toys-R-Us bankruptcy. In total, Mattel has lost
22 two-thirds of its value since 2016 due to lagging sales.

23 **Materially False and Misleading Statements**

24 20. On October 26, 2017, Mattel filed its financial report for the third quarter of 2017
25 with the U.S. Securities and Exchange Commission (“SEC”). In this filing, the Company reported
26 a net loss of \$603.3 million. The Company also announced that it would suspend quarterly
27 dividends beginning in the fourth quarter of 2017 in order to “increase financial flexibility,
28 strengthen its balance sheet and facilitate strategic investments.”

1 21. The statements described above were materially false and misleading and failed to
2 disclose material adverse facts about the Company’s business, operations, and prospects. As
3 discussed below, the Defendants misled investors by reporting a net loss of \$603.3 million for the
4 third quarter which was understated by \$109 million due to inappropriately calculating its tax
5 valuation allowance.

6 22. Allegedly, the accounting error had to do with Mattel’s ownership of “Thomas &
7 Friends,” an animated children’s show, and was tied to a \$562 million valuation allowance.
8 Ultimately, the allowance was reduced by \$109 million, which came from deferred tax liabilities
9 related to Mattel’s acquisition of HIT Entertainment in 2011. Reducing this allowance
10 inappropriately lowered Mattel’s loss during the quarter.

11 23. In addition, the Company’s quarterly report for Q3 2017 attested to the
12 effectiveness of Mattel’s disclosure controls and procedures, stating:

13 Evaluation of Disclosure Controls and Procedures

14 As of September 30, 2017, Mattel’s disclosure controls and procedures
15 were evaluated, with the participation of Mattel’s principal executive officer
16 and principal financial officer, to assess whether they are effective in
17 providing reasonable assurance that information required to be disclosed by
18 Mattel in the reports that it files or submits under the Securities Exchange
19 Act of 1934 is accumulated and communicated to management, including
20 its principal executive officer and principal financial officer, as appropriate,
21 to allow timely decisions regarding required disclosure and to provide
22 reasonable assurance that such information is recorded, processed,
23 summarized, and reported within the time periods specified in Securities
24 and Exchange Commission rules and forms. Based on this evaluation,
25 Margaret H. Georgiadis, Mattel’s principal executive officer, and Joseph J.
26 Euteneuer, Mattel’s principal financial officer, concluded that these
27 disclosure controls and procedures were effective as of September 30, 2018.
28

1 24. In addition, the third quarter 10-Q also contained certifications signed by Defendant
2 Euteneuer attesting to the accuracy and completeness of the Company's financial and operational
3 reports, which state:

4 Certification

- 5 1. I have reviewed this quarterly report on Form 10-Q of Mattel, Inc.;
- 6 2. Based on my knowledge, this report does not contain any untrue
7 statement of a material fact or omit to state a material fact necessary to make
8 the statements made, in light of the circumstances under which such
9 statements were made, not misleading with respect to the period covered by
10 this report;
- 11 3. Based on my knowledge, the financial statements, and other financial
12 information included in this report, fairly present in all material respects the
13 financial condition, results of operations and cash flows of the registrant as
14 of, and for, the periods presented in this report;
- 15 4. The registrant's other certifying officer(s) and I are responsible for
16 establishing and maintaining disclosure controls and procedures (as defined
17 in Exchange Act Rules 13a-15(e) and 15d-15(e)) and internal control over
18 financial reporting (as defined in Exchange Act Rules 13a-15(f) and 15d-
19 15(f)) for the registrant and have:
- 20 (a) Designed such disclosure controls and procedures, or caused such
21 disclosure controls and procedures to be designed under our
22 supervision, to ensure that material information relating to the
23 registrant, including its consolidated subsidiaries, is made known to us
24 by others within those entities, particularly during the period in which
25 this report is being prepared;
- 26 (b) Designed such internal control over financial reporting, or caused
27 such internal control over financial reporting to be designed under our
28 supervision, to provide reasonable assurance regarding the reliability of

