



AUSTIN BRANE

Attorney

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In Brief

- **Attorney of Wagstaff + Cartmell LLP**
- **Served on the Lead Class Counsel team for multiple high-profile securities class action litigations in federal courts across the country**
- **Secured \$160 million recovery on behalf of Walmart investors following a years-long litigation concerning alleged bribery and corruption in Walmart's Mexico subsidiary**
- **Recovered over \$450 million on behalf of aggrieved plaintiffs**

Austin is an associate attorney with an emphasis in complex litigation. He represents clients in federal and state courts around the country in matters ranging from securities class actions, antitrust litigation, consumer protection, contract disputes, fraud, and civil RICO.

Austin was a member of the University of Kansas Law Review, where he graduated in 2012. During his third year of law school, Austin externed for the Douglas County District Attorney's Office, where he supported the office in all phases of the criminal justice process. Austin was certified pursuant to Kansas Rule 719 to appear on behalf of the office and did so on multiple occasions.

After earning his Juris Doctor, Austin joined the national law firm of Robbins, Geller, Rudman & Dowd LLP, in San Diego, CA, where his practice focused on complex class actions. Austin's experience includes recovering hundreds of millions of dollars on behalf of aggrieved plaintiffs and doing so against some of the largest companies in the country (e.g., Walmart) who are represented by the most prominent law firms in the country.

After over six years in California, Austin returned to the Midwest and joined Wagstaff & Cartmell's complex litigation practice.

Notable Litigation

Dahl et al. v. Bain Capital Partners, LLC et al., No. 07-cv-12388 (D. Mass.)

In late 2007, several shareholders who sold shares of stock to some of the largest U.S. private equity firms in leveraged-buyout transactions brought an antitrust action. They alleged that collusion had suppressed the price that they were paid for their shares of stock in these transactions that involved buying multi-billion-dollar U.S. public companies. In 2015, after almost seven years of contentious litigation, U.S. District Judge William G. Young approved seven settlements totaling \$590.5 million for shareholders. Wagstaff & Cartmell and its attorney, Ty Hudson, was a member of the proposed Executive Committee that prosecuted this case and was one of the firms selected to present oral argument for plaintiffs at a two-day summary judgment hearing in Boston. The plaintiffs' success in withstanding the defendants' summary judgment motions paved the way for the series of settlements that followed. This case is believed to be the largest antitrust class action settlement involving market allocation in which no government antitrust action was taken.

In Re: Syngenta Litigation Case No. 27-cv-15-3785 (Hennepin County, Minnesota District Court)

Wagstaff & Cartmell attorney, Ty Hudson, was appointed to the Plaintiffs Steering Committee of nine attorneys selected to prosecute a consolidation of more than 50,000 individual actions and a Minnesota state-wide class action brought by corn farmers and other entities against Syngenta alleging that the company prematurely released genetically modified corn seed that led to a de facto embargo on U.S. corn by China. In 2018, a federal court gave final approval to a nationwide global settlement of \$1.51 billion

\$10 Million Settlement – Environmental Property Damage

Wagstaff & Cartmell reached a \$10 million class action settlement with an engineering firm on behalf of a class of Northwest Missouri landowners. The case involved allegations that a tannery distributed tannery sludge containing hexavalent



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chromium to landowners to use as fertilizer in four Missouri counties from 1983 to 2009. The defendant, an engineering firm, provided consulting services to the tannery during some of that time period.

In Re: Asacol Litigation (D. Mass)

Wagstaff & Cartmell attorney, Ty Hudson, as court appointed co-lead counsel, prosecuted an illegal monopolization case arising from an alleged hard switch product hop. Judgments for the three named plaintiffs were entered by the court against defendants totaling more than \$2.7 million.

In Re: Potash Antitrust Lit. (N.D. Ill.)

Wagstaff & Cartmell was counsel to a class of indirect purchasers who obtained settlements of \$20.5 million in a price fixing action against potash suppliers.

NECA-IBEW Welfare Trust Fund v AstraZenca, et al. (S.D.N.Y.)

Putative class action by end payors of the drug Seroquel XL alleging anti-competitive agreements by drug companies to delay lower cost generics from coming to market in the U.S.

In Re: Polyurethane Foam Antitrust Litigation, MDL 2196 (N.D. Ohio)

Eric Barton served as Class Counsel for the indirect purchaser settlement class in an antitrust price fixing case arising from sales of polyurethane foam. He helped obtain settlements collectively valued at over \$151 million.

Bang v. BMW of North America, No. 2:15-cv-6945 (D.N.J.)

Wagstaff & Cartmell attorney, Eric Barton, served as Co-Lead Class Counsel in an excessive oil and battery consumption class action. He helped obtain final court approval of a settlement awarding financial and extended service benefits to a class of over 80,000 owners and lessees of BMW vehicles with an N63 engine.

Whitton v. Deffenbaugh Disposal, Inc., No. 2:12-cv-2247 (D. Kan.)

Wagstaff & Cartmell attorney, Eric Barton, served as Co-Lead Class Counsel, obtaining a court-approved \$7.6 million settlement for a class of commercial customers alleging breach of contracts for waste-hauling services.

Practice Areas

Austin handles cases in class actions & commercial litigation. Austin has represented developers, franchisees, investors, large companies, small businesses and entrepreneurs in a wide range of litigation.

His practice area include:

- Antitrust
- Breach of contract
- Business torts
- Franchise litigation
- Professional malpractice
- Financial and investment fraud
- SEC whistleblower/qui tam actions



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Prior Work Experience

Robbins, Geller, Rudman & Dowd LLP, 2012-2019

Education

- J.D., University of Kansas School of Law
 - Kansas Law Review
- B.A., Finance, Wichita State University
 - Magna cum laude

Admissions

California

Missouri

U.S. District Court, Southern District of California

U.S. District Court, Central District of California

[U.S. District Court, Northern District of California](#)

[U.S. District Court, Eastern District of Michigan](#)

[U.S. District Court, Northern District of Illinois](#)