

## Sheryl Shapiro Bassin

PARTNER

Litigation  
New York

sbassin@wsgr.com  
212-497-7725



### FOCUS AREAS

Board and Internal  
Investigations  
Commercial Litigation  
Corporate Governance  
Corporate Governance  
Litigation  
Government Investigations  
Litigation  
Securities Litigation  
White Collar Crime

### EXPERIENCE

Sheryl Shapiro Bassin is a partner in the New York office of Wilson Sonsini Goodrich & Rosati. Her practice focuses on securities litigation, complex commercial litigation, corporate governance litigation, and white-collar criminal defense. Sheryl represents companies and their directors and officers in stockholder class actions, derivative suits, and complex commercial litigation in federal and state courts throughout the country. She also has extensive experience representing financial institutions, public and private companies, and individuals in a wide range of civil litigation encompassing many areas of law, including fraud, contract, and intellectual property, in federal and state courts and in arbitration matters. She has represented clients in regulatory matters involving federal, state, and foreign authorities and conducted internal investigations.

Sheryl has significant experience litigating cases through all aspects of the litigation process, from inception of an action through discovery, motion practice, trial, and appeal. She has extensive experience in managing all aspects of complex electronic discovery.

From 2009 to 2010, Sheryl served as a law clerk to the Honorable Allyn R. Ross of the U.S. District Court for the Eastern District of New York, and from 2008 to 2009, she was a law clerk to the Honorable Robert N. Chatigny of the U.S. District Court for the District of Connecticut. Prior to joining the firm, Sheryl was an associate at Cleary Gottlieb Steen & Hamilton LLP.

### CREDENTIALS

#### Education

- J.D., Georgetown University Law Center, 2008  
*Magna Cum Laude; Order of the Coif; Recipient, International Academy of Trial Lawyers Student Advocacy Award*
- B.A., Brown University, 2003  
*Magna Cum Laude; Phi Beta Kappa; Executive Editor, Brown Daily Herald*

#### Associations and Memberships

- Member, Securities Litigation Committee, New York City Bar Association
- Member, Committee on Women in the Legal Profession, New York City Bar Association
- Member, Federal Bar Council American Inn of Court
- Member, Public Service Committee, Federal Bar Council (2013-2017)

#### Admissions

- State Bar of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of Appeals for the Second Circuit

## MATTERS

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### Representative Matters

#### Securities Class Actions:

- Represented Cloopen Group Holding Limited and its officers and directors in securities class actions in state and federal court in New York concerning its initial public offering. The actions were settled.
- Represents Mylan NV in securities class action filed in the U.S. District Court for the Western District of Pennsylvania arising out of an announcement of receipt of Form 483s and implementation of remediation program at a manufacturing plant.
- Represents Viatrix in securities class action in state court in Pennsylvania alleging false and misleading statements in a registration statement filed in connection with the business combination between Mylan and a subsidiary of Pfizer.
- Represented HDFC Bank Limited and its current and former Managing Director in securities class action filed in the U.S. District Court for the Eastern District of New York arising out of allegations of misconduct by employees in HDFC's auto loan department. The action was dismissed with prejudice.
- Represents QuantumScape in class and individual actions in federal and state courts in New York concerning the exercisability of warrants.
- Represented 500.com Ltd. and its CFO in a securities class action filed in the U.S. District Court for the Eastern District of New York arising out of allegations of bribery of government officials. The action was dismissed with prejudice.
- Represented Benefitfocus in securities class action filed in New York Supreme Court arising from Benefitfocus's Secondary Public Offering. The action was settled.
- Represented Loop Industries, Inc. and its CEO and CFO in securities class action filed in the U.S. District Court for the Southern District of New York arising out of allegations in a short-seller report questioning the commercial viability of the company's patented technology. The action was settled.
- Represented Mesoblast and its officers in the U.S. District Court for the Southern District of New York arising from an FDA complete response letter to its biologics license application for a new drug. The action was settled.
- Represented Intrusion in securities class action filed in the U.S. District Court for the Eastern District of Texas alleging misleading statements related to cybersecurity products. The action was settled.
- Represented NantHealth, Inc. and its directors in a securities class action filed in the U.S. District Court for the Central District of California concerning a charitable gift made by nonprofit foundations to a university's genetic research project. The action was settled.
- Represented NantKwest, Inc. and its directors in a securities class action filed in the U.S. District Court for the Central District of California alleging failure to disclose certain expenses and liabilities in IPO Registration Statement. The action was settled.
- Represented stockholders in actions in the U.S. District Court for the Southern District of New York, New York Supreme Court, and Delaware Court of Chancery, alleging disclosure violations of Sections 13(d) and 14(a) and breach of fiduciary duties.
- Represented pharmaceutical company in securities class action filed in the U.S. District Court for the Southern District of New York alleging false statements and omissions regarding the safety of a weight loss drug. The action was settled.

