

Derrick Farrell

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Derrick Farrell is a partner at BFA and leads the firm's Corporate Governance Litigation group. He focuses his practice on representing stockholders in direct and derivative breach of fiduciary duty class action litigation. Derrick joined BFA with the launch of the firm's Delaware office, where he has continued to expand BFA's growing Delaware practice. Derrick has substantial trial experience arguing before the Delaware Court of Chancery and conducting stockholder investigations under 8 *Del. C. § 220*.

Derrick is currently litigating derivative and fiduciary duty actions against the Boards of Directors of The Boeing Company, Wells Fargo, Inc., Focus Financial, Inc., and BioVentrix, Inc., as well as a Section 220 matter investigating Globe Life Inc., in addition to conducting a number of confidential investigations. He previously litigated a Section 220 matter investigating The Boeing Company.

Derrick also played a key role representing the lead plaintiff in *In re: Dell Technologies Inc. Class V Stockholders Litigation*, which challenged the acquisition of Dell's Class V tracking stock by Dell's controllers. The case settled for \$1 billion, which is the largest settlement in U.S. state court history. Other successful results include *In re Pattern Energy Group Inc. Stockholder Litigation*, a direct action successfully challenging a \$6.1 billion merger transaction which settled for \$100 million; and *Nantahala Capital Partners L.P. v. QAD Inc. et al.*, a direct action which succeeded in enjoining a merger on the basis of inadequate disclosures which settled for \$65 million.

Derrick served as one of the lead trial attorneys representing the lead plaintiff in *In re Sears Hometown and Outlet Stores, Inc. Stockholder Litigation*, which challenged the acquisition of Sears Hometown & Outlet Stores by its controlling stockholder for \$3.25 per share. After trial, the Court ultimately ruled in favor of the class and ordered damages of \$0.85 per share, representing a 26% premium to the original

merger price. The parties are currently in the process of settling the matter to avoid a potential appeal.

Derrick has tried a number of other cases in the Delaware Court of Chancery, including *In re Appraisal of Ancestry.com, Inc.*, *IQ Holdings, Inc. v. Am. Commercial Lines Inc.*, and *In re Cogent, Inc. Shareholder Litigation*. He has also argued before the Delaware Supreme Court on multiple occasions.

Derrick began his career as a Clerk for the Honorable Donald F. Parsons, Jr., then a Vice Chancellor in the Delaware Court of Chancery. Thereafter, he gained substantial M&A experience as a defense lawyer at a prominent global law firm. Derrick has guest lectured at Harvard University and co-authored numerous articles for various publications, including the *Harvard Law School Forum on Corporate Governance and Financial Regulation*[1] and the *Practicing Law Institute* (PLI).

[1]

<https://corpgov.law.harvard.edu/2011/05/11/new-challenges-and-strategies-for-designating-delaware-as-jurisdiction-for-corporate-disputes/>

<https://corpgov.law.harvard.edu/2010/07/13/practical-implications-of-cnx-gas-on-controlling-shareholder-acquisitions/>

<https://corpgov.law.harvard.edu/2010/05/11/designating-delaware-as-the-exclusive-jurisdiction-for-intra-corporate-disputes/>