

Bradley W. Foster



Partner

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Brad Foster represents clients in securities litigation and other complex business disputes. His experience includes securities class actions, mergers and acquisitions (M&A) litigation, shareholder derivative suits, corporate governance litigation, securities and commodities arbitration, SEC investigations, NYSE and NASD investigations, commercial arbitration, and general business litigation. He has served as "panel counsel" for a leading insurance carrier on securities class actions and D&O claims, and he has received Martindale Hubbell's highest peer-review rating for professionalism and integrity. He is also a Certified Public Accountant.

REPRESENTATIVE EXPERIENCE

- Represented the officers and directors of a publicly-traded telecommunications company in a \$50 million lawsuit asserting claims under the federal securities laws. See *R2 Investments v. Phillips*, 401 F.3d 648 (5th Cir. 2005).
- Represented a publicly-traded restaurant company and its board of directors in a nationwide shareholder class action arising from a \$650 million merger transaction.
- Represented a corporate officer in an SEC investigation and related federal court proceedings involving alleged accounting manipulations by a leading wholesaler in the food industry.
- Represented a corporate officer in shareholder derivative litigation involving alleged antitrust violations.
- Represented a leading investment bank in several multimillion-dollar NASD arbitration proceedings.
- Represented a national wireless telecommunications company in a \$100 million AAA arbitration proceeding.
- Represented numerous clients (including underwriters, auditors, public company issuers, and individual officers and directors) in class actions and putative class actions asserting claims under the federal securities laws.
- Represented investment banks and brokerage firms in securities fraud suits filed in both state and federal court, and in numerous securities and commodities arbitration proceedings before the New York Stock Exchange and the National Association of Securities Dealers.

PRACTICE AREAS

Corporate Compliance,
Investigations and
Defense
Litigation
Arbitration/Mediation

EDUCATION

JD, 1990, *magna cum laude*, Southern Methodist University Dedman School of Law, Valedictorian, Law Review, Order of the Coif
BA, 1987, *cum laude*, Baylor University, Phi Beta Kappa, National Merit Scholar

ADMITTED

Texas 1990
US Court of Appeals for the Fifth Circuit
US District Courts for the Northern, Southern, Eastern and Western Districts of Texas
US District Court for the District of Colorado

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ARTICLES/PUBLICATIONS

- Securities Litigation E-Alert: The SEC, Insider Trading, and Dallas Sports (November 25, 2008)
- Securities Litigation E-Alert: The Fifth Circuit and Loss Causation (September 26, 2008)

PROFESSIONAL/CIVIC AFFILIATIONS

Professional Certification

Brad is a licensed Certified Public Accountant in the State of Texas. He passed the Uniform CPA Exam in May 1987, receiving the Elijah Watt Sells Certificate for Performance with High Distinction (given to candidates who earn one of the top 100 overall scores in the nation).

Member

- Life Fellow, Texas Bar Foundation
- United Way of Dallas, Leadership Society and Young Leaders Society
- State Bar of Texas (Litigation Section)
- Dallas Bar Association (Securities Section)

HEADLINE NEWS

- Experienced Litigator Brad Foster Joins Andrews Kurth (July 16, 2008)