1 financial reporting and the preparation of financial statements for
2 external purposes in accordance with generally accepted accounting
3 principles;

4 (c) Evaluated the effectiveness of the registrant's disclosure controls
5 and procedures and presented in this report our conclusions about the
6 effectiveness of the disclosure controls and procedures, as of the end of
7 the period covered by this report based on such evaluation; and

8 (d) Disclosed in this report any change in the registrant's internal
9 control over financial reporting that occurred during the registrant's
10 most recent fiscal quarter (the registrant's fourth fiscal quarter in the
11 case of an annual report) that has materially affected, or is reasonably
12 likely to materially affect, the registrant's internal control over financial
13 reporting; and

14 5. The registrant's other certifying officer(s) and I have disclosed, based
15 on our most recent evaluation of internal control over financial reporting, to
16 the registrant's auditors and the audit committee of the registrant's board
17 of directors (or persons performing the equivalent functions):

18 (a) All significant deficiencies and material weaknesses in the design or
19 operation of internal control over financial reporting which are
20 reasonably likely to adversely affect the registrant's ability to record,
21 process, summarize and report financial information; and

22 (b) Any fraud, whether or not material, that involves management or
23 other employees who have a significant role in the registrant's internal
24 control over financial reporting.

25 25. This certification was false and misled investors to believe that Mattel had adequate
26 systems of internal disclosure and financial controls, when no such controls existed. As such, the
27 Company's financial report for Q3 2017 was not accurate or reliable.

1 26. On February 27, 2018, Mattel filed its financial report for the fourth quarter and full
2 year 2017 with the SEC. In this filing, Mattel instituted a change in accounting for intangible asset
3 in order to surreptitiously correct the misstatement made in the Company's Q3 2017 financial
4 report. This had the effect of artificially increasing the Company's net loss for Q4 2017 by \$109
5 million – apparently to negate the misstatement of net loss in the previous quarter without
6 informing investors.

7 27. The statements described in ¶ 26 were materially false and misleading and failed to
8 disclose material adverse facts about the Company's business, operations and prospects.
9 Specifically, the Company allowed the tax expense “mistake” in Q3 2017 to remain uncorrected
10 and was therefore repeated in the Company's year-end financial report.

11 28. The Company's financial report for the full year and fourth quarter of 2017 was
12 signed and Certified by Defendant Euteneuer and contained representations that attested to the
13 purported effectiveness and sufficiency of the Company's controls and procedures—as well as the
14 completeness and veracity of Mattel's disclosures and reports. These representations were
15 substantially similar or the same as those statements contained in the Company's financial report
16 for Q3 2017, discussed supra at ¶¶ 23-24.

17 29. These certifications were false and misled investors by telling them that Mattel had
18 adequate systems of internal disclosure and financial controls, when no such controls existed. As
19 such, the Company's financial report for Q4 and year-end 2017 were not accurate or reliable.

20 30. On April 26, 2018, Mattel filed its financial report for the first quarter of 2018 with
21 the SEC which was signed and certified by Defendant Euteneuer and contained representations
22 which attested to the purported effectiveness and sufficiency of the Company's controls and
23 procedures – as well as the completeness and veracity of Mattel's disclosures and reports. These
24 representations were substantially similar or the same as those statements contained in the
25 Company's financial report for Q3 2017, discussed supra at ¶¶ 23-24.

26 31. On July 25, 2018, Mattel filed its financial report for the second quarter of 2018 with
27 the SEC which was signed and certified by Defendant Euteneuer and contained representations
28 which attested to the purported effectiveness and sufficiency of the Company's controls and

1 procedures – as well as the completeness and veracity of Mattel’s disclosures and reports. These
2 representations were substantially similar or the same as those statements contained in the
3 Company’s financial report for Q3 2017, discussed supra at ¶¶ 23-24.

