

# Joseph T. Kelleher

## Partner

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Joe Kelleher is an experienced litigator who represents investment companies, investment advisers, financial institutions, insurance companies, and public and private companies in a wide variety of matters. He has served as lead counsel in trials, arbitration proceedings and appeals. Joe's practice focuses on securities and investment management litigation, complex commercial disputes, and insurance coverage matters.

### REPRESENTATIVE MATTERS

- representing mutual funds and other investment funds as plaintiffs in a securities fraud opt-out action against Teva Pharmaceuticals arising from the company's misrepresentations regarding generic drug price-fixing
- representing mutual funds and other institutional investors as plaintiffs in securities fraud opt-out actions against Perrigo arising from the company's misrepresentations regarding its acquisition of Omega, its response to a takeover bid by competitor Mylan, and its misstatements regarding generic drug pricing pressure and price-fixing
- representing mutual funds as plaintiffs in a securities fraud opt-out action against Celgene arising from the company's misrepresentations regarding two of its drugs, Otezla and Ozanimod
- representing mutual funds and other investment funds pursuing securities fraud claims against PG&E in the company's Chapter 11 bankruptcy
- defending several mutual funds and other investment vehicles in the fraudulent transfer multidistrict litigation arising from Nine West's billion-dollar leveraged buyout
- advising mutual funds and institutional investors regarding securities fraud opt-out litigation and overseas securities fraud litigation
- representing investment advisers and investment companies in connection to responding to regulatory investigations and subpoenas in criminal, grand jury, civil enforcement, and private litigation matters
- advising mutual fund independent directors/trustees with respect to D&O insurance matters

### FOCUS

Litigation

Investment Management Litigation

Securities Litigation & Enforcement

Complex Commercial & Class Action Litigation

Insurance Coverage Advisory & Litigation

### BAR ADMISSIONS

Pennsylvania

New Jersey

### COURTS

U.S. Supreme Court

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the Eastern District of Pennsylvania

U.S. District Court for the Middle District of Pennsylvania

U.S. District Court for the District of New Jersey

### EDUCATION

J.D., *magna cum laude*, University of Notre Dame Law School

B.S., *summa cum laude*, Saint Joseph's University, Phi Beta Kappa

### MEMBERSHIPS

Board of Directors, Haddon Savings Bank

Co-Chair, Stradley Ronon Hiring Committee

Co-Chair, Stradley Ronon Technology Committee



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- defending financial institutions and lenders in consumer class action litigation
- obtained favorable settlement for numerous mutual funds and institutional investors as plaintiffs in securities fraud opt-out actions against Petrobras arising from the Brazilian oil industry giant's long-running bribery and kickback scheme and overstatement of assets
- obtained favorable settlement for the litigation trustee for several mutual funds and institutional investors asserting claims in the multidistrict litigation arising from the billion-dollar Satyam Computer Services accounting fraud
- successfully defended several mutual funds in a fraudulent transfer adversary proceeding arising from Sears' spinoff of Lands' End
- successfully defended numerous mutual funds and other investors in the fraudulent transfer multidistrict litigation arising from Tribune's multi-billion-dollar leveraged buyout
- successfully defended several mutual funds and other investment vehicles in the fraudulent transfer litigation arising from Lyondell Chemical Company's multi-billion-dollar leveraged buyout
- successfully defended Am Law 200 firm in multi-party civil RICO lawsuit, obtaining summary judgment for client
- successfully defended a global aerospace manufacturer in a multimillion-dollar arbitration before the International Chamber of Commerce International Court of Arbitration
- tried \$80 million dispute between marine terminal operator client and its public port authority landlord before a panel of three arbitrators and obtained a unanimous award in favor of client
- represented the FDIC in connection with investigating and pursuing professional liability claims arising from bank failures in Pennsylvania, New Jersey, New York and Florida
- defended a mutual fund client in a multimillion-dollar FINRA customer dispute arbitration
- secured summary judgment in favor of a publicly traded industrial manufacturer in a half-billion-dollar breach of contract claim involving the licensing of patent rights
- defended a global manufacturer of military, surveillance and reconnaissance solutions in a patent infringement lawsuit related to night vision technology
- defended a global electrical supplies distributor in a multimillion-dollar lawsuit for trademark infringement and counterfeiting

## **SPEAKING ENGAGEMENTS**

- Presenter, "Direct Litigation and Fund Boards: Priorities and Practices," Burford Capital Securities Litigation Symposium
- Panelist, "How Are Institutional Investors Coping with the Growing Global Litigation Challenge?" ICI General Membership Meeting

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- Presenter, “Opt-In or Opt-Out: The Changing Landscape of Securities Class Actions and Its Impact on Mutual Funds,” Mutual Fund Directors Forum Webinar
- Presenter, “Opt-In or Opt-Out: Significant Developments, Board Considerations, and Policies and Procedures in Opt-out Litigation,” Stradley Ronon seminar held during the 2017 ICI Mutual Funds and Investment Management Conference

## RECOGNITIONS

- *Chambers USA*, recognized for general commercial litigation in Pennsylvania
- *Pennsylvania Super Lawyers*, Rising Star

## IN THE COMMUNITY

Joe serves on the Board of Directors of Haddon Savings Bank in Haddon Heights, New Jersey. Joe also has led the firm’s partnership with the Philadelphia Ronald McDonald House, which was recognized by the *Philadelphia Business Journal* in its 2020 Faces of Philanthropy Awards.

