

Matthew Miller

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Matthew Miller is a partner at BFA. He focuses his practice on representing investors in class action and derivative breach of fiduciary duty litigation. Matt has practiced before Delaware state and federal courts for more than a decade, with the core of his experience being litigation before the Delaware Court of Chancery. He has stand-up trial experience and has successfully argued numerous dispositive and other motions. Matt also has extensive experience taking and defending depositions.

Matt represented large appraisal petitioners in the consolidated fiduciary duty and appraisal action *In re Dole Food Co., Inc. Stockholder Litigation/In re Appraisal of Dole Food Company, Inc.*, in which the Delaware Court of Chancery found fraud and breaches of fiduciary duty that led to post-trial damages of nearly \$150 million. In *Cygnus Opportunity Fund, LLC v. Washington Prime Group, LLC*, Matt presented written and oral arguments that led to a published opinion denying two motions to dismiss. That litigation remains ongoing. Matt also successfully represented a special litigation committee in *In re Baker Hughes, a GE Company, Derivative Litigation*, which resulted in new law in that area. Matt has represented several litigation demand review committees.

Matt is currently a member of the teams litigating derivative claims against the current and former directors and officers of Wells Fargo and The Boeing Company, as well as the teams litigating class action claims against Focus Financial, Inc. and BioVentrix, Inc.

Before coming to BFA, Matt spent more than a decade at a Delaware corporate and business law boutique focusing on high stakes commercial litigation, where he represented both plaintiffs and defendants, along with appraisal petitioners and respondents. He has extensive experience with valuation and industry experts, and co-wrote an article addressing the relationship between appraisal fair value and fiduciary duty fair price. The article—“Fair Price for Delaware Fiduciary Actions Can

Exceed Appraisal Fair Value”—was published in the *Business Valuation Review* and appeared on the Harvard Law School Forum on Corporate Governance.