4 32. On October 25, 2018, Mattel filed its financial report for the third quarter of 2018
5 with the SEC which was signed and certified by Defendant Euteneuer and contained
6 representations which attested to the purported effectiveness and sufficiency of the Company’s
7 controls and procedures – as well as the completeness and veracity of Mattel’s disclosures and
8 reports. These representations were substantially similar or the same as those statements
9 contained in the Company’s financial report for Q3 2017, discussed supra at ¶¶ 23-24.

10 33. On February 22, 2019, Mattel filed its financial report for the fourth quarter and full
11 year 2018 which was signed and certified by Defendant Euteneuer and contained representations
12 which attested to the purported effectiveness and sufficiency of the Company’s controls and
13 procedures – as well as the completeness and veracity of Mattel’s disclosures and reports. These
14 representations were substantially similar or the same as those statements contained in the
15 Company’s financial report for Q3 2017, discussed supra at ¶¶ 23-24.

16 34. On April 26, 2019, Mattel filed its financial report for the first quarter of 2019 with
17 the SEC which was signed and certified by Defendant Euteneuer and contained representations
18 which attested to the purported effectiveness and sufficiency of the Company’s controls and
19 procedures – as well as the completeness and veracity of Mattel’s disclosures and reports. These
20 representations were substantially similar or the same as those statements contained in the
21 Company’s financial report for Q3 2018, discussed supra at ¶¶ 23-24.

22 35. On July 25, 2019, Mattel filed its financial report for the second quarter of 2019 with
23 the SEC which was signed and certified by Defendant Euteneuer and contained representations
24 which attested to the purported effectiveness and sufficiency of the Company’s controls and
25 procedures – as well as the completeness and veracity of Mattel’s disclosures and reports. These
26 representations were substantially similar or the same as those statements contained in the
27 Company’s financial report for Q3 2018, discussed supra at ¶¶ 23-24.

1 36. These statements were materially false and/or misleading and failed to disclose
2 material adverse facts about the Company’s business, operations, and prospects. Specifically,
3 Defendants misled investors by falsely telling them that Mattel had adequate systems of internal
4 disclosure and financial controls when, in fact, it was known among the Company’s finance
5 executives—including Defendant Euteneuer—that these systems were inadequate since at least
6 third quarter 2017. As such, the annual and quarterly reports described above were not accurate or
7 reliable.

8 **The Truth Emerges**

9 37. On August 1, 2019, Mattel announced that it would offer \$250 million of Senior
10 Notes due 2027 (the “Note Offering”), The Company said that it would use the net proceeds from
11 the sale of the Notes, plus cash on hand, to redeem and retire all of its 4.350% Senior Notes which
12 would be due in 2020 and pay related prepayment premiums and transaction fees and expenses.
13 The closing of the offering was expected to occur on August 8, 2019, subject to customary closing
14 conditions.

15 38. Then, on August 8, 2019—the very day the Note Offering was expected to close—
16 Mattel shocked investors when it announced that a whistleblower letter had been sent to the
17 Company’s outside auditors alleging accounting errors in past quarters and questioned whether
18 Mattel’s outside auditor was sufficiently independent. As a result, the Company announced that
19 it was terminating the Senior Note Offering subject to the results of an internal investigation. This
20 news caused Mattel’s common stock to drop \$2.12 per share or almost 12% in a single day of
21 trading.

22 39. The next shoe would drop on October 29, 2019, when Mattel announced the
23 Company had concluded its investigation into the whistleblower’s claims, and that Defendant
24 Euteneuer would depart the company. According to the Company, the investigation found, among
25 other things, “errors” in Mattel’s publicly filed financial statements for the last two quarters of
26 2017, and that these “errors” were not properly disclosed to the then CEO Georgiadis and the
27 Company’s Audit Committee once they became known. More specifically, the investigation found
28 that:

