

The Class Action Cabinet

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The Foundation for Taxpayer and Consumer Rights
www.consumerwatchdog.org
www.corporateering.org

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INTRODUCTION

Class action lawsuits have a long and honorable history in the United States, allowing victims to band together and protect themselves against workplace oppression, environmental abuse, stock swindles, discrimination and other attacks by corporateers.* They played a vital role in the civil rights movement, including the landmark "Brown vs. Board of Education." Decades ago, U.S. Supreme Court Justice William O. Douglas wrote, "The class action is one of the few legal remedies the small claimant has against those that command the status quo."

A move is gathering strength in Washington to gut the class action laws that have given so many individuals protection and recourse. Called by its supporters "The Class Action Fairness Act," the bill has passed the House of Representatives and sits in the Senate as S. 274.

S. 274 is receiving significant backing from the Bush Administration and GOP leaders in Congress. That should not be a surprise. The administration is staffed with people who have deep ties with corporations targeted by class action lawsuits. 13 of 16 Bush Cabinet members have been employed by, served on the board of, or have significant financial interest in, such companies. The bill is backed by big business interests represented by the US Chamber of Commerce and is being pushed by an army of more than 475 lobbyists.

Indeed, so many members of the Bush Administration have worked or lobbied for corporations whose abuses have forced them to face class action litigation that we call them, "The Class Action Cabinet."

* **Cor•po•ra•teer** v. To prioritize commerce over culture.
n. One who prioritizes commerce over culture.

"Corporateeering" is defined in the new book by Jamie Court, executive director of the Foundation for Taxpayer and Consumer Rights: *Corporateeering: How Corporate Power Steals Your Personal Freedom...And What You Can Do About It*, Tarcher/Putnam.

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I. THE CLASS ACTION CABINET

Here are the players and their ties to corporations that have faced, and continue to face, class action litigation from people they have wronged. Some of the suits were settled, some were thrown out, others came down in favor of the plaintiff. But in each case, a member of the president's cabinet or the GOP leadership worked against the class seeking recourse.

Dick Cheney, VICE PRESIDENT

Cheney was CEO of Halliburton from 1995-2000.¹

Angry Halliburton shareholders, feeling betrayed, filed several class action lawsuits against the now-notorious company. During Cheney's time as chief executive, the suits alleged, Halliburton engaged in improper accounting practices. The company and shareholders reached a \$6 million settlement this spring.²

Cheney was also on the board of directors of Gulfstream Aerospace, as was Colin Powell, below.

Colin Powell, SECRETARY OF STATE

Like Cheney, Powell served on the board of directors for Gulfstream Aerospace, which made specialty jets for Kuwait and Saudi Arabia. General Dynamics later bought out Gulfstream. Powell also was on the board of America Online.

Under a consent decree approved by a federal district court judge, plaintiffs and the Gulfstream Aerospace Corporation settled a class action lawsuit that alleged age discrimination. Sixty-one former employees had lost their jobs at Gulfstream's Savannah, Georgia plant. They received \$2.1 million.³

The Equal Employment Opportunity Commission (EEOC) also alleged, in a concurrent lawsuit, that Gulfstream targeted employees 40 years of age or older for layoffs. That, the EEOC said, violated the Age Discrimination in Employment Act of 1967. The layoffs occurred between August 2000 and December 2000.⁴

AOL has been the target of many cases, usually involving fraudulent billing practices.

Donald Rumsfeld, DEFENSE SECRETARY

Rumsfeld has a slew of strong corporate ties. He was CEO of G.D. Searle, a pharmaceutical company that is now a subsidiary of Pharmacia, from 1977-85. From 1990-93, he was CEO of General Instrument, later bought out by Motorola. He was on the board of Gilead Sciences from 1993-2001, the Tribune Company (which owns the Chicago Tribune and the Los Angeles Times), Amylin Pharmaceuticals, and such Fortune 500 outfits as Kellogg, Sears and Allstate. He had \$11 million in stock in Gulfstream Aerospace when General Dynamics absorbed it.

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Thousand of Allstate customers in the District of Columbia who had trouble collecting on claims will have their day in court, thanks to a ruling by District Court Judge Louis F. Oberdorfer. The judge ruled that they could file a class action suit against the insurance giant.

The suit targets Allstate's so-called "Claims Core Process Redesign." Under the process, the suit alleges, Allstate deliberately made it more difficult for clients represented by an attorney to receive policy benefits.