#### Complex Commercial and Merger Litigations:

- Represents Mylan Pharmaceuticals Inc. in breach of contract and patent infringement action filed in the US District Court for the District of Delaware arising from Mylan's launch of its generic colchicine product.
- Represented Forescout Technologies in an action in the Delaware Court of Chancery for specific performance against Advent International to require the closing of a merger. The companies ultimately agreed on a revised transaction.
- Represented Israeli pharmaceutical distributor Neopharm Ltd. in a complex breach of contract action in the U.S. District Court for the Southern District of New York alleging that an international drug manufacturer unlawfully terminated the parties' exclusive distribution agreement. Successfully moved the federal district court for judgment on the pleadings and obtained a declaration that the termination was unlawful.
- Represented Mylan Laboratories Limited in breach of contract action in the U.S. District Court for the Southern District of New York brought by Bristol Myers-Squibb Company relating to Mylan's alleged distribution of an HIV/AIDS drug in Venezuela. Successfully moved the federal district court to dismiss the complaint for failure to state a claim.

- Represented former managing director of investment bank against fraud and breach of fiduciary duty claims in New York Supreme Court and First Department in connection with a merger transaction. Secured dismissal of complaint in trial court and affirmance by appellate court.
- Represented Mylan Pharmaceuticals Inc. and Mylan Inc. in a patent damages jury trial in the U.S. District Court for the District of Delaware. At the conclusion of the evidence, the case settled for a fraction of the amount being demanded.
- Represented Nutanix and its officers and directors in a shareholder derivative suit related to the announcement of disappointing guidance. The action was dismissed with prejudice.
- Represented private equity consortium in the first expedited arbitration in the Hong Kong International Arbitration Centre regarding a potential going-private transaction, which resulted in a complete victory for our clients.
- Represented foreign sovereign against breach of contract claims, including winning dismissal in the U.S. District Court for the Southern District of New York, and successfully defending decision in the Second Circuit.

#### SEC and Internal Investigations:

- Represented global financial institution in internal investigations and investigations being conducted by the SEC, DOJ, CFTC, and the UK Financial Conduct Authority regarding allegations of manipulation and collusion in the foreign exchange market.
- Counsel to independent special committee of public company in internal investigation and SEC investigation.

## INSIGHTS

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### Select Publications and Amici Curiae

- Contributing author, "Professionalism" chapter, *Successful Partnering Between Inside and Outside Counsel*, Thomson Reuters, April 2016
- Contributing author, "Derivatives" chapter, *Business and Commercial Litigation in Federal Courts*, Third Edition, Thomson Reuters, 2014
- Co-author, Brief for *amici curiae* The Technology Association of America and TechNet in support of petitioners, *Sears, Roebuck & Co. v. Butler, et al. & Whirlpool Corporation v. Glazer, et al.*, On Petitions for Writs of Certiorari to the United States Court of Appeals for the Seventh Circuit and the United States Court of Appeals for the Sixth Circuit, Nos. 13-430, 13-431
- Co-author, Brief for *amicus curiae* The Securities Industry and Financial Markets Association in support of Defendant-Respondent, *EBC I, Inc. v. Goldman Sachs & Co.*, New York Court of Appeals, No. 601805/02

### Select Speaking Engagements

- Moderator, "Class Action Disputes - EU and U.S. Perspectives," Wilson Sonsini Webinar, May 2023