- 1 • Mattel’s previously reported net loss of \$603.3 million for the third
2 quarter ended September 30, 2017 was understated by \$109 million due
3 to an error in calculating its tax valuation allowance. The correct
4 reported net loss for the quarter ended September 30, 2017 should have
5 been a net loss of \$712.3 million.
- 6 • A change in accounting for an intangible asset in the fourth quarter of
7 2017 resulted in an effective correction of the error for the 2017 annual
8 results. However, the tax expense remained uncorrected in the Q3 2017
9 10-Q and was therefore overstated in the quarter ended December 31,
10 2017. As a result, Mattel’s previously reported loss of \$281.3 million for
11 the quarter ended December 31, 2017 should have been reported as a net
12 loss of \$172.3 million.

13 40. In addition, the investigation found that there were “material weaknesses in its
14 internal control over financial reporting at the time of the preparation of its financial statements
15 for those periods.”

16 41. In an effort to get the matter behind them, the Company announced that it would
17 amend the Company’s 2018 Annual Report to: (1) restate the Company’s financial results for the
18 third and fourth quarters of 2017; and (2) identify material weaknesses in its internal control over
19 financial reporting for the third and fourth quarters of 2017.

20 42. Then, on November 6, 2019, the *Wall Street Journal* published a scathing article
21 entitled “Mattel, PWC Obscured Accounting Issues, Former Executive Says.”¹ This article
22 discussed information provided by Mattel’s former director of tax reporting in the latter half of
23 2017, who confirmed that the Q3 2017 accounting “error” was intentionally hidden by the upper
24 echelons of the Company’s financial executives. According to the article, “My team was
25 dumbfounded by [the coverup] ... [but] “it was known within Mattel that if we took this approach,
26 at worst we might get a slap on the wrist from the Securities and Exchange Commission But if

27
28 ¹ Available at <https://www.wsj.com/articles/mattel-pwc-obscured-accounting-issues-former-executive-says-11573036201> (last checked December 24, 2019).

1 the company disclosed a material weakness, a senior executive said to me it would be ‘the kiss of
2 death.’”

3 **Class Action Allegations**

4 43. Plaintiff brings this action as a class action pursuant to Rule 23 of the Federal Rules
5 of Civil Procedure on behalf of a class of all persons and entities who purchased or otherwise
6 acquired Mattel common stock between October 26, 2017 and August 8, 2019, inclusive. Excluded
7 from the Class are Defendants, directors and officers of the Company, as well as their families and
8 affiliates.

9 44. The members of the Class are so numerous that joinder of all members is
10 impracticable. The disposition of their claims in a class action will provide substantial benefits to
11 the parties and the Court.

12 45. There is a well-defined community of interest in the questions of law and fact
13 involved in this case. Questions of law and fact common to the members of the Class which
14 predominate over questions which may affect individual Class members include:

- 15 a. Whether the Exchange Act was violated by Defendants;
- 16 b. Whether Defendants omitted and/or misrepresented material facts;
- 17 c. Whether Defendants’ statements omitted material facts necessary in order to
18 make the statements made, in light of the circumstances under which they were
19 made, not misleading;
- 20 d. Whether Defendants knew or recklessly disregarded that their statements were
21 false and misleading;
- 22 e. Whether the price of the Company’s stock was artificially inflated; and
- 23 f. The extent of damage sustained by Class members and the appropriate measure of
24 damages.

25 46. Plaintiff’s claims are typical of those of the Class because Plaintiff and the Class
26 sustained damages from Defendants’ wrongful conduct alleged herein.
27
28

1 **No Safe Harbor**

2 51. The statutory safe harbor provided for forward-looking statements under certain
3 conditions does not apply to any of the allegedly false statements pleaded in this Complaint. The
4 specific statements pleaded herein were not identified as forward-looking statements when made.

5 52. To the extent there were any forward-looking statements, there were no meaningful
6 cautionary statements identifying important factors that could cause actual results to differ
7 materially from those in the purportedly forward-looking statements.