If the Allstate customers make their case, then the Allstate policy would be a violation of the D.C. Consumer Protection Procedures Act.

The case began with a hit-and-run accident on Jan. 2, 1998, according to Neely Tucker, writing in the *Washington Post*. According to the *Post* story, a hit and run driver ran into Eunice Wells, then 65, and fractured her right leg, which required extensive surgery. Wells ran up \$7,715 in medical bills and lost \$11,040 in wages. Her leg never was the same.

Wells, who had a \$25,000 uninsured motorist policy with Allstate, filed a claim. According to her lawsuit, she turned in all documentation requested by the company and hired an attorney. Allstate failed to pay the claim, so Wells sued in D.C. Superior Court and U.S. District Court. She finally won \$25,000.⁵

John Ashcroft, ATTORNEY GENERAL

As a senator, Ashcroft did not serve on boards of directors because he was in public service. However, he did receive \$24,870 in contributions from Monsanto (Pharmacia) and Enterprise-Rent- a- Car donated \$54,900.

Salaried employees at Enterprise Rent-A-Car in California filed a class action suit charging the company with failing to pay them overtime. Assistant managers at Enterprise throughout the state were routinely required to work in excess of eight hours a day and/or forty hours per week without receiving overtime compensation. A judge this year denied them class certification, but the plaintiffs' attorneys have appealed.⁶

In another case involving an Ashcroft contributor, farmers in the United States and France filed a class-action lawsuit in U.S. District Court in Washington against Monsanto Co., the largest producer of genetically modified seeds. In the 55-page complaint, farmers said Monsanto misled them on two counts: first, that the seeds were safe; and second, that the public would accept genetically modified crops. They say the public's skepticism about, and suspicion of, genetically modified seeds has cost farmers money.⁷

Ann M. Veneman, AGRICULTURE SECRETARY

Ann Veneman served on the board of directors for Calgene Inc., the first company to bring genetically engineered food to the general public. Veneman also served on an agricultural trade group funded by Cargill, Nestle, Kraft, and Archer Daniels Midland.

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Several thousand food companies filed a \$4 billion suit against Archer Daniels Midland, Cargill, A.D. Staley Manufacturing and other companies, alleging price-fixing. A years-long effort to dismiss the suit ran into a brick wall in March when the US Supreme Court refused to throw out the suit and said it must go to trial. Veneman served on an agricultural trade group funded by Cargill, ADM and other corporations. The lawsuit alleges a conspiracy to fix the price of high-fructose corn syrup.⁸

When she became Agriculture Secretary, Veneman inherited a class action lawsuit against the Agriculture Department alleging discrimination against minorities in the provision of credit and other agricultural services. The case, *Wise vs. Veneman*, was filed by the Land Loss Prevention Project in Durham, NC.⁹

Women farmers are seeking certification as a class for another discrimination suit in *Love vs. Veneman*. As of early September, a judge had not made the decision whether to grant class status.¹⁰

Spencer Abraham, ENERGY SECRETARY

Abraham, a one-term senator from Michigan, did not serve on boards of directors when he was in public service. Nevertheless, he was the No. 1 recipient of campaign contributions from the automotive industry, receiving more than \$700,000 for his failed Senate run in 2000 from contributors like General Motors, Ford and Lear Corp. One of his top contributors, Daimler Chrysler, is one of 139 companies that formed a lobbying group to oppose setting fuel economy regulations. The coalition gave Abraham \$178,674 in 1999-2000.

Shareholders this summer received class action status in their suit against DaimlerChrysler AG. According to the suit, DaimlerChrysler tricked them into approving the 1998 Daimler-Benz/Chrysler merger. By misleading them, shareholders say, the corporation cheated them out of their acquisition fee. On Aug. 23, 2003, DaimlerChrysler agreed to pay \$300 million to settle the class-action suit.¹¹

Dodge Durango owners who bought the vehicle between 1998 and 2003 also filed a class action lawsuit against DaimlerChrysler AG and DaimlerChrysler North America Holding Company. This suit claims that the upper ball joints on the 1998-2003 Dodge Durangos were defective. The defect caused the joints to either fail, suddenly and violently, or wear prematurely, according to the suit.¹²

Norman Mineta, TRANSPORTATION SECRETARY

Mineta was President Clinton's Commerce Secretary and is a former Congressman who served as the chairman of the House Transportation Committee. His campaign contributors included Northwest Airlines, United Airlines, Greyhound, Boeing and Union Pacific. Mineta resigned his House seat in mid-term to take a job as corporate vice president of Lockheed Martin.

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Former workers brought a class action suit against Martin Marietta Corporation, now Lockheed Martin, in May 1994, claiming the corporation had targeted employees older than 40 for layoffs and forced retirements over a five-year period.

In 1996, the U.S. EEOC and Lockheed Martin settled the suit, which had been filed under the Age Discrimination in Employment Act. Laid-off employees who had been targets of age discrimination received \$13 million in back pay. Some 450 were offered jobs, most of whom worked in Colorado.¹³

In addition, attorneys hired by hundreds of salaried and hourly African-American employees filed two class action lawsuits against Lockheed Martin Corp. in the late 1990s. The employees claimed Lockheed harassed them and denied them promotions, then retaliated when they complained. Those suits also drew the participation of the EEOC.¹⁴

Anthony Principi, VETERANS AFFAIRS SECRETARY

Principi was chairman of Federal Network, a wireless telecommunications company in California, when George Bush asked him to head the Department of Veterans Affairs. Principi has also spent time as COO for defense company Lockheed Martin's Integrated Solutions division, and as president of QTC Medical. His stock in Microsoft, Schering-Plough, Ford, and Qualcomm is reportedly worth between \$15,000 and \$50,000.

Like Mineta, Principi is familiar with class action lawsuits as a result of his tenure with Lockheed Martin.

Qualcomm, in which Principi held tens of thousands of dollars of stock, also has been on the receiving end of class action lawsuits. The San Diego-based digital wireless communications company, which bought the naming rights to the San Diego Padres baseball stadium, in 2001 resolved class action litigation filed by more than 1,000 former employees arising out of the sale of assets.¹⁵

Gale Norton, INTERIOR SECRETARY

From 1999 to 2001, Norton was senior counsel at Brownstein, Hyatt, Farber, and Strickland, a law firm representing developers and oil companies. Its clients include Delta Petroleum Corp., Timet-Titanium Metals Corp., the Shaw Group, which makes pipes for oil companies and power plants, Ustman Technologies, which monitors underground storage tanks, and Warren Rogers Associates, which sells products and services for chemical and petroleum storage tanks. Norton was a registered lobbyist for NL Industries (formerly National Lead Company) a chemical company with Superfund sites in Illinois, Minnesota, and New Jersey.

NL, for whom Norton lobbied, has been targeted in many lawsuits involving alleged harm to children or the environment. Plaintiffs have sued the corporation for their activities from New Jersey to Oregon, according to the Center for Biological Diversity. Some of the sites, according to the center: lead mines in Cherokee County, Kansas; smelters in Granite City, Illinois, Pedricktown, New Jersey, and Portland, Oregon; and superfund sites in Illinois, Minnesota and

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New Jersey. NL also is defending a dozen lawsuits involving children harmed by lead paint in such places as New Orleans, New York City, Cleveland, Baltimore, Milwaukee, St. Louis, Rhode Island and Erie County, N.Y., the center says.

In 2001, NL successfully fended off an attempt to acquire class action status in a lawsuit filed on behalf of several lead-poisoned children in Cleveland. Norton's clients have furiously fought class action designation, which could open the door to devastating financial payouts. NL in particular has been a defendant in suits involving 75 Superfund or other toxic-waste sites.¹⁶

Elaine Chao, LABOR SECRETARY

Chao sat on numerous corporate boards, including Northwest Airlines, Dole Food, Clorox and health care companies C.R. Bard and Columbia/HCA. Chao was also an executive at Bank of America.

Investors filed a class action against Clorox in 1999. They claimed that Clorox violated the Securities Exchange Act of 1934 by misrepresenting Clorox's earnings growth and ability to continue to make the expected profit. These "false and misleading" statements inflated the price of Clorox stock, which traded above \$132 per share during the class period, according to the complaint. When Clorox admitted that its fourth quarter revenues had actually declined, the stock tumbled to just over \$83 per share. Shareholders said that subjected them to "massive" damage.¹⁷

Tommy G. Thompson, HEALTH AND HUMAN SERVICES SECRETARY

Thompson, the former Wisconsin governor, was forced to sell his stock in drug makers Merck and Abbott Laboratories once he was confirmed as Health and Human Services Secretary. As governor of Wisconsin he did not sit on boards of directors because he was in public service. Thompson sold stock he owned in Philip Morris (worth between \$15,000 and \$50,000), but as governor, he had accepted more than \$72,000 in campaign donations from the company from 1993-2000. Philip Morris also subsidized a number of Thompson's international trips to promote free trade.

Phillip Morris has been the target of dozens of class action lawsuits. Some have been highly publicized, others less so.

In one recent case, from March of this year, Philip Morris lost a \$10 billion verdict in a class-action lawsuit filed over the company's use of the word "light" to promote cigarettes. The suit, brought on behalf of 1.1 million Illinois smokers who bought and used Marlboro Light and Cambridge Light products, accused Philip Morris of deceptively marketing "light cigarettes" as healthier than regular brands, even though health officials say this is not true. Philip Morris is appealing.

In his ruling, Illinois Circuit Judge Nicholas Byron said the term "lights" implied "reduced harm and safety, but also conveyed to class members that the 'lights' cigarette product was lower in tar

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and nicotine." Byron ordered the largest U.S. tobacco company to pay \$7.1 billion in compensatory damages to smokers and \$3 billion in punitive damages to the state of Illinois.¹⁸

John Snow, TREASURY SECRETARY

Snow was chairman and CEO of the CSX Corporation.

During Snow's long tenure at railroad giant CSX, a New Orleans jury awarded \$2.5 billion in punitive damages against CSX Transportation in a class-action suit related to a 1987 fire caused by a chemical leak. More than 8,000 people claimed damages after a railroad car carrying butadiene, a flammable gas, leaked, emitting vapors that caused a two-day neighborhood fire, according to the late Wendell Gauthier, class-action attorney in the suit. No one was killed in the immediate explosion, but thousands of residents were exposed to carcinogens, and Gauthier blamed at least three deaths on the incident. A Louisiana district court judge later reduced the award to \$850,000.¹⁹

Tom Ridge, HOMELAND SECURITY SECRETARY

While Governor of Pennsylvania, Ridge created a Governor's Club board of directors. Membership cost \$50,000 in campaign contributions. Thirty-seven of the club 'members' were with corporations that held state contracts worth a combined \$530,000,000.²⁰

Waste Management Inc., which contributed to Ridge's inauguration as governor,²¹ has been involved in many class actions. In 1997 Waste Management revealed it had overvalued assets and represented one-time income as recurrent. The company restated its 1996 quarterly earnings, which fell 10%, with analyst estimates that the write-downs could eventually cost investors billions. A class action was filed accusing the company of issuing false statements which caused Waste Management common stock to trade at artificially inflated prices.²²

II. TOP ADVISORS TO THE PRESIDENT

Top advisors to President Bush, Condoleezza Rice and Andrew Card, also have ties to companies targeted by class action lawsuits, as does President Bush himself.

Condoleezza Rice, NATIONAL SECURITY ADVISER

Rice sat on Chevron's board and had an oil tanker named after her. She also was a director at Charles Schwab.

A billion-dollar class action lawsuit against ChevronTexaco Corp. on behalf of more than 30,000 Ecuadorians has been moved from the U.S. to Ecuador.

After nearly ten years of legal maneuverings, during which time Rice was on Chevron's board of directors, the U.S. Second Circuit Court of Appeals ruled in August 2002 that the Ecuadorean judicial system has primary jurisdiction for the case. It added that its ruling - and ChevronTexaco's financial penalties, if there are any - will be enforceable in the United States.²³ Attorneys for the 30,000 Ecuadorans from the rainforest filed suit this spring in Lago Agrio, a small town in Ecuador's Oriente region. They said that over two decades, Texaco (now ChevronTexaco) systematically destroyed their land by dumping toxic wastewater and crude oil.

The oil giant's leavings made the ExxonValdez spill pale by comparison, according to *Corppwatch*. Over 20 years, Texaco dumped half again as much oil into the rainforest as the ruptured oil tanker left on Alaska's ocean and shoreline. At one point, Texaco was dumping some 4.3 million gallons per day of toxic oil wastewater into open pits, estuaries, and rivers. The total: roughly 18.5 billion gallons.

According to *Corppwatch*, legal scholars and lawyers are watching this case closely, because it could set international standards of behavior for other multinationals in developing countries.

Corppwatch, which monitors multinational activities overseas, says the Lago Agrio case is taking place at a time when U.S. companies are under increasing scrutiny – and, face possible legal action – for causing environmental damage in Latin America. In January of this year, for example, a Nicaragua court ordered Shell, Dole and Dow to pay \$489.4 million to 450 workers exposed to a pesticide that rendered them impotent.

Other companies recently subject to "class action style" environmental litigation in Latin America, *Corppwatch* says, include Dole Food, Shell Oil, Dow Chemical, Occidental Chemical, Del Monte Fresh Produce and Chiquita Brands International.²⁴

In another case involving one of Rice's old corporations, an aggrieved customer of San Francisco-based Charles Schwab & Co. launched a class-action lawsuit against the firm, alleging that Schwab, the nation's largest online and discount brokerage, violated a contract, fiduciary duties to its customers, and statutory and regulatory obligations when it canceled and reprocessed previously confirmed mutual fund transactions to include omitted trading fees.

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San Diego resident Tamara S. Ching, represented by San Diego law firm Krause & Kalfayan, filed the class action on October 27, 2000 in San Diego County Superior Court. But in the type of action that will become commonplace if the Class Action Fairness Act passes, Schwab had the case removed to the more defendant-friendly federal court, where it was dismissed in 2001.²⁵

Andrew H. Card Jr., CHIEF OF STAFF

Card, who served in the Reagan administration and was briefly Secretary of Transportation under President George H. W. Bush, was president and CEO of the American Automobile Manufacturers Association from 1993 until 1998, when the association dissolved. The AAMA was a trade association whose members included the Chrysler Corporation, the Ford Motor Company and the General Motors Corporation. The AAMA spent more than \$12 million on lobbying in 1997-1998, fought with Japan over trade issues and lobbied the U.S. government against stricter fuel emissions standards. Card testified before Congress against the "Passengers' Bill of Rights" for the airline industry. Card was General Motors' Vice President of Government Relations after 1999. He directed the company's international, national, state and local government affairs activities and represented GM on matters of public policy before Congress and the Administration.

Many class action lawsuits were filed against the auto giants while Card spoke for them. Here are several of the most recent cases that overlap Card's tenure:

A jury awarded victims \$4.9 billion in a lawsuit that found that General Motors reneged on auto safety because it was less expensive to pay out claims to victims than it was to fix faulty fuel tank systems in their vehicles.²⁶

Supposedly faulty air bags led to another class action suit against GM, as well as other auto manufacturers. This time the plaintiffs claimed that front seat air bags installed in the vehicles between 1993 and 1997 were likely to hurt children and small adults. The suit was filed on April 25, 1997 in the Circuit Court of Coosa County, Alabama.²⁷

Scores of class actions were filed against GM claiming that the 1973-1987 model Chevrolet and GMC full-size pickup trucks, and another 1987-91 model, were defective because their fuel tanks are mounted below the cab and outside the frame rails. In one 1999 settlement, GM agreed to provide \$1,000 vouchers for new GM vehicles to 5.8 million owners who were party to the suit, as well as create a fund to study how to make the tanks safe.²⁸

George W. Bush, PRESIDENT

Bush Exploration, the president's former company, merged in the 1980s with Spectrum 7 Energy Corp. of Ohio, which later was gobbled up by Harken Energy. Bush was CEO of Spectrum and on the Harken board of directors. The most well-known corporate scandal involving the president, however, as with some of his cabinet members, is Enron.

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Several class action lawsuits were filed after Enron sought bankruptcy protection at the end of 2001. In one of them, plaintiffs accused Enron of avoiding write-offs that would otherwise bring the company's earnings below Wall Street's expectations.

The investor lawsuit, filed in April 2002 at the federal district court in Houston, claims Enron executives would accumulate charges on overseas power plants and pipeline projects and avoid writing them off. Over several years, the lawsuit claims, company executives packed what some in the financial world call a "big snowball": a huge write-off that eventually materialized in early 1999. The lawsuit alleges that the "snowball" was yet another way that Enron's top executives inflated earnings and defrauded investors.²⁹

Other suits allege that executives and defendants, including Bush friend and major campaign contributor Kenneth Lay, defrauded shareholders by making \$1.1 billion from insider selling of Enron shares.³⁰

The White House continues to deny that Bush was aware of the company's financial problems, despite revelations that Lay contacted then-Treasury Secretary Paul O'Neill and Commerce Secretary Don Evans to tell them the company was in trouble.

CONCLUSION

The purpose of this report is to show that the Bush Cabinet and the GOP leadership promoting this anti-consumer piece of legislation have strong ties to class action targeted companies, think like corporate managers and want to protect the corporations that once gave them financial sustenance, and may yet again once they leave office.

Class action lawsuits have helped those who have had their lives taken or placed in danger by defective automobiles; people who have had to endure discrimination on the job; people who have been ripped off by shady securities traders; and hundreds of thousands of other Americans who could not have fought on their own. They are absolutely necessary to provide equal protection under the law to all citizens.

APPENDIX: WHY S. 274 IS BAD FOR CONSUMERS

* Under S. 274, nearly every state court class action would be removed to federal court – regardless of whether every class member is from the same state and the suit involves a state law claim. This holds even where the corporation being sued has thousands of employees in that state or has caused massive personal injuries or property damage in that state.

* By moving class action suits to federal court, S. 274 creates all sorts of legal and logistical barriers for the individual plaintiff. He or she would have to go out of state to pursue the suit. Since many have neither the time nor the money to do this, the net effect would be to discourage people from persevering with class action suits.

* A suit rarely will be heard by the victims' own state courts – consisting of their neighbors, their peers and judges from their state; thus it will not be decided by them. The bill is anti-democratic in that sense, removing the right of a state's citizens to hear cases against out-of-state companies that come into a state and commit wrongs against its citizens; wrongs like environmental pollution that makes kids sick; consumer rip-offs and scams that enrich a company; discrimination against women, the elderly or the disabled. Very few of those cases will ever again be heard by jurors in state courts if this bill passes.

* Under federal law, a corporation with substantial permanent ties to a state could still be considered an out-of-state corporation if its executives are headquartered in another state or it is incorporated in another state.

* Proponents of the bill believe a federal court would be less likely than a state court to certify a class action suit; so S. 274 creates a type of forum-shopping. It allows a corporation to avoid accountability when it is guilty of rampant wrongdoing against a series of individual victims.

* The law will clog an already overburdened federal judiciary and slow the pace of certifying class actions. Removal to federal court of virtually all cases also undermines an important and traditional function of state courts and will slow - and in some cases thwart - the continual interpretation of state law. The American Bar Association Task Force on Class Action Legislation's recent report noted: "Any expansion [of federal court jurisdiction] should preserve a balance between legitimate state-court interests and federal-court jurisdictional benefits."

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NOTES

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- ¹ Except as otherwise noted, information on the Bush Cabinet's corporate ties was obtained from the Center for Responsive Politics, <http://www.opensecrets.org/bush/cabinet.asp>
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- ³ News Release. Equal Employment Opportunity Commission (EEOC), Dec. 11, 2002
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- ⁶ Interview with Matthew Righetti of Righetti Wynne P.C., Aug. 18, 2003.
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- ¹⁰ Interview with Al Pires of Conlon, Frantz, Phelan and Pires, Aug. 10, 2003.
- ¹¹ Austin, Liz. "Daimler Chrysler to Settle Suit," *Associated Press*, Aug. 23, 2003.
- ¹² Dow Jones Business News. "Wisconsin Law Firm Files Suit on Behalf of Dodge Durango Owners," Jul. 30, 2003.
- ¹³ News Release. EEOC, Nov. 21, 1996, <http://www.eeoc.gov/press/11-21-96.html>
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- ¹⁵ News Release. Qualcomm, Feb. 26, 2001, http://www.qualcomm.com/press/press_list_2001.html
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- ¹⁹ Zausner, Robert. "Want Access to Gov. Ridge? Join The Club," *The Philadelphia Inquirer*, Apr. 27, 1997.
- ²⁰ Democratic Caucus of the Pennsylvania House of Representatives,
www.pahouse.com/george/comments/012802.htm
- ²¹ Stanford Securities Class Action Clearinghouse. <http://securities.stanford.edu/1010/WMI97/>
- ²² Kohn, Kohn, Swift & Graf. <http://www.kohnswift.com/texclasrein.htm>
- ²³ Corpwatch. <http://www.corpwatch.org/bulletins/PBD.jsp?articleid=6691>
- ²⁴ Interview with David Zlotnick of Krause & Kalfayan, Aug. 17, 2003.
- ²⁵ O'Neill, Ann W., et al. "GM Ordered to Pay \$4.9 Billion in Crash Verdict," *Los Angeles Times*, Jul. 10, 1999.
- ²⁶ Ellen Smith et. al. v. General Motors Corporation, Ford Motor Company, Chrysler Motors Corporation, Sylacauga Auto Plex et. al.
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- ²⁹ O'Neill, Tina-Marie. "Enron Cloud Looms Over Bush's Big Money Links," *Sunday Business Post*, Jan. 13, 2002.
- ³⁰ For contributions from Lay and other Enron executives to Bush, see www.publicintegrity.org.