

THE AM LAW LITIGATION DAILY

Litigator of the Week Runners-Up and Shout-Outs

By Ross Todd

September 27, 2024

► Shout-out to a team at **Latham & Watkins** representing Carvana in a shareholder derivative suit that claimed the company routinely sidestepped title transfer and registration obligations due to an «insatiable hunger for growth.» Delaware Chancellor Kathaleen McCormick dismissed all claims in a bench ruling this week, including *Caremark* and *Brophy* claims. The Latham team representing Carvana, certain current officers and directors and the company's controlling stockholder includes partners **Andrew Clubok, Susan Engel, Jeff Hammel**, counsel **Matthew Peters** and associate **Stephen Nasko**, with local counsel David Ross, R. Garrett Rice and Benjamin Whitney of Ross Aronstam & Moritz.

► A separate team at Latham gets a shout-out for another win at the Chancery Court—this one for Chinese vaccine maker Sinovac Biotech Ltd., which faced claims that the company manipulated its anti-takeover poison pill to favor company insiders. The plaintiff claimed that Antigua's six-year statute of limitations should apply since that's where Sinovac was incorporated. But Vice Chancellor J. Travis Laster dismissed the suit this week, finding Delaware's three-year statute applied since that's where the investor filed suit. Latham partner **Jason Hegt** argued the motion to dismiss. The Latham team for Sinovac also included partners **Eric Leon, Jooyoung Yeu** and associates **Ryan Schachne, Larry Hong** and **Steven Van Iwaarden**, with local counsel at Morris, Nichols, Arsht & Tunnell.