8 **Loss Causation**

9 53. On August 8, 2019, Mattel announced that a whistleblower letter was sent to the
10 company's outside auditors alleging certain improprieties in accounting practices—resulting in the
11 sudden termination of a scheduled Senior Note Offering. As a result, Mattel's common stock
12 dropped \$2.12 per share or almost 12% in a single day of trading. The revelation of the
13 whistleblower letter and accounting improprieties contradicted statements made by Defendants
14 during the Class Period and were a causal element of the concurrent decline in the Company's
15 share price.

16 **Causes of Action**

17 **Count One**

18 **Violation of § 10(b) of the Exchange Act and Rule 10b-5 Promulgated Thereunder**
19 **(Against All Defendants)**

20 54. Plaintiff repeats and re-alleges each and every allegation contained above as if fully
21 set forth herein.

22 55. During the Class Period, Defendants Mattel and Euteneuer disseminated or
23 approved the false statements specified above, which they knew or deliberately disregarded were
24 misleading in that they contained misrepresentations and failed to disclose material facts necessary
25 in order to make the statements made, in light of the circumstances under which they were made,
26 not misleading.

27 56. Defendants Mattel and Euteneuer violated § 10(b) of the Exchange Act and Rule
28 10b-5 in that they (i) employed devices, schemes, and artifices to defraud; (ii) made untrue

1 statements of material fact and/or omitted to state material facts necessary to make the statements
2 not misleading; and (iii) engaged in acts, practices, and a course of business which operated as a
3 fraud and deceit upon those who purchased or otherwise acquired the Company's securities during
4 the class period.

5 57. Plaintiff and the Class have suffered damages in that, in reliance on the integrity of
6 the market, they paid artificially inflated prices for the Company's common stock. Plaintiff and the
7 Class would not have purchased the Company's common stock at the price paid, or at all, if they
8 had been aware that the market prices had been artificially and falsely inflated by Defendants'
9 misleading statements.

10 **Count Two**

11 **Violation of § 20(a) of the Exchange Act**

12 **(Against Defendant Euteneuer)**

13 58. Plaintiff repeats and re-alleges each and every allegation contained above as if fully
14 set forth herein.

15 59. Defendant Euteneuer acted as a controlling person of the Company within the
16 meaning of § 20(a) of the Exchange Act as alleged herein. By virtue of his high-level position at the
17 Company, Euteneuer had the power and authority to cause or prevent the Company from engaging
18 in the wrongful conduct complained of herein. Defendant Euteneuer was provided with or had
19 unlimited access to the documents described above in ¶¶ 20-36 which contained statements
20 alleged by Plaintiffs to be false or misleading both prior to and immediately after their publication,
21 and had the ability to prevent the issuance of those materials or to cause them to be corrected so as
22 not to be misleading.

23 **Prayer for Relief**

24 WHEREFORE, Plaintiff prays for relief and judgment, as follows:

25 (a) determining that this action is a proper class action pursuant to Rule 23(a) and
26 23(b)(3) of the Federal Rules of Civil Procedure on behalf of the Class as defined herein, and a
27 certification of Plaintiff as class representative pursuant to Rule 23 of the Federal Rules of Civil
28 Procedure and appointment of Plaintiff's counsel as Lead Counsel;

1 (b) awarding compensatory and punitive damages in favor of Plaintiff and the other
2 class members against all Defendants, jointly and severally, for all damages sustained as a result of
3 Defendants' wrongdoing, in an amount to be proven at trial, including pre-judgment and post-
4 judgment interest thereon.

5 (c) awarding Plaintiff and other members of the Class their costs and expenses in this
6 litigation, including reasonable attorneys' fees and experts' fees and other costs and
7 disbursements; and

8 (d) awarding Plaintiff and the other Class members such other relief as this Court may
9 deem just and proper.

10 Demand for Jury Trial

11 Plaintiff hereby demands a trial by jury in this action of all issues so triable.

12 December 24, 2019

Respectfully submitted,

13 /s/ Jacob A. Walker
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