

# Another Stacked Week of Litigator of the Week Runners-Up and Shout Outs

By Ross Todd  
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- ▶ Shout outs also go to a team from **Latham & Watkins** led by **Kevin McDonough** who continued a win streak for Funko Inc. In one of the first rulings to apply the Ninth Circuit's recent decision in *Wochos et al. v. Tesla Inc.*, U.S. District Judge Virginia Phillips in Los Angeles last week knocked out a securities class action against the pop culture collectible maker.
- ▶ McDonough also scored a shout-out worthy result this week for client Mobile TeleSystems, the largest mobile network operator in Russia, alongside a Latham team including partners **Jeff Hammel**, **Andrew Clubok**, and associates **Jooyoung Yeu**, **Marc Werner**, **Alex Ehmke** and **Ryan Schachne**. U.S. District Judge Ann Donnelly in Brooklyn on Monday granted a motion to dismiss a securities class action that brought Foreign Corrupt Practices Act claims against MTS. McDonough argued the motion to dismiss in the case.
- ▶ A separate Latham team including partner **Christian Word**, counsel **Kristin Murphy**, and associates **Sean McMahon**, **Riley Keenan** and **Sam Chang** gets a shout out for convincing the Second Circuit to affirm a win for client Wesco in a case claiming the company made false and misleading statements in a proxy statement issued in connection with the company's proposed merger with Platinum Equity. The Second Circuit last week held that the plaintiff lacked a factual basis to infer that Wesco's stock was worth more than the merger price and therefore couldn't plead a non-speculative economic loss—potentially a useful tool to bolster defense against post-closing M&A suits brought under Section 